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In alliance with a nocturnal landscape: memory and water law in the north Baikal, Siberia

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ABSTRACT. This paper examines the ethnography of nocturnal fishery and relationships with water, relevant for Evenkis occupying the northern coastal area of Lake Baikal, Siberia. The material arises from Evenkis of Kumora village who live near Lake Irkana and from archival sources. Although the nocturnal fishery is declared illegal in official legislation, local residents invoke memories to mark that practice as traditional and important for the local community since it is not merely a subsistence activity but also an emotional experience and long-term relationships with the landscape. This paper argues that local social memory devoted to this practice serves as a kind of fishing tool and a tool for supporting local ideas of how fishing should be governed. The collision between memory and water law is not discussed in terms of antagonism between local groups and authorities but as ignorance between memory-gifted people and the landscape, and memory-disabled official approaches to nocturnal fishing and its histories. Finally, memory-gifted human landscape relationships termed as 'alliance' are approached as a powerful conglomerate that 'consumes' authorised visions of fishing patterns in their own way.

Introduction

This paper examines the Evenki people of the northern coastal area of Lake Baikal, Siberia, Russia and their relationships with water landscapes. In particular, it focuses on their nocturnal fishery and its contradictory status in the field of environmental law and in local visions, perceptions, and memories. Evenki nocturnal fishery involves fishing pike (*Esox lucius*) at night in the beginning of May, which is the spawning season. This type of fishing is prohibited by water law. However, for local residents this practice is an important traditional activity, experience of the landscape, and memory.

Evenkis remember that the nocturnal fishery has always been part of local custom. They also remember that nocturnal practice has never led to any environmental disaster such as pike extinction, a scenario on which the prohibition of the nocturnal fishery is based. Although nocturnal environmental knowledge is of great importance to local residents, this sector of local water activities has not been given sufficient weight in ethnographic research.

This paper investigates how memories of traditional activities that local residents conduct in water landscapes meet official versions of how Evenkis should approach these landscapes. Memories engage with administrative views in a specific fashion, and it is relevant to speak about the alliance between local residents and the water landscape. Alliance here is a form of relation with the landscape relevant for the Evenkis. Alliance is a 'strategic diplomacy' that works through memories (see Simonova 2013). This alliance 'consumes' legal ideas about 'correct water management'. I employ 'alliance' in this particular context since this type of relationship is externally oriented and based on local history of fishing that is remembered by local residents. Their memories about the past of nocturnal fishing are now a tool of negotiation with contemporary legal prohibitions to fish at night in spring time. That means local residents are in alliance with the water landscape which helps them to negotiate abstract ideas of environmental welfare. Local residents use their aquatic knowledge and do not take seriously official ideas of what is good for water landscapes. They take memories as an instrument for fishing and as a base for evaluating water landscape dynamics.

I did my research among Evenkis in the north Baikal Region, in the Republic of Buriatiia, the Russian Federation. This region [Severobaikal'skii raion] is located in the north-western part of Buriatiia. The size of the region is −5,400 km^2 and the population is about 15600. There are six municipal centres [munitsipal'nye obrazovaniia] in the region: Angoia, Baikal'skoe Evenkiiskoe, Verkhniaia Zaimka, Kumora, Uoianskoe-Evenkiiskoe, and Kholodnoe Evenkiiskoe (including Dushkachan and Turtukit).

Similarly with other regions in Russia populated by nomadic groups, the north Baikal Evenkis went through the Soviet policy of sedentarisation in the beginning of the twentieth century. However, local Evenkis adapted to that policy in a specific way: they used the village established as a project of sedentarisation to stay in temporarily during market periods, while the village stayed empty for the most part of the year and Evenkis continued their traditional movements. In the late Soviet period north Baikal Evenkis experienced the Baikal-Amur Railway (BAM in Russian) project that had a strong impact on local relationships with the environment (for more details see Davydov 2011) and the language situation. Today only several elderly Evenkis speak their native language. However, place names and hunting terminology that are in use in the forest contain Evenki linguistic roots or represent a linguistic blend of Evenki and Russian.

The relief of the region comprises rows of mountains carved into valleys. The climate is severe in the region. The temperature reaches –40°C in winter and +40°C in

summer. The snow melts in the beginning of April. Lake Baikal serves as a refrigerator in summer and a heater in winter. Huge amounts of water keep the coastal area of the North Baikal region mild compared to areas further from the lake. In spring, the lake's water masses cool down its surroundings. The further from Lake Baikal a part of the region is, the sooner the snow melts.

The climate dynamics of the North Baikal region have been stable for at least the last 200 years. Indeed, climate dynamics similar to today were documented by Shchukin (1848: 395), who noted that the ice covered Lake Baikal in December and January and melted away completely in May. The winds were also remarkably strong.

My main focus was the native Evenki village of Kholodnaia, with a population of around 420. I also did field research in the villages of Kumora (the population is close to 450), Baikal'skoe (around 500 people), Turtukit (8 people live there year round), and a town-like settlement [poselok gorodskogo tipa] Nizhneangarsk (about 6500 people). I also lived with reindeer herders in their camp in the forest near the Tyia River (Pereval settlement) and the Nomama River. Thus, my fieldwork site covers an area with a radius of approximately 100 km around Kholodnaia village towards the mountainous taiga. I was ten months in the field from 2007 to 2008. In the late summer of 2009, I returned to the field again and spent one month mostly living with reindeer herders in the mountainous taiga on the Nomama River. During my stay, I employed a set of anthropological methods such as participant observation, voice and photo/video recording with hunters, fishermen, reindeer herders and their families and conducted a diary. In this paper I employ 'Evenkis' and 'Tungus people' to identify people I with whom I worked. Tungus people were renamed into Evenkis by Stalin's order in the early period of the Soviet Union. However, today both names are relevant in the region. Furthermore, it is hardly possible to hear 'Evenkis' in the taiga context. 'Tungus' is a common term for local residents to address each other in everyday life. 'Tungus' accommodates not only Evenkis but also other Siberian indigenous groups such as Eveny, Negidal, and Nanai. In this paper, however, I use 'Evenkis' as the identification term here since the Evenki ethnonym was not simply imposed on the communities by Stalin's minority policy but is also the most widespread self-designation of Evenkis in the Evenki language.

In this paper I examine relationships between local visions of water quality, fishing memories and contemporary fishing practices. Local experience of the nocturnal landscape is unique for a number of reasons. Firstly, being in the nocturnal landscape is an emotional experience, and local residents fish at night not only for material benefits but also for pleasure. In this regard the nocturnal fishery is similar to small scale hunting, for example, chipmunk hunting that Kholodnaia residents do not regard as lucrative either. Secondly, the contradiction between the water law that prohibits nocturnal fishing as an environmentally unfriendly activity triggers certain memories connecting the present with the past. This connection shows the past of nocturnal fishing and the past of the landscape together. Thus nocturnal fishing was not dangerous for fish population and for the landscape in the past and these memories bring the question: 'why is nocturnal fishing officially classified as evil today?' Correct memories thus serve as a fishing gear. Like a fish spear they pierce the past and make clear the importance of that practice for local culture. Memories also have another site of 'instrumentality' for the nocturnal fishing: they help keeping the technique of that practice and therefore they have both moral and material meaning for local residents to keep going. Without a memory-tool, managing a nocturnal landscape would hardly be a successful enterprise.

Aquatic knowledge

Aquatic knowledge in the North Baikal is a process arising from the everyday experience of dealing with water and aquatic landscapes. This knowledge is a combination of different ideas and strategies, and includes different understandings of how people should approach water, what they should know about it and how to use it properly every day. During my stay in the north Baikal area, I learned that people have many ideas about water and many experiences related to water as an element and water as a part of the local landscape.

The quality of water in the village is an important issue that is discussed and evaluated almost daily since fetching water is a daily task. The process of gathering water is affected by seasonal changes. The quality of water was an issue for Evenkis in Verkhneangarsk (the headwaters of the Angara River) in the nineteenth century. As Grigorovskii noted, the poor water quality in Lake Irkana in Verkhneangarsk significantly influenced the daily life of the villagers, who were obliged to search for other water sources:

> Verkhneangarsk is located on the northern shore of Lake Irkana. People use the water of the lake neither for drinking nor for cooking as it has an unpleasant taste and smell .... I do not know what kind of explanation would be suitable for this situation. I guess the water has a bad quality because it has been grown over by extensive water plants, which rot and spoil the water. This is why people bring water from the Iukta River. They take boats in order to get to the place of good water (Grigorovskii 1890: 7).

An Evenki man from Kholodnaia remembers that Evenkis preferred organising their camps [stoibishcha] near good water sources. He claims that one of those places was called 'Hot spring' [Goriachii Kliuch, Kumora, Verkhneangarsk area] since 'Tungus people liked pure water. Where water is good they stopped. They did not drink bad water at all' (V. Tulbukonov, personal communication, 21 November 2008).

The history of bad water in Kholodnaia is associated with the introduction of the Pereval industrial settlement

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in the region. When the Pereval settlement was established 50 kilometres upstream from Kholodnaia in the mountainous Taiga as a part of the BAM railway project in the 1970s, people stopped drinking water from the Kholodnaia River. Local residents remember that the river water quality changed dramatically and the results were obvious: fish almost disappeared from the river. People started hauling water from the spring located on the edge of the village instead. Memories of this history of bad water directly affect people's opinion about any kind of development project in the region. For instance Oleg Ganiugin, a local teacher, with whom I worked on this topic in the winter of 2008 worries about oil that has recently been discovered in Lake Baikal. Kholodnaia residents do not usually believe that any industrial company would use equipment to keep the local water pure. Rather, they expect that the 'Pereval story' will always be possible in future industrial development, and however 'clean' a technology would be, fish might disappear from the river again as it had happened fifteen years before after the breakup of the USSR when industrial taiga development was introduced in the region

Water quality changes seasonally and these changes are not necessarily related to industrial pollution. In spring water is believed to be the worst and local people are very sensitive to what they drink. One of the local springs might be ignored if the water there is dirty that season. People may melt ice to get better water. Rain water or 'what is pouring from the sky' is typically not used for consumption but only for household needs. 'Grey snow' was the result of industrial experiments in urban areas and many believed that it was similar to acid rain.

Water infrastructure is also a subject of debates. People are sure that water should be 'gathered' outdoors and not 'taken' from water tap. Moreover, it must be cold. If water stays for a couple of days, its quality is said to be 'warm' and therefore not good enough. Water must be always fresh and cold.

Local residents understand the demands of the market-driven economy and realise they cannot avoid governmental policies. However, water for them is an important part of subsistence. Water is viewed as the one thing not to be compromised in terms of potential industrial developments in the region. The quality of water is the subject of extensive discussions, and Kholodnaia residents would rather compromise governmental policies than their water quality. Local residents believe that their criteria of purity can meet global market demands and thus be positive for both regional development and local aquatic culture. Aquatic knowledge is not thus limited by practices and experiences but can be shaped as a project for regional development. For instance, some claim that strategic use of Baikal water may contribute significantly to local subsistence, but the oil industry could easily spoil the water and does not bring the expected positive results for the local population. They think that entrepreneurs should concentrate their energies on strategically using the pure water of the great lake.

There is a special focus in anthropology on human relations with water landscapes (Acheson 1981; Ten Bos 2009; McCay 1978) which are also discussed within the context of legislation (Charles and others 1999). Indigenous water knowledge and use are often considered as the arena of different ethics, attitudes, and conflicts. Moreover, those promoting environmental projects can potentially learn from indigenous relations with water (Hammer 2004). I agree with Bruns and Meinzen-Dick that 'the institutional frameworks that structure socially accepted access and entitlements to water take many forms. Sometimes they are easily seen in local agreements, customs, and physical structures. They may be informal, implicit, and embedded in local practices' (Bruns and Meinzen-Dick 2005: 4). Political agreements should not ignore social dynamics in relation to natural processes (Assies 2003; Cleaver 2000; Hendriks 2002; Jackson and Morrison 2007; Ringhofer 2010). If we export this general statement to Siberian context, it would mean that the nocturnal fishing should not be approached as simply poaching but considered as an activity charged with local meanings and histories that are not to be ignored but discussed carefully.

Issues of control of near-shore waters are always inscribed in specific local environmental perceptions when related to indigenous sensitivity to human-water interactions (Orlove 2002). Local ways of knowing water create 'the links between past understandings and present dilemmas' (Mackinnon 2007: 78). Although these studies had been done in different parts of the world, all of them show certain tendencies in relations with water landscapes relevant for fishing communities. Indeed, local visions are rarely in harmony with official logics of how to approach water landscapes. Wilson (2002), for example, elegantly demonstrates how 'law' encounters 'laws' in Sakhalin Island. I am not speaking about strict oppositions between 'monotheism of law' and 'paganism of local laws', but I agree with Wilson here that moral norms are always preferences and this statement is factual for fishing communities in the north Baikal as well. Moreover, these norms have references to tradition and therefore they are socially legitimated.

Even though indigenous water management regimes are increasingly recognised by non-indigenous western water managers (Sheehan and Small 2007) allowing a better 'understanding of sustainability' (Sheehan 2001), these regimes are not discussed enough in indigenous contexts across Siberia and especially in north Baikal. This is striking since the lake is a globally well known source of pure water. This paper endeavours in part to fill that gap, and examines some local water and water landscape perspectives.

The fact that local fishermen continue fishing pike at night despite prohibition, can be accepted as a form of local response that is based on remembering long-lasting relationships with the water landscapes and their

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creatures. In other words local residents engage with institutional water visions and regulations from a position of being in alliance with the water landscape. This alliance allows both people and the taiga landscape to remember. Evenkis produce their narratives about changes they experience together with the landscape via remembering. Memory is a living process linking past and present that assists local attempts to incorporate external logics into local worldviews. A young Evenki fisherman stated: 'I do not understand why this is illegal. Our ancestors fished at night for centuries and we know that, we remember that. Have you seen ancient fish spear at school? They did no harm in the past; the fish is still there, why should we do bad? No harm will follow if we fish accurately as always'.

Landscape similar to people is a remembering agent. People inspire the latter by the talent of memory. People remember the practice, and landscape remembers the results. The presence of pike that is the object of concerns is viewed as a part of the landscape memory. People remember the nocturnal fishing through stories and things such as old fish spears kept in a local museum; hence, young Evenki fishermen share the values of local social memory because they remember what they did not experience themselves but their ancestors did. Landscape remembers the nocturnal fishing through the lake that is still populated with pike. Abstract law is the only agent of the story that is deprived of the capability to remember. Memory-less law is thus abstract and artificial social creature that will never be a part of human-landscape alliance and therefore is to be consumed by the latter.

Water knowledge includes the knowledge of the water landscape, and that knowledge is essential for fishermen. I do not intend to make a strict division between 'daytime' and 'night time' fishermen; however, those who fish at night in Irkana do not have particular allotments on the lake like daytime Kholodnaia fishermen do. Nocturnal fishermen move around the lake, watch one another from the distance by the light of their hand lamps and politely keep their distance. However, people negotiate neither distance, nor parts of the lake before fishing. In an opposite manner, Kholodnaia daytime fishermen who use nets have a well formed idea of water allotments and are sensitive to any attempts to interfere into someone's water sector.

The next section explores the history of the nocturnal fishery and the ways it lives today within the local community on the shore of Lake Irkana. In particular, it discusses how memories and practices encounter official regulations.

The nocturnal fishery

Local disagreement with contemporary water use regulations is usually expressed as 'we have always been doing this!' This is a reference to the past and the ways people remember and employ this past today. Local residents hope to negotiate their memories and get them legalised, for instance in the case of nocturnal patterns of fishery, which are a special experience for them.

Thus this section focuses on the collision between how local residents feel they should interact with the nocturnal aquatic landscape and the power of the water law. The administration does not recognise local memory as a legitimate basis for water use. The common local practice of night fishing becomes a controversial issue in this context. Although the nocturnal fishery is classified as illegal (mainly for fishing gear that are applied at night) by federal environmental law for Eastern-Siberian Fishing Basin (2008: 12958: 4.39) local residents hope to change this.

The relationship between water, fishery police [rybookhrana, rybnadzor], and Evenki fishermen is an acute and sensitive issue as they trigger a range of problems. Different agendas such as conservation, business, and local subsistence lifestyles compete for the privilege of using water landscapes. There are always confrontations between state environmental laws, conservation policies and indigenous ideas (Theodossopoulus 2000: 59–78). According to Anderson (2004: 10), wildlife management is not mainly about managing animals, but people.

Although it might seem that the contrast between local views and state legalised approach to nocturnal fishing is very strong, it is not. Both are concerned about fish population and the environment. Law is not gifted by memory and therefore simply prohibits night fishing. Local visions are in consensus with the landscape that can remember similar to people, and therefore allow temperate night fishing in spring.

The environment is experienced locally and subjectively as Karjalainen and Habeck (2004) convincingly argue. Authorised approaches to the environment shaped as either so-called 'green law' or 'just law', the breaking of which will unavoidably bring both moral reproach and punishment, are abstract concepts to my respondents whereas local ideas come out of everyday engagement and memories.

I have never heard that Evenkis have been hired by the water police. Of course, this does not mean that Evenki fish policemen might not exist but it does come from my own experience that such a combination is oxymoronic. As I indicated above, local residents perceive night fishing as a part of their history and now it is important to see what is fixed in archival data.

According to archival data, the earliest documented evidence of nocturnal indigenous practices goes back to Argentov (1887), while descriptions of the nocturnal fishery among Evenkis particularly in the north Baikal area can be attributed to Kuftin (1927) who was the head of an expedition organised by the then National Museum of Folk Studies in Moscow [Natsional'nyi Musei Narodovedeniia]. The purpose of the expedition was to collect and catalogue material artefacts and document Evenki people. (There is no official data where exactly the items are kept). The purpose of the expedition was to collect and catalogue material artefacts and document Evenki

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people. Tugolukov (1969: 59, 60) also mentioned that Evenkis 'hunted' fish at night, and he pointed out that Russian Baikal dwellers adopted this method of fishing from the Evenkis. Tugolukov described how Evenkis used both fish spears and bow and arrows as fishing tools at night. Furthermore, he quoted Georgi (1777) to support his observations with the earlier accounts. This practice was also mentioned in the notes of Vasilevich (1969: 45), Grigorovskii (1890: 15).

In the Evenki village Kumora, located 150 km from Kholodnaia, local residents have continued the nocturnal 'fish hunting' tradition described above. Kumora dwellers hunt pike with a fish spear [ostroga] in Lake Irkana at the beginning of May. They use the traditional name for this type of fishing, luchenie. Apart from luchenie that is of Russian origin, I did not encounter any Evenki word for this fishing method. The word luchenie also applies to hunting other animals; there are documents in archives and ethnographic literature testifying that Evenkis hunted bears, elks, and seals along the water using similar methods (see Kuftin 1927; Sibiriak 1928: 81–82; Tugolukov 1969). Despite having a tense relationship with the local fishery police, local residents insist that nocturnal fishing is common and traditional for their area and hope to re-negotiate its status. Aleksandr Chirkov (A. Chirkov, personal communication, 8 May 2008), showed me some ancient fish spears placed in a small school museum and indicated that these are evidence of the history of the nocturnal fishery in Kumora:

> We keep several fish spears here in the local museum… so everyone can see how the fishing instruments of our ancestors looked like. People have always been fishing in this particular manner here; it is our tradition. Maybe one day it will be acknowledged as a national tradition; however, this could be dangerous for the fish. Well, we must search for a compromise. Anyway, people take the risk and continue to do spear fishing despite the water police running regular checks and high fines being imposed for breaking the water law. People cannot resist the desire to get spring pike.

Indeed, the nocturnal fishery enhances the sense of local solidarity. People not only fish pike, but they experience the landscape. The taste of fried pike shared with a company on the shore of the nocturnal Irkana Lake elicits emotions that cannot be experienced in other situations.

A successful nocturnal fishery demands detailed knowledge of the nocturnal landscape and how water creatures behave at night. The fish are affected by the moon and the darkness, according to Tulbukonov. He gives an example of burbot (*Lota lota*) biting well and pike losing their teeth during a new moon [luna rozhdaetsia]. In addition, he points out that the best condition for nocturnal fishing is a moonless night since when the moon is full and the sky is therefore very bright, a fisherman can hardly see the light of his torch. He also added that nocturnal fishing is a task for one person. Today women also fish at night as some local residents indicated; however, I did not observe that. I suppose that nocturnal fishery is mostly a male activity.

Several illegal fishermen are caught every year and rather high fines are imposed (the fine for one pike is 50,000 rubles what was approximately 1,800 Euros in 2012 as local residents told me). This high rate of fines aims to stop people catching pike during their spawning season. The technique of light fishery gives pike little chance to escape.

The nocturnal fishery is both a subsistence activity and an adventure. Emotions of hazard allow sense of strength and romantics, a sense of duel between a fisherman and a fish. Legal prohibitions to use fish spears that can be used only at night and therefore these prohibitions are applied as 'nocturnal control' over the lake shore are abstract and memory-less. People and landscape are memory-gifted. Therefore, remembering substituted tradition for local residents for the latter is believed to be almost entirely lost. Tradition can pass away, memory stays for good.

In the beginning of the paper I indicated that people and landscape form an alliance, a form of diplomatic relations acting through remembering to engage with external contexts, here the one is law against nocturnal fishing. In a concluding section I would like to get back to it and see how this approach might explain nocturnal fishery in the north Baikal.

Conclusion

Water democracy is a widely discussed and acute problem that is especially relevant to indigenous peoples (Bakker 2007). This term implies possible ways of negotiation between different logics and different ideas of how to approach water landscapes and fish. In the case of the north Baikal nocturnal fishery, legal ideas about fishing rights conflict with local memories and practices. Official politics related to water site management do not take into account how important local water activities are to Evenkis. They define the nocturnal fishery as an environmentally unsound practice. Local night fishermen are classified merely as environmental bandits who heartlessly harm nature. The fishermen, conversely, base their hopes for changing the illegal status of nocturnal fishing on their memories, which are not separated from practice.

I have argued that local relations with water and water landscapes are based on detailed knowledge where remembering delicately links past and present experiences and thus constitutes continuity. Water is an object of local expertise, and its dynamics are carefully explored by those who deal with local waters every day. I tried to examine this in the section on 'aquatic knowledge'.

The nocturnal fishery and its contradictory interpretations by local residents and environmental authorities show an asymmetry in the dialogue with the 'Evenki past'. It shows ignorance between memory-gifted human-landscape alliance and memory-disabled official environmental idioms. Archival data says that nocturnal fishery

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is a traditional Evenki practice, which did not lead to an environmental disaster such as the extinction of pike in Lake Irkana, environmental authorities imagine such extinction as a potential problem and act accordingly.

Although today local subsistence is not very much dependent on nocturnal fishing, it is a significant practice and emotional experience for the local population. Memories here are analogous to fishing tools, in helping to get narratives out of the past along with fish out of the water. A local teacher commented: 'it is extremely interesting to fish and speak about how we did it last year, five years ago. Breathtaking is to recollect and imagine how our ancestors used to fish centuries ago'.

Correlation between memory and spatial surroundings is well developed in the Halbwachs (1992) and Nora (1989) theories. In brief, memory and space constitute each other and thus cannot be approached without each other. Space, however, in their theories emerges as a condition. Landscape in the north Baikal is perceived as a remembering agent. Social memory is not only attached to landscape but it is also a tool for human-landscape alliance incorporating official logics into local world. Here we may turn back to the ethnography represented above, namely to the experience of fishing pike: 'We have always been doing this and pikes have always been living here.' In local perceptions only those gifted by the capability to remember, namely people and the landscape know better how to balance subsistence activities and environmental dynamics, here night time spring fishing and the pike population. Therefore, memory-based alliance between people and the landscape is applicable in this context as well as in other parts of north Baikal. This alliance consumes abstract memory-less law

The bureaucracy of environmental law is a 'parallel world' which does not see the persistence of local memories and classifies nocturnal fishery as a purely negative and potentially disastrous activity. This 'parallel world' is perceived as consumable since it does not have memory and therefore does not have a power in human-landscape diplomacies. The collision between local memories that are the solid basis and engines for local practices and environmental law needs to be turned into a compromise. The compromise is possible if authorities renegotiate the status of nocturnal fishery as a traditional Evenki activity similar to seal hunting, for example. The power of memories is invisible for authorities. The visibility of agentive aspects of local memories in relation to nocturnal fishing would help not only to establish a dialogue between local residents and environmental managers, but also to develop their relationship in a more delicate way.

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