**Teaching Notes**

**Wet, Dry, or Damp: Alaska’s Local Option Law**

By

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**Abstract:**

*Since before statehood Alaskan communities have been plagued with widespread alcohol related crime, violence, health issues, and death. The “local option” approach to addressing access to alcohol in Alaska became law through Title 4 of the Alaska Statues in 1981. “Local option” communities exercise a local option to modify the State laws regarding alcohol importation, sales, and possession for their own community. Becoming a “local option” community is voluntary but an overwhelming majority of “local option” communities are rural and have a predominately Native population. In 2009, one of the “local option” communities voted to end its “local option” status. This case study provides a framework to examine the cultural, political, commercial, social, and health issues that are integral to alcohol use in rural Alaska.*

**Learning Outcomes:**

1) Students will understand the strengths and weaknesses of the local option law as an example of legislative and judicial attempts to address alcohol abuse in Alaska.

2. The students will become aware of the competing goals of individualistic short-term benefits and long-term community based benefits related to governance.

3) The student will become aware of the effects of population diversity on public policy.

4) The students will analyze the problem solving process, the strengths and weaknesses, and provide suggestions for improvement

4) Students will become aware of the political process involved in repealing the “local option”.

5) Students will explore perceived paternalism and inequality as exemplified through “local option” laws.

6) Students will explore and compare public policy and public health approaches to alcohol access based in Native cultural values and approaches based in Non-Native “Western” cultural values.

7) Students will explore cultural and civic issues related to the concept of leadership.

**Key Concepts:** Alaska alcohol related laws. State, local and individual control issues related to alcohol. Alcohol related financial and health concerns. Issues and values related to traditional and “western” methods to address alcohol access. The problem solving process. The public policy process.

**Intended Audience:** Appropriate for undergraduate and graduate college students . Especially appropriate for classes in cultural studies, social welfare, business administration, political science, public policy and administration, criminal justice, law, public health policy, public health nursing, and American Indian/Alaska Native Studies.

**Assessment:** Student learning can be assessed in a variety of ways, often involving producing a group or individual written or oral response such as a reflective essay, role play etc. Individual learning can be can be evaluated from a short in class series of questions. The group process can be evaluated by asking the groups to do a written evaluation of their group’s work on the case. See the Enduring Legacies website for additional suggestions.

**Discussion Questions:**

1. The question that guided the process was “Should Bethel be a ‘local option’ community or not”. Other options were not developed that would have addressed related issues that may have been a better fit for the needs of the community. What elements were missing in the problem solving process and why?
2. Read Title 4 of the Alaska Statutes. What are the monthly per person maximum quantities of alcohol that can be brought into “local option” communities that have not modified the State standard? Discuss the effectiveness of this restriction.
3. A fundamental assumption of the “local option” law is that access to alcohol is related to the probability of alcohol abuse and alcohol abuse is related to individual and community destruction. This may be true but oversimplified. Discuss the many other factors that modify this assumption. To what degree is alcohol abuse a cause and to what degree is it a symptom of other sociological and public health factors? How do such factors such as poverty, peer and social expectations, assimilation, inequality, isolation, historical trauma etc influence public policy? How strong or direct is the relationship between access and alcohol abuse? How strong or direct is the relationship between access and personal and community destruction? Create a public policy that includes your conclusions. Is this the same process you would use with issues of drug abuse and tobacco? Why?

1. Identify the strengths and weaknesses of the political process from the perspective of indigenous cultural values and from the perspective of western dominant cultural values. Discuss if and how these two cultural perspectives could be integrated to provide a satisfactory resolution for the diverse Bethel population.
2. The process was all about making public policy in order to establish control and the appropriate balance of State vs local control in terms of control of access to alcohol and control over who can sell alcohol and profit from it. Instead As an alternative describe in detail a public policy process using the paradigm of community and individual healing. Include alcohol abuse as one of several factors to be considered. Contrast this policy and the process with the process in the case study.

1. Paternalism is an issue that the case raised. What is paternalism? How is it related to control of one group over another? Do you believe that concerns of paternalism were valid? Why? What approaches would you use to address paternalism?
2. How does a public policy about alcohol access in Bethel affect the neighboring villages? How could you address those effects?
3. How would you improve the enforcement of the local option law?
4. Some say the penalty for a violation of local option laws affects rural predominantly Alaska Natives more harshly than urban, predominately non-Natives. On the other hand , the case study describes the difficulty that the community of Aniak had bringing an identified bootlegger to justice. Identify the weaknesses of the enforcement policy and use the principles of problem solving and effective public policy to recommend an effective and fair enforcement policy.
5. Some believe that use of traditional Native healing principles would be an effective way to address community alcohol issues. What do you think?

**Alternative Teaching Approach:**

Invite a representative of law enforcement, public health, community alcohol treatment facility, a tribal advocate/activist, and or a social worker, traditional healer/tribal doctor to participate in a panel discussion. Have each member of the class ask at least one question. Alternatively invite a person who is knowledgeable and interested in public policy about alcohol issues to speak to the class.