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Nindanishinaabewimin: Ojibwe Peoplehood in the North American West, 1854-1954

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NINDANISHINAABEWIMIN: OJIBWE PEOPLEHOOD IN THE NORTH AMERICAN
WEST, 1854-1954

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A dissertation submitted in partial fulfillment
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Abstract

Anishinaabeg Peoples maintained sovereignty via peoplehood in the context of Settler colonial programs intended to confine and ultimately eliminate Indigenous sovereignty and identity. Although scholars have usually considered the late nineteenth and early twentieth centuries—defined by confinement, dispossession, and marginalization—as the nadir of Indian history, I explore the persistence of Anishinaabe sovereignty. Eschewing race and nationhood, ways of thinking embedded in Western European epistemologies, I rely on “peoplehood,” a theory developed by American Indian Studies scholars, to articulate Ojibwe sovereignty. Anishinaabeg, like many of the names Native Americans use to identify themselves, means “the people.” Inherent in peoplehood is sovereignty, which can be understood as a matrix of living relationships with language, land, sacred history, ceremonial cycles, and kinship. Looking west from the center of the expansive Anishinaabewaki homeland, I use as case studies the Lac Courte Oreilles People in Wisconsin, the St. Peter’s or Peguis People in Manitoba, and the Turtle Mountain People in North Dakota. These three Anishinaabe Peoples allow me to consider Anishinaabe peoplehood in a variety of contexts that not only span colonial state borders but also reserve and reservation boundaries. My dissertation explores peoplehood through the themes of treaty making, economic continuity and change, the question of who belongs as one of the People, rights to the land and its resources, nation-building politics, and the continued importance of treaties and reserved rights. By focusing on the period between 1854 and 1954, a period that scholars generally consider dark days of degeneration and dependency, I suggest an alternative configuration for how scholars understand the relationships between United States and Canadian policies and Indigenous peoples in a period of confinement and attempted erasure.

An examination of western Anishinaabewaki reveals not a narrative of decline but rather one of dynamic sovereignty.

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Writing this dissertation has often felt like an exercise in solitude. Now that I am sitting down to write out these acknowledgements, however, I am overwhelmed by the community that has been here with me the whole way. There is no way that words can adequately express my gratitude, but I will use my finest cliches and give it my best effort now. And because what comes next is so long, I will try to keep this short.

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non-Western sources and methods, he helped me to realize the possibilities of writing Indigenous history as an Indigenous historian. Even when my fellowship at the University of Wisconsin-Platteville meant that we were hundreds of miles and several time zones apart, he made sure that I felt supported and that I completed my dissertation. He also let me complain about getting stuck on the road behind slow-moving farm equipment. I can only hope that I will one day be half the advisor that he has been to me.

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Finally, I would like to say miigwech to the generations of Anishinaabeg who have come before me. I can only hope that my work honors their legacies.

Chi-miigwech.

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Chapter 1

Wayeshkad¹

Nearly nine hundred years ago, the Anishinaabeg began a journey west from the eastern edge of Turtle Island. They continued west until they found the land that Gitchi Manitou, the Creator, had made for them—a land with clear blue waters teeming with fish and shores lined with manoomin or wild rice. In 1936, several hundred years after the first ancestors arrived, on the southern edge of Anishinaabewaki or the Anishinaabe homeland where mitigoog or forests spread out into mashkoden or prairies, LeRoy Kaskisto, my grandfather, was born in a tarpaper house on the Lac Courte Oreilles ishkonigan or reservation.

Superficially, my grandfather's story and my family's story demonstrates the success of Settler colonial goals to erase Indigenous Peoples. My grandfather's family left Lac Courte Oreilles before the 1940s to work in the logging industry in the Upper Peninsula of Michigan. The state of Wisconsin acquired his grandmother's allotment to build a hydroelectric dam that flooded much of the ishkonigan. They never became farmers like federal policies such as the Dawes General Allotment Act of 1887 and other assimilation programs intended, but my grandfather grew up speaking only English—his mother learned not to speak the Ojibwe language at the Hayward Indian School ten miles from Lac Courte Oreilles—and he later participated in federal relocation programs, where he found a job as a welder in Chicago. He learned that Ojibwe was not an identity to raise one's children to be. My mother, although enrolled, grew up with little understanding of what it meant to be Anishinaabe. My sisters and I are ineligible to enroll. There are no new generations of Ojibweg in our family, which is what the

¹ At first or in the beginning. Department of American Indian Studies, University of Minnesota, Ojibwe People's Dictionary, <http://ojibwe.lib.umn.edu/>, accessed Mar. 1, 2016.

federal government wanted when it implemented the first reservation more than one hundred and fifty years ago.

And yet my grandfather has struggled against erasure. I grew up hearing stories my mother never heard. He brought his grandchildren home to the reservation. He collected copies of census materials, birth and death certificates, letters, photographs, ancestry.com comment threads, local histories, grave rubbings, and whatever scraps of information that confirmed his ancestors' and descendants' ties to the Anishinaabe People. When my grandfather pulls out the photocopies of federal documents and writes notes in the margins, when he talks about people and places, the records document not only dispossession but also persistence. Despite everything, nindanishinaabewimin: we are Anishinaabeg.²

There are countless stories of Ojibweg like my grandfather, stories of persistence and strength in the midst of colonial destruction. This dissertation argues that, between 1854 and 1954, Anishinaabeg Peoples maintained sovereignty via peoplehood in the face of Settler colonial programs intended to confine and ultimately erase Indigenous sovereignty and identity.³ Scholars have generally considered the late nineteenth and early twentieth centuries—defined by confinement, dispossession, and marginalization—as the nadir of American Indian history.

² Anishinaabeg is the plural of Anishinaabe, just as Ojibweg is the plural of Ojibwe. Anishinaabe and Ojibwe are both names that the People call themselves, and so I use the term interchangeably. Anishinaabe may also include the Potawatomi and Odawa, but I will note if and when I mean to include all three. Additionally, some Anishinaabeg refer to themselves as Saukteaux, and the federal government's official designation in the United States is Chippewa and in Canada it is Ojibway. I try to use the name that the People in question most frequently use for themselves.

³ I will discuss Settler colonialism in more depth below, but I use "Settler" throughout as a more precise term than "white" or "non-Indian." According to historian Adam Baker, Settler society "is founded on co-opted land and resources." Individual Settlers benefit from this appropriation, living on stolen land and enjoying the privilege of their status in Settler society. While not inherently colonial, Settlers often participate in colonial actions by engaging in systems of power and hegemonic control. "The Contemporary Reality of Canadian Imperialism: Settler Colonialism and the Hybrid Colonial State," *American Indian Quarterly* 33 (Summer 2009): 325-51. See also Patrick Wolfe, "Settler Colonialism and the Elimination of the Native," *Journal of Genocide Research* 33 (2006): 387-409.

However, considering this period from Anishinaabeg perspectives reveals the continuity of Anishinaabeg sovereignty. The activism of the second half of the twentieth century did not emerge or re-emerge suddenly or surprisingly from the 1950s. It comprised part of a sustained expression of peoplehood, which continuously enacted Anishinaabeg sovereignty.

Looking west from the center of the expansive Anishinaabe homeland (Anishinaabewaki), I use as case studies the Lac Courte Oreilles People in Wisconsin, the St. Peter's and later Peguis People in Manitoba, and the Turtle Mountain People in North Dakota. The Treaty of La Pointe, negotiated between Ojibweg and U.S. officials in 1854, created the Lac Courte Oreilles ishkonigan as well as nearly a dozen additional ishkonigan in Wisconsin, Minnesota, and Michigan, to protect the aki (land) and its resources for future generations. The St. Peter's Reserve followed in 1871, and the Turtle Mountain Reservation in 1882. These three Anishinaabeg Peoples allow me to consider Anishinaabe people in a variety of contexts that not only span colonial state borders but also reserve and reservation boundaries. The St. Peter's Reserve no longer existed by 1907, although the People continued, and the four to six thousand Turtle Mountain men and women spilled over the two-township ishkonigan. Throughout the following century, these Anishinaabeg Peoples re-imagined Anishinaabewaki within a new landscape of Settler borders and maintained an expansive, active sovereignty through a network of living relationships that stretched beyond ishkoniganan.

Indigenous Peoplehood

The dynamic sovereignty evidenced among the Lac Courte Oreilles, Turtle Mountain, and St. Peter's Peoples demands a reconsideration of the language scholars use to discuss Indigenous nations and communities. Existing scholarship tends to use 'race,' 'tribe,' or 'nation' to frame the conversation. This terminology evolved along a trajectory that highlights underlying

Settler colonial power relationships and limits understandings of Indigenous sovereignty within Settler frameworks.

‘Indian’ as race crystalized during the mid-nineteenth century via reserve and reservation polices. Racialized conceptions define Indianness as an inherited, biological blood-based set of characteristics divorced from a political identity, or sovereignty. In Canada, the Indian Act, first established in 1876, inserted biology into definitions of Indianness, defining Indian as a “male person of Indian blood reputed to belong to a particular band.”⁴ At the same time, the Indian Act defied biology, as Indian women who married non-Indian men legally lost their Indianness and non-Indian women who married Indian men became status Indians.⁵ The act distinguished ‘Indian’ as separate from ‘person,’ with person defined as “an individual other than Indian.”⁶ By the early twentieth century, Department of Indian Affairs (DIA) officials deployed ‘Indian’ as a racial category marked by biological difference and linked to negative stereotypes in their daily administration.⁷ In the United States, an 1846 court case, *United States v. Rogers*, marked a shift from seeing Indigenous Peoples as political entities to a race, which erased the sovereignty inherent in political categorizations. William Rogers murdered Jacob Nicholson, both described in court documents as “white men and not Indians.”⁸ Rogers articulated an identity as both a member of the Cherokee People and a white man, but the Supreme Court declared that one could not be both. Cherokee and white were mutually exclusive, and the court positioned race, not

⁴ *An Act to Amend and Consolidate the Laws Respecting Indians*, S.C., 1876, c. 18.

⁵ Additionally, enfranchisement policies considered not blood quantum but behavioral aspects such as education and military service. However, officials often fell back on blooded language to support these categories. Robin Jarvis Brownlie, *A Fatherly Eye: Indian Agents, Government Power, and Aboriginal Resistance in Ontario, 1918-1939* (Oxford: Oxford University Press, 2003), 46-47.

⁶ *Indian Act*, 1876.

⁷ Officials blamed the lack of “progress” on innate racial qualities. Brownlie, *A Fatherly Eye*, 126.

⁸ *United States v. Rogers*, 1846 U.S. Lexis 413.

political or social identity, as the determining factor of Indianness.⁹ Allotment policies in the late nineteenth and early twentieth centuries further racialized the Indian, linking blood quantum to competency.¹⁰ Although legal status as an Indian in both the United States and Canada carries obviously political consequences—access to land and services, for instance—the use of race to mark Indianness dissolves the political dimension of Indian identity in biology and blood, which limits understandings of sovereignty.

One of the early scholars to critically engage race and Indianness was historian Nancy Shoemaker. Shoemaker traces the use of “red” by both Indians and Settlers to explore racial identity. She posits that Indian people began to see skin color as a way of categorizing themselves for one of two reasons: either to differentiate themselves from Europeans who saw themselves as “white” and slaves defined as “black” or to indicate innate differences that derived from origin stories that defined southeastern Indians as red people. Shoemaker remains aware of the social relationships that shaped these discussions and sees race more as a socially constructed

⁹ Bethany R. Berger, “‘Power Over this Unfortunate Race’: Race, Power, and Indian Law in the United States v. Rogers,” *William and Mary Law Review* 45:5 (2004): 1957-2003; David Wilkins, *American Indian Sovereignty and the U.S. Supreme Court: The Masking of Justice* (Austin: University of Texas Press, 1997), 38-50. Berger also points out that the shift was part of the development of the science of ethnology. Similarly, Mark Rifkin argues that anthropological studies of kinship actually boil down to biopolitics. Rifkin, “Making Peoples into Populations: The Racial Limits of Tribal Sovereignty,” in *Theorizing Native Studies*, edited by Audra Simpson and Andrea Smith (Durham: Duke University Press, 2014), 149-187.

For more on the historical development of race in the United States, see Ian F. Haney López, *White By Law: The Legal Construction of Race* (New York: New York University Press, 1996); Cheryl I. Harris, “Whiteness as Property,” *Harvard Law Review* 106:8 (Jun 1993): 1707-1791; John Wood Sweet, *Bodies Politic: Negotiating Race in the American North, 1730-1830* (Philadelphia: University of Philadelphia Press, 2003). On the subject of blood as a construction of race, see, Kevin Noble Maillard, “The Pocahontas Exception: The Exemption of Native American Ancestry from Racial Purity Law,” *Michigan Journal of Race and Law* 351 (2007): 351-386; Daniel J. Sharfstein, “Crossing the Color Line: Racial Migration and the One-Drop Rule, 1600-1860,” *Minnesota Law Review* 91 (2007): 592-656.

¹⁰ As historian Melissa Meyer shows, these categories were often manipulated to expedite the transfer of land from Indigenous to Settler hands, but they nonetheless reified ideas of race and blood. Melissa L. Meyer, *The White Earth Tragedy: Ethnicity and Dispossession at a Minnesota Anishinaabe Reservation, 1889-1920* (Lincoln: University of Nebraska Press, 1994). Some scholars argue that the Indian Reorganization Act further entrenched biology above political or cultural identities by encouraging Native nations to use blood quantum to determine membership under new constitutions. William T. Hagan, “Full Blood, Mixed Blood, Generic, and Ersatz: The Problem of Indian Identity,” *Arizona and the West* 27:4 (Winter 1985), 309-326.

metaphor than real biologically-based difference. Shoemaker, however, underemphasizes the role of concepts such as land and sacred history in defining difference, fitting southeastern Indians' views into Euro-American patterns of social construction, which marginalizes Indigenous views of their own identity that are essential to defining sovereignty.

Even as they problematize the racialization of Native Americans, scholars continue to subsume the political dimension of sovereignty in discussions of race. Cherokee sociologist Eva Garroutte presents Indigenous identity in the United States and Canada as a racial identity. Rather than accepting the racialization at face value, however, Garroutte deconstructs more than two centuries of policies and practices.¹¹ Combining archival and ethnographic research, Garroutte explores intersecting legal, biological, cultural, and personal forms of constructing Indian identity. Garroutte proposes an alternative definition of Indianness based on both being and doing: “individuals belong to those communities because they carry the essential nature that binds them to The People *and* because they are willing to behave in ways that the communities define as responsible.”¹² This definition raises more question than it resolves, for “the essential nature” of what makes a People remains contested both in Garroutte’s work and in Indian communities. Her focus remains on individual rather than group identity, and although her study intersects with issues of federal recognition, Garroutte’s work leaves unanswered a central question: what is at stake in these conversations about race? As Garroutte’s historical review reveals without acknowledging, the language of ‘race’ covered a more fundamental contest for power in Settler society. Rejecting blood quantum and insisting on Indigenous definitions of belonging was not just about race; it implicated sovereignty and the right to self-governance.

¹¹ Eva Garroutte, *Real Indians: Identity and the Survival of Native America* (Berkeley: University of California Press, 2003).

¹² Garroutte, *Real Indians*, 134 (emphasis original).

Anthropologist Circe Sturm connects race and political identity in her study of the Cherokee Nation. Sturm exposes “blood” as a social construct.¹³ She demonstrates the historic process of racializing Cherokee identity, through both Settler and Cherokee actions. Sturm explores the political dimension to the discourse on race. The Cherokee used race in nation-building. Through their own racialization, Sturm argues, the Cherokee learned that Euroamerican ideas of nation intertwined with and were defined by race. Previously, according to Sturm, the Cherokee based their political community on “culture, kinship, language, and religious worldview,” but in the nineteenth century they mobilized racial ideologies to establish an identity as a modern nation.¹⁴ Sturm problematizes these ideologies by assessing the multifaceted ways in which blood functioned as a metaphor for culture.¹⁵ Cherokee continued to define both race and nation in terms of culture, kinship, language, and religion. Sturm contributes an understanding of Cherokee identity that includes political community. The Cherokee adopted United States racial ideology to promote their autonomy.¹⁶ By explaining the links between race and nation-building,

¹³ Circe Sturm, *Blood Politics: Race, Culture, and Identity in the Cherokee Nation of Oklahoma* (Berkeley: University of California Press, 2002).

¹⁴ A subset of scholarship on nationalism looks at how race and nationalism intertwine, concluding that nearly all nations promote homogenizing racial ideologies. In the United States, race, class, and gender ideologies shifted and spread through colonial and capitalist expansion. Sturm argues that Cherokee and other Indigenous nationalisms replicated these dominant racial ideologies, although Sturm goes on to demonstrate that the Cherokee shaped these ideologies in turn and Cherokee ideas of race linked to culture fail to match dominant American understandings. Sturm, *Blood Politics*, 43, 17; Brackette Williams, “A Class Act: Anthropology and the Race to Nation across the Ethnic Terrain,” *Annual Review of Anthropology* (1989): 401-444; Ana Maria Alonso, “The Politics of Space, Time and Substance: State Formation, Nationalism, and Ethnicity,” *Annual Review of Anthropology* 23:1 (1994): 379-405; Carol A. Smith, “The symbolics of blood: mestizaje in the Americas,” *Identities: Global Studies in Culture and Power* 3:4 (1997): 483-509.

¹⁵ Race and the language of bloodedness existed in tension with lived Cherokee experience, what Sturm calls “common sense” vs. “good sense.” “Good sense” included factors such as appearance, language, religion, and residence to define Cherokee, collapsing race and culture so “traditional” and “full-blooded” became interchangeable. Sturm is drawing on Antonio Gramsci. Sturm, *Blood Politics*, 21-23; Antonio Gramsci, *Selections from the Prison Notebooks of Antonio Gramsci*, edited and translated by Quintin Hoare and Geoffrey Nowell Smith (New York: International Publishers, 1999), 198-199.

¹⁶ Sturm's second book, *Becoming Indian: The Struggle over Cherokee Identity in the Twenty-First Century*, builds on her earlier work. In *Becoming Indian*, Sturm discusses the phenomenon of “racial shifting,” where those who

Sturm acknowledges the underlying question of sovereignty that Garrouette overlooked, demonstrating how static notions of race limit understandings of sovereignty.¹⁷

In addition to ‘race,’ ‘tribe’ has also been used as a framework to discuss Indigenous political and social identities. In the 1970s, amidst public transnational Indigenous activism, Flathead author and scholar D’Arcy McNickle used the persistence of Native American group identity, what he calls tribalism, to call for increased self-determination.¹⁸ McNickle pointed out that, in 1973, Native Peoples in the United States and Canada owned more land than in 1830, which McNickle identified as a low point in Native American history.¹⁹ Although McNickle catalogued destructive colonial policies and land loss, his underlying theme highlighted Indigenous persistence. He argued that Native Americans remained Native American because they actively chose an Indigenous identity, both as individuals and as communities. For

previously identified as non-Indian shift to identifying as Indian. In this volume, she addresses the negative political and cultural consequences of racial shifting and its implications for Cherokee sovereignty and the question of Indian sovereignty more generally. Circe Sturm, *Becoming Indian: The Struggle over Cherokee Identity in the Twenty-First Century* (Santa Fe: School for Advanced Research Press, 2011).

¹⁷ Sturm’s work connects to the growing discourse of American Indian nationalism, depicting nation as a tool that Indigenous Peoples used to promote their sovereignty. For many scholars, nation promised to restore the political dimensions to Indigenous group identity, creating an opening to address sovereignty. The discussion about Native nationalism extends throughout American Indian Studies, particularly in literary studies. See, for example, Jace Weaver, Craig S. Womack, and Robert Warrior, *American Indian Literary Nationalism* (Albuquerque: University of New Mexico Press, 1991); Robert Warrior, *Tribal Secrets: Recovering American Indian Intellectual Traditions* (Minneapolis: University of Minnesota Press, 1995); Elizabeth Cook-Lynn, “The American Indian Fiction Writers: Cosmopolitanism, Nationalism, the Third World, and First Nation Sovereignty,” *Why I Can’t Read Walter Stegner and other Essays: A Tribal Voice* (Madison: University of Wisconsin Press, 1996); Jace Weaver, *That the People Might Live: Native American Literatures and Native American Community* (New York: Oxford University Press, 1997); Craig S. Womack, *Red on Red: Native American Literary Separatism* (Minneapolis: University of Minnesota Press, 1999); Daniel Heath Justice, *Our Fire Survives the Storm: A Cherokee Literary History* (Minneapolis: University of Minnesota Press, 2006); Lisa Brooks, *The Common Pot: The Recovery of Native Space in the Northeast* (Minneapolis: University of Minnesota Press, 2008).

¹⁸ According to historian Peter Iverson, McNickle influenced American Indian studies through his work at the Newberry Library. McNickle’s message reflected Iverson’s call for a continuing story of Native American history. Peter Iverson, “American Indian History as a Continuing Story,” *The Historian* 66:3 (Fall 2004): 524-531. D’Arcy McNickle, *Native American Tribalism: Indian Survivals and Renewals* (New York: Published for the Institute of Race Relations by Oxford University Press, 1973). Four years earlier, in 1969, Vine Deloria, Jr., published his treatise advocating for sovereignty and self-governance. Deloria, *Custer Died For Your Sins: An Indian Manifesto* (Norman: University of Oklahoma Press, 1988).

¹⁹ McNickle, *Native American Tribalism*, 16-19.

McNickle, tribalism was inherently a political identity, for it existed in resistance against a long history of colonial dispossession and marginalization. McNickle identified the political nature of Indigenous group identity, both internally and externally, but his use of tribe and tribalism remains entangled in Eurocentric terminology that undermines Indigenous sovereignty by “otherizing” Indigenous Peoples.²⁰

‘Tribe’ places Native Americans on the “primitive” end of an evolutionary anthropological model and freezes Native Peoples like the Anishinaabeg in the past.²¹ As Kenyan activist and academic Ngũgĩ wa Thiong’o explains, “Tribe—with its clearly pejorative connotation of the primitive and the premodern—is contrasted with nation, which connotes a more positive sense of arrival at modern.”²² Admission to this status as a modern nation comes with political benefits, such as self-determination and sovereignty.²³ As anthropologist Raymond

²⁰ Some scholars continue to prefer tribalism as a framework. Brian Hosmer and Larry Nesper, for instance, advocate for “the rehabilitation of the term ‘tribal’ where we foreground the implicit political plurality and interdependence of tribes.” Brian Hosmer and Larry Nesper, eds., *Tribal Worlds: Critical Studies in American Indian Nation Building* (Albany: State University of New York Press, 2013), 1. Terms such as “tribal nationhood,” although they intend to acknowledge that Indigenous Peoples developed their own expressions of nationhood independent from Euroamerican norms, risk diminishing Indigenous sovereignty as they qualify it. Instead of modifying Euroamerican concepts to fit Indigenous expressions of sovereignty, I prefer to find a language that originates in Indigenous perspectives, and peoplehood—derived from many Indigenous Peoples’ understanding of themselves as The People—provides that framework.

²¹ Vine Deloria, Jr., *Custer Died for Your Sins* (New York: Macmillan, 1969). Moreover, tribal designations, imposed by anthropologists and government bureaucrats, formed part of U.S. and Canadian colonial systems of control, denying Indian Peoples’ flexible networks of social relationships. Gray Whaley, *Oregon and the Collapse of Illahee: U.S. Empire and the Transformation of an Indigenous World, 1792-1859* (Chapel Hill: University of North Carolina Press, 2010), 11.

²² Ngũgĩ wa Thiong’o, “The Myth of Tribe in African Politics,” *Transition* 201 (2009): 16-23. Similarly, anthropologist Morton H. Fried explores the problems with ‘tribe,’ which he exposes as an ambiguous social construct applied in varied and inconsistent contexts. Morton Fried, *The Notion of Tribe* (Menlo Park, California: Cummings Publishing Company, 1975), 1-8.

²³ This impulse, for instance, has led to the preferred terminology of ‘First Nations’ in Canada, although the term has no legal definition. ‘Indian’ and ‘Aboriginal’ carry legal definitions in Canadian law. Canada, Indigenous and Northern Affairs Canada, <http://www.aadnc-aandc.gc.ca/eng/1100100014642/1100100014643>, accessed Jan. 14, 2016. Much of the scholarship in the United States centers on the legal history surrounding *Cherokee Nation v. Georgia* and *Worcester v. Georgia*, in which the Supreme Court defined Indigenous Peoples as “domestic dependent nations.” The term both implies a sovereign status above a state and imposes limits on that sovereignty that subordinate Indigenous Peoples to the United States. Numerous authors discuss these cases. Most useful for me have

Fogelson explains, “In earlier eras, when American Indians were still regarded as possessing considerable autonomy, military power, and political might, the term ‘nation’ was frequently applied to Native American politics. When the balance of power shifted and Native Americans were considered as dependent nations or wards of the U.S. government, the term ‘tribe’ became more widespread.”²⁴ The term ‘Indian nation,’ which scholars and Native communities increasingly prefer, is not merely a description but a political act. ‘Nation,’ however—like ‘tribe’ and ‘race’—remains bound by Euro-American epistemologies and therefore an imperfect framework for addressing dynamic sovereignty.

‘Nation’ remains a challenging term to define. It connotes both a physical, bounded place and political institutions as well as ideology and identity. Scholars define nations as modern creations, taking shape in the eighteenth and nineteenth centuries and distinct from previous forms of organization.²⁵ In 1983, in the context of the Cold War and anticolonial struggles across the globe, political historian Benedict Anderson identified nations as “an imagined political community” mythically constructed through national memory enacted in everyday life.²⁶

been the following: Edward Valandra, *Not Without Our Consent: Lakota Resistance to Termination, 1950-59* (Urbana and Chicago: University of Illinois Press, 2006), 44-45, 107-108; Rennard Strickland, “The Tribal Struggle for Indian Sovereignty: The Story of the *Cherokee Cases*,” in *Indian Law Stories*, edited by Carole Goldberg, Kevin K. Washburn, and Philip P. Frickey (New York: Foundation Press, 2011), 61-80; Charles F. Wilkinson, *American Indians, Time, and the Law: Native Societies in a Modern Constitutional Democracy* (New Haven: Yale University Press, 1987).

²⁴ Raymond D. Fogelson, “Perspectives on Native American Identity,” in *Studying Native America: Problems and Prospects*, edited by Russell Thornton (Madison: University of Wisconsin Press, 1998), 51.

²⁵ Major nationalism scholars including Benedict Anderson, Eric Hobsbawm, and Ernest Gellner identify this modernist timeline for the origin of nations. Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (New York: Verso, 1991); Eric Hobsbawm, *Nations and Nationalism since 1790: Programme, Myth, Reality* (New York: Cambridge University Press, 1990); Ernest Gellner, *Nations and Nationalism* (Ithaca: Cornell University Press, 1983).

²⁶ Anderson, *Imagined Communities*, 6-7. French scholar Ernst Renan, often credited with founding national studies, attempted to define nation in 1882 following the French Revolution. Renan rejected geographic borders, ethnic or religious identity, and political affiliation as the basis of nationhood. Instead, he referred to the nation as “a soul, a spiritual principle” rooted in both in history and memory and the present “will to perpetuate the value of the heritage that one has received in an undivided form.” In other words, he defined nation as collective memory, an

Anderson traces the origins of imagined communities to print capitalism, which allowed individual readers to become citizens by imagining themselves in a common community united by “steady, solid simultaneity throughout time.”²⁷ “[N]ation-ness,” according to Anderson, has become “virtually inseparable from political consciousness.”²⁸ He believes that all nationalism since the nineteenth century assumes one of three modular forms established in Europe and the United States, such as the “citizen-republic idea” of the United States.²⁹ Under Anderson’s definition, any American Indian nations would exist as imitations or re-imaginings of Euro-American nations.

Relying on dominant definitions of nationalism, scholars of American Indian history often seek to explain the existence of modern Indian nations.³⁰ Occasionally, this means falling back on a progressive, evolutionary model of development from band to tribe to nation. For instance, in an otherwise excellent study, historian Peter Iverson traces Diné development along a standard trajectory from amorphous roaming kinship groups to band to tribe to nation, the last

undeniably nebulous construct. Ernest Renan, “What is a Nation?” in *Becoming National: A Reader*, ed. Geoff Eley and Ronald Grigor Suny, (New York: Oxford University Press, 1996), 18, 42.

²⁷ Post-colonial scholar Homi K. Bhabha challenges this static idea of the nation. While he agrees with Anderson that the nation is a construct, he focuses on the multiple layers of narration that expose the falsely stable, whole vision of the nation described by Anderson. In *Nation and Narration*, he writes that “despite the certainty with which historians speak of the ‘origins’ of nation as a sign of the ‘modernity’ of society, the cultural temporality of the nation inscribes a much more transitional social reality.” Nationalism, according to Bhabha, is inherently ambivalent. Anderson, *Imagined Communities*, 63; Homi K. Bhabha, *Nation and Narration* (New York: Routledge, 1990), 1.

²⁸ Anderson, *Imagined Communities*, 135.

²⁹ Anderson, *Imagined Communities*, 135.

³⁰ I hope to move away from the idea that Native nations did not exist until Europeans named them. The Ojibwe and other Native Peoples pre-existed Europeans. See, for example, Joshua Piker, *Okfuskee: A Creek Indian Town in Colonial America* (Cambridge: Harvard University Press, 2004); Patricia Kay Galloway, *Choctaw Genesis, 1500-1700* (Lincoln: University of Nebraska Press, 1995).

phase of which he associates with the Indian Reorganization Act of 1934 and newly-created Western-style tribal councils.³¹

Anthropologist John H. Moore provided an early critique of the band-tribe-nation approach. Moore challenges the traditional scholarly use of both ‘tribe’ and ‘nation,’ which impose a falsely static identity on Indigenous Peoples and the popular anthropological notion that interacting with “superior” nations drives progressive change. Moore redefines nation as a social institution underwritten by organically organized people. He describes a process of birth, death, and rebirth in which “the people and their culture” remain constant.³² Moore portrays nation as a process, a cyclical ethnogenesis in which change functions as a creative force. Similarly, historian Jeffrey Shepherd uses Hualapai history to challenge the evolutionary band-tribe-nation model. He points out that Hualapai tribal institutions developed organically before the IRA.³³ The Hualapai change, but they change in Hualapai ways, for Hualapai reasons, and according to a distinctly Hualapai pattern.

Studies of Native nationhood or nationalism challenge the dominant narrative of North American history that erases or marginalizes Native peoples, demonstrating instead a long history of sovereignty and strength of community. In the introduction of a recent collection of essays on the theme of Indian nations, historian Brian Hosmer and anthropologist Larry Nesper reflected that the conversation about nationhood both historically and in modern tribal politics “signifies the revitalization and reimagination of Indigenous political, economic, and cultural

³¹ Peter Iverson, *Diné: A History of the Navajos* (Albuquerque: University of New Mexico Press, 2002). Other examples include Galloway, *Choctaw Genesis*; Piker, *Okfuskee*.

³² John H. Moore, *The Cheyenne Nation: A Social and Demographic History* (Lincoln: University of Nebraska Press, 1987), 14. (emphasis original)

³³ Jeffrey P. Shepherd, *We Are an Indian Nation: A History of the Hualapai People* (Tucson: University of Arizona Press).

life.”³⁴ Kahnawake scholar and activist Gerald Taiaiake Alfred theorizes Indigenous nationalism as a political act, proposing an alternative to hegemonic political institutions “in a conscious effort to re-discover a set of values and political principles.”³⁵ He challenges the newest generation of Natives to “generate and sustain a social and political discourse that is respectful of the wisdom embedded within our traditions; we must find answers from within those traditions, and present them in ways that preserve the integrity of our languages and communicative styles. Most importantly, as writers and thinkers, we should be answerable to our nations and communities.”³⁶ Although Alfred remains skeptical of the ways that both nation and sovereignty remain entangled in Settler power structures, he and other scholars have turned to nationhood to advocate for Indigenous sovereignty.³⁷

Nation served as a tool of Settler colonialism. Settler governments in the United States and Canada imagined easily legible Indian nation-states with centralized governments and single male leaders out of decentralized, layered identities, providing the legal basis for land cessions through treaties.³⁸ Indian communities, however, also used nationhood as a tool for their own

³⁴ Hosmer and Nesper, *Tribal Worlds*, 3.

³⁵ Gerald Taiaiake Alfred, *Heeding the Voices of Our Ancestors: Kahnawake Mohawk Politics and the Rise of Native Nationalism* (New York: Oxford University Press, 1995).

³⁶ Taiaiake Alfred, *Peace, Power, Righteousness: An Indigenous Manifesto* (New York: Oxford University Press, 2009). Audra Simpson applies this call to Kahnawake history in “Paths Toward a Mohawk Nation: Narratives of Citizenship and Nationhood in Kahnawake,” in *Political Theory and the Rights of Indigenous Peoples*, edited by Duncan Ivison, Paul Patton, and Will Sanders (Cambridge: Cambridge University Press, 2000): 113–36.

³⁷ Some examples include: John Moore, *The Cheyenne Nation*; Galloway, *Choctaw Genesis*; Maureen Konkle, *Writing Indian Nations: Native Intellectuals and the Politics of History* (Chapel Hill: University of North Carolina Press, 2004); Andrew H. Fisher, *Shadow Tribe: The Making of Columbia River Indian Identity* (Seattle: University of Washington Press, 2010); Malinda Lowery, *Lumbee Indians in the Jim Crow South: Race, Identity and the Making of a Nation* (Chapel Hill: University of North Carolina Press, 2010); David Chang, *The Color of the Land: Race, Nation, and the Politics of Landownership in Oklahoma, 1832-1929* (Chapel Hill: University of North Carolina Press, 2010); Noenoe Silva, *Aloha Betrayed: Native Hawaiian Resistance to American Colonialism* (Durham: Duke University Press, 2004); Charles Wilkinson, *The People Are Dancing Again: The History of the Siletz Tribe of Western Oregon* (Seattle: University of Washington Press, 2010).

³⁸ Whaley, *Oregon and the Collapse of Illahee*, 11-12.

purposes. The late arrival for nationhood does not mean that Indigenous nations were simply a reaction to external pressures. As Kanaka Maoli historian Noenoe K. Silva demonstrates, nationalism offered a “strategic accommodation” for Native Hawaiians. Nationhood and nationalism took shape around the contours of Indigenous concepts such as love for the land.³⁹

Aware of the politicized context, scholars of Indigenous peoples actively contest the Euro-centric view of nationhood established by Anderson.⁴⁰ The idea of nation is a Euro-American creation, linked to the Enlightenment and the rise of capitalism in the nineteenth century.⁴¹ Of course, people around the world had their own ways of relating to each other outside of this limited Western definition.⁴² Historian David Chang proposes the following definition of nation: “a group of people that has a sense of itself as set apart from all others by

³⁹ Silva, *Aloha Betrayed*, 11. Similarly, historian Jeffrey Shepherd uses Hualapai history to challenge the idea that nationhood is a non-Indigenous process. Jeffrey P. Shepherd, *We Are an Indian Nation: A History of the Hualapai People*.

⁴⁰ Using ethnohistorical practices that combine historical and anthropological methods, John Moore suggested a model for defining Indian nations, what he calls tribal nations, that includes citizenship, territory, political unity, and a shared language. Rather than fitting the Cheyenne to Eurocentric definitions of nation, he adjusts nation to Cheyenne understandings of group organization and makes nation a tool for understanding Indigenous experiences. Moore draws scholarly attention beyond the centralized nation-state. However, by adding ‘tribal’ to ‘nation,’ Moore concedes that Indian nations are something different, which suggests an underlying incompatibility with the term ‘nation.’ Moore, *Cheyenne Nation*.

⁴¹ Benedict Anderson, *Imagined Communities*.

⁴² In addition to race and nation as discussed thus far, scholars have engaged with alternative configurations for understanding Native American group identity. Anthropologist Morris Foster describes a “process of community maintenance and change” among the Comanche. Political and economic forces worked to divide them, but the Comanche preserved their social unity through innovative adaptations of public, face-to-face interactions such as powwows, peyote gatherings, and church meetings. Foster’s approach avoids essentializing the Comanche and allows for change, but he reduces being Comanche to a social identity without considering the lived reality of sovereignty. Historian Andrew Fisher takes a more political approach in describing the self-identified Columbia River Tribe or Mid-Columbia River Tribe as a “shadow tribe” that exists beyond state institutions. Fisher argues that the circumstances of Settler colonialism created this shadow tribe, who collectively “honor a common heritage of ancestral connection to the Columbia, resistance to the reservation system, devotion to cultural tradition, and detachment from the institution of federal control and tribal governance.” The Columbia River People became a shadow tribe with a separate, and inherently political, identity rooted in history, culture, and place. Fisher’s configuration illuminates how Indigenous Peoples organized beyond state institutions and in ways that look very little the Euro-American idea of a nation, which suggests that nation is inadequate to explain Indigenous sovereign identities. Morris Foster, *Being Comanche: A Social History of an American Indian Community* (Tucson: University of Arizona Press, 1991); Fisher, *Shadow Tribe*, 5, 251.

some combination of factors” that might include history, language, religion, artistic tradition, ancestry, and homeland, among others. Nationalism, in turn, comes from a feeling of common purpose for the future.⁴³ Chang’s definition seems timeless, able to describe social and political organizations at any point in the past.⁴⁴ These alternative, Indigenous-focused models of nationhood demonstrate the discomfort with Settler constructions of sovereignty and power.

‘Nation,’ however, remains laden with specific connotations that resist these efforts to redefine. Chang, for instance, incorporates Anderson’s idea of “imagined communities” into his descriptions, but he overlooks the temporally-bound nature of Anderson’s understanding of nation, as well as its unavoidable link to print-capitalism.⁴⁵ Nation means something more specific than most scholars of Native nationhood recognize, and it fixes Indigenous sovereignty within Settler colonial paradigms.

Eschewing race or nationalism, ways of thinking embedded in Western epistemologies, I rely on ‘peoplehood’ to articulate Anishinaabeg sovereignty. Peoplehood is a theory developed by American Indian studies scholars to reframe Indigenous sovereignty. In *Custer Died for Your Sins*, Vine Deloria, Jr., used ‘peoplehood’ to present an alternative to Euro-American concepts of belonging.⁴⁶ Cherokee anthropologist, and good friend of Deloria, Robert K. Thomas employed the term to “transcend the notions of statehood, nationalism, gender, ethnicity, and sectarian

⁴³ Chang, *The Color of the Land*; Moore, *Cheyenne Nation*. Historian Brian Hosmer and anthropologist Larry Nesper propose a similarly broad definition: “nationhood is concrete and imagined, constantly in motion, and contested in multiple ways and from numerous directions. It is accomplishment and aspiration, something described and lived, as well as a product of history.” Hosmer and Nesper, *Tribal Worlds*, 2.

⁴⁴ Similarly, anthropologist Christina Gish Hill considers nationhood and sovereignty without “the political machinations of the nation-state.” She identifies kinship as a sociopolitical process that the Cheyenne strategically mobilized for political and economic ends—in other words, a conduit for sovereignty. Hill, “Kinship as a Strategy for Maintaining Indigenous Sovereignty,” in *Tribal Worlds*, edited by Brian Hosmer and Larry Nesper (Buffalo: SUNY Press, 2013), 65-110.

⁴⁵ Anderson, *Imagined Communities*.

⁴⁶ Deloria, *Custer Died for your Sins*, 180.

membership” by focusing instead on Indigenous definitions of community.⁴⁷ He identifies language, religion, land, and sacred history as the set of relationships that “tells you who you are and why you must survive as a people.”⁴⁸ Surviving as a People is sovereignty, which Thomas situates within Indigenous relationships.

Tom Holm, J. Diane Pearson, and Ben Chavis developed a theoretical framework using Thomas’s definition of peoplehood, what they term the “peoplehood matrix.” The four basic elements of this model are language, sacred history, place or territory, and the ceremonial cycle. These features do not exist in isolation but rather “intertwine, interpenetrate, and interact.”⁴⁹ The term represents what Taiaiake Alfred calls the core of Indigenous identity. Institutions, beliefs, and practices around the core may alter, but the center remains stable and influences the character of change.⁵⁰ This matrix of living relationships comprise and mobilize sovereignty.

⁴⁷ Robert K. Thomas, “Language and Culture: Persistence, Change and Dissolution of Tribal Society,” in *American Indian Tribes in the 21st Century* (Chicago: Native American Education Services, Inc., 1986), 71; Thomas Holm, J. Diane Pearson, and Ben Chavis, “Peoplehood: A Model for the Extension of Sovereignty in American Indian Studies,” *Wicazo Sa Review* 18:1 (Spring 2003): 11.

⁴⁸ Robert K. Thomas, “Language and Culture,” 71. Scholars of Native nationalism have attempted to integrate this relational definition into Native nationhood. Moore’s criteria of citizenship, territory, political unity, and language parallels Sturm’s culture, kinship, language, and religion. These efforts, however, cannot succeed in uncoupling nation from its Eurocentric, nineteenth-century origins and instead further suggest the need for an alternative Indigenous framework. Similarly, political theorist Partha Chatterjee provides a decolonization critique of Benedict Anderson’s limited idea of nation. He discusses anticolonial nationalism in India, which he argues was not based on the European models Anderson proposed and in fact existed in direct opposition to such models. He contends that anticolonial nationalism was more than a political movement that takes place in external institutions of statecraft. In fact, anticolonial nationalism predates the political action of the 1970s. Chatterjee distinguishes between material and spiritual aspects of nationalism. While the material aspects are external manifestations, the spiritual realm of nationalism encompasses the “marks of cultural identity.” “In this, its true and essential domain,” argues Chatterjee, “the nation is already sovereign, even when the state is in the hands of the colonial power.” Partha Chatterjee, “Whose Imagined Community?” in *Mapping the Nation*, edited by Gopal Balakrishnan (London: Verso, 1996), 5-6.

⁴⁹ Holm, Pearson, and Chavis, “Peoplehood,” 13. J. Diane Pearson uses peoplehood as a framework for her study of Nez Perce survival in the late nineteenth century. Pearson, *The Nez Percés in the Indian Territory: Nimiipuu Survival* (Norman: University of Oklahoma Press, 2008).

⁵⁰ Alfred, *Heeding the Voices of Our Ancestors*. Several studies demonstrate the effectiveness of this perspective, although they may or may not rely on Alfred directly. Linda Tuhiwai Smith makes a similar point in *Decolonizing Methodologies: Research and Indigenous Peoples* (London: Zed Books Ltd: 1999). Critiquing Western notions of authenticity, she suggests that Indigenous peoples’ stable core consists of genealogical and spiritual relationships with place while at the same time insisting that Natives can “recreate themselves and still claim to be indigenous”

Peoplehood provides an Indigenous framework for understanding the historical nature of Indigenous sovereignty. Anishinaabeg, like many of the names Native Americans use to identify themselves, means “the people.” Turtle Mountain Ojibwe legal scholar Heidi Kiiwetinepinesiik Stark explains that “the word for sovereignty in Anishinaabemowin is Anishinaabe.”⁵¹ Anishinaabeg, sovereignty, and peoplehood cannot be separated. Peoplehood reflects Anishinaabeg understandings of themselves as encoded in their language. Inherent in peoplehood is sovereignty, which can be understood as a matrix of living relationships with language, land, sacred history, ceremonial cycle, and, I add, kinship.⁵² Sovereignty derives neither from territory nor the political centralization of the Western nation-state but from relationships.⁵³ Privileging Ojibwe language, land use, oral tradition, and ways of understanding the past illuminates these relationships, which persisted within the context of colonialism. Peoplehood redefines sovereignty beyond Settler colonial constructs and restores Indigenous sovereignty where it belongs: within the People. Peoplehood empowers the Indigenous relationships that it honors,

(74). In *American Indians and the Marketplace*, Brian Hosmer demonstrates that while the political forms among the Menominee shifted dramatically in the early twentieth century, tribes’ definitions of leadership remained remarkably consistent over several centuries. Similarly, David Chang’s *Color of the Land* argues that, although Creeks in Oklahoma split into two opposing interest groups, they nonetheless continued to define themselves around a core value of communal land use.

⁵¹ Jill Doerfler, Nigaanwewidam James Sinclair, and Heidi Kiiwetinepinesiik Stark, eds., *Centering Anishinaabeg Studies: Understanding the World Through Stories* (East Lansing: University of Michigan Press, 2013), xxiv.

⁵² Sovereignty, as American Studies scholar Tom Holm suggests, “is inherent in being a distinct people.” Holm, Pearson, Chavis, “Peoplehood”: 17. Christina Gish Hill similarly notes that kinship was missing from the peoplehood matrix for the Cheyenne. However, Hill sees kinship as the relationship that linked the four factors together, essentially the arrows in Holm, Pearson, and Chavis’s matrix. Kinship, according to Hill, is explicitly political, while she describes the four aspects of the peoplehood matrix as cultural. I position kinship within the matrix, for all five factors serve as conduits for sovereignty. Hill, “Kinship as an Assertion of Sovereign Native Nationhood,” 86.

⁵³ Work by scholars such as Moore, Sturm, and Hill—as well as the scholarship of colonized people around the world, exemplified by Chatterjee—anticipates the relational nature of sovereignty expressed by peoplehood. By remaining bound to Western ideas of nation, however, Indigenous perspectives are subordinated to Settler colonial frameworks.

revealing the unbroken nexus of sovereignty that has sustained the Anishinaabeg and other Indigenous Peoples.

Peoplehood positions sovereignty as essential to understanding Native American history. Historians of Native America tend to draw a false distinction between culture and politics. This habit derives from a pattern initiated by anthropologists who focused exclusively on cultural traits. The cumulative effect of such studies has been to trap real Indian people in the past, seeming, in the words of Vine Deloria, Jr., “to drift into a timeless mist” that essentializes their culture and denies change.⁵⁴ Political action has no role in this narrative, either in the past or the present. In reality, however, Native people’s reason for existence is not merely cultural.⁵⁵ According to Maureen Konkle, “it is also political—about government, boundaries, authority over people and territory.”⁵⁶ It is also possible to emphasize politics over culture. Both, however, play mutually reinforcing roles in Native history and, indeed, in human history in general. Deloria articulates a vision of sovereignty that comprises not only political powers but also

⁵⁴ Deloria, *Custer Died for Your Sins*, 17. Within the fields of Native American history and anthropology, focusing on culture has led to static notions of Indianness incompatible with change. Anthropologist Edward H. Spicer reduced the incredible diversity of the hundreds of Indigenous Peoples on Turtle Island to “fewer than half a dozen, perhaps no more than three or four, ways of life, or that is to say distinctive cultures, in all the reservations of the United States and Canada.” As anthropologist Morris Foster explains, ‘culture’ focuses on aspects such as language and belief system and refers to “human conceptions and conceptual frameworks.” The relationships between culture and sovereignty remains unclear. I do not intend to critique culture or cultural studies more broadly. Work by scholars such as Marshall Sahlins and Clifford Geertz in historical agency and public meaning, respectively, has contributed to Native American studies in many ways. Within the context of Native American studies, however, and in the specific case of Native American group identity, ‘culture’ as an organizing approach essentializes Indigenous Peoples and actually furthers Settler colonial goals of erasure by decoupling Indigenous Peoples from their inherent sovereignty, a process that Chickasaw scholar Jodi Byrd address in *The Transit of Empire*. Given the reality of continued Settler colonialism, it seems irresponsible to focus on culture at the expense of sovereignty. Foster, *Being Comanche*, 7, 20, 177 n19; Spicer, *Perspectives in American Indian Culture Change* (Chicago: University of Chicago Press, 1961), 21; Sahlins, *Historical Metaphors and Mythical Realities: Structure in the Early History of the Sandwich Islands Kingdom* (Ann Arbor: University of Michigan Press, 1981); Sahlins, *Islands of History* (Chicago: University of Chicago Press, 1985); Geertz, *The Interpretation of Cultures* (New York: Basic Books, 1973); Byrd, *The Transit of Empire: Indigenous Critiques of Colonialism* (Minneapolis: University of Minnesota Press, 2011).

⁵⁵ For example, Foster in *Being Comanche* seems to dismiss political identification in favor of social.

⁵⁶ Konkle, *Writing Indian Nations*: 27.

“cultural integrity.”⁵⁷ Peoplehood integrates both political and cultural aspects of community within the relational framework of sovereignty. It allows for both continuity and change—change that is more than a reaction to the external pressures of colonization.⁵⁸ Redefining sovereignty as derived from relationships, peoplehood offers a more holistic view of the Anishinaabe People that positions Anishinaabeg at the heart of their own dibaajimowinan (history).

Centering Anishinaabeg Dibaajimowinan⁵⁹

Peoplehood situates sovereignty within an Indigenous framework, which allows me to tell Anishinaabe history from Anishinaabeg perspectives. The scholarship on Anishinaabe history is rich and varied.⁶⁰ Anishinaabeg intellectuals have contributed extensively to this field.

⁵⁷ Vine Deloria, Jr., “Self-Determination and the Concept of Sovereignty,” in *Native American Sovereignty*, edited by John Wunder (New York: Garland Publishing, 1999), 113-114.

⁵⁸ The idea of peoplehood operating around a stable core, to borrow Alfred’s terminology, may seem essentializing. However, because the peoplehood matrix conceives of its constitutive elements as relationships, it allows for flexibility and adaptation. No language remains unchanged through all of time. Expecting an Indigenous language to remain static projects Settler misconceptions onto Indigenous Peoples. Paige Raibmon explores the problematic binary view of Native Americans in the U.S. and Canada in *Authentic Indians: Episodes of Encounter from the Late-Nineteenth-Century Northwest Coast* (Durham: Duke University Press, 2005).

⁵⁹ Dibaajimowin means narratives, stories, or histories. Doerfler, Sinclair, and Stark, *Centering Anishinaabeg Studies*, xviii.

⁶⁰ A small sampling includes Cary Miller, *Ojimaag: Anishinaabe Leadership, 1760-1845* (Lincoln: University of Nebraska Press, 2010); Chantal Norrgard, “From Berries to Orchards: Tracing the History of Berrying and Economic Transformation among Lake Superior Ojibwe,” *The American Indian Quarterly* 33 (2008): 33-61; Carol Devens, *Countering Colonization: Native American Women and Great Lakes Missions, 1630-1900*. Berkeley: University of California Press, 1992; Ronald N. Satz, “‘Tell Those Gray Haired Men What They Should Know’: The Hayward Indian Congress of 1934,” *The Wisconsin Magazine of History* (Spring 1994): 196-224; Ronald N. Satz, *Chippewa Treaty Rights: The Reserved Rights of Wisconsin’s Chippewa Indians in Historical Perspective* (Madison: Wisconsin Academy of Sciences, Arts, and Letters, 1991); Larry Nesper, *The Walleye War: The Struggle for Ojibwe Spearfishing and Treaty Rights* (Lincoln: University of Nebraska Press, 2002); Meyer, *The White Earth Tragedy*; Patty Loew, *Indian Nations of Wisconsin: Histories of Endurance and Renewal* (Madison: Wisconsin Historical Society Press, 2001), R. David Edmunds, *Enduring Nations: Native Americans in the Midwest* (Urbana: University of Illinois Press, 2008); Chantal Norrgard, *Seasons of Change: Labor, Treaty Rights, and Ojibwe Nationhood* (Chapel Hill: University of North Carolina Press, 2014); Eric Redix, *The Murder of Joe White: Ojibwe Leadership and Colonialism in Wisconsin* (East Lansing: Michigan State University Press, 2014); Brenda Child, *My Grandfather’s Knocking Sticks: Ojibwe Family Life and Labor on the Reservation* (St. Paul: Minnesota Historical Society Press, 2014); Anton Treuer, *Warrior Nation: A History of the Red Lake Ojibwe* (St. Paul: Minnesota Historical Society Press, 2015).

Anishinaabeg have written their own history since the mid-nineteenth century, with well-known works by George Copway and William Whipple Warren.⁶¹ Copway and Warren articulate a methodology that future generations of Anishinaabeg scholars have embraced, centering Anishinaabeg perspectives and experiences. Both Ojibweg relied on oral tradition. Warren, born in 1825 on Mooningwanekaaning-minis (Madeline Island) at the center of the Ojibwe world to an Ojibwe mother and American fur trader father, set out to record the history of his People in the 1840s. Warren's *History of the Ojibway People* provides "an account of the principal events which have occurred to the Ojibway within the past five centuries, as obtained from the lips of their old men and chiefs who are the repositories of the traditions of the tribe."⁶² Similarly, in *The Traditional History and Characteristic Sketches of the Ojibway Nation*, Mississaugas Ojibwa Copway acknowledges the old men as "repositories of the history of the ancestors" and relies on these elders as his primary source.⁶³ Copway and Warren use oral tradition to critique the dominant narrative presented by missionaries and travelers. Warren believes that, despite numerous volumes on Indian people written by non-Indians, the available information remained "mainly superficial" and often incorrect.⁶⁴ He removes the veneer of expertise that white scholars claim and privileges the spoken authority of Anishinaabe elders. As he presents an Ojibwe

⁶¹ William Whipple Warren, *History of the Ojibwe People*, edited by Theresa Schenck (1885; reprint St. Paul: Minnesota Historical Society Press, 2009); for George Copway, see *The Traditional History and Characteristic Sketches of the Ojibway Nation* (London: Charles Giplin, 1850) and *Recollections of a Forest Life: Or the Life and Travels of Kah-Ge-Ga-Gah-Bowh or George Copway, Chief of the Obijibway Nation* (1851; reprint, Whitefish, MT: Kessinger Publishing, 2010). Jane Johnston Schoolcraft, or Bamawewagezhikaquay, from a prominent Caribou doodem family and wife of early Office of Indian Affairs official Henry Rowe Schoolcraft, was an Ojibwe writer—perhaps the earliest Native American writer. She wrote at least fifty poems in Ojibwemowin and English, as well as oral tradition and songs. Robert Dale Parker, *The Sound the Stars Made Rushing Through the Sky: The Writings of Jane Johnston Schoolcraft* (Philadelphia: University of Pennsylvania Press, 2007); Konkle, *Writing Indian Nations*, 162-180.

⁶² Warren, *History of the Ojibway People*, 7.

⁶³ Copway, *Traditional History*, 28.

⁶⁴ Warren, *History of the Ojibway People*, 72-73.

perspective, Warren conveys the importance of place, explaining the origin of place names and the stones behind the settlement of a land where “the bones of their ancestors [were] sprinkled through the soil.”⁶⁵ He organizes his narrative more often by place than by time, and he provides few dates because his sources were not interested in chronology. By insisting on the validity of oral sources and the centrality of clan relationships and place, Warren reframes the Settler narrative of Anishinaabe history, which by the 1850s already privileged white progress and marginalized Indian perspectives.⁶⁶

Non-Ojibweg scholars present the mid-nineteenth century as a period when Indian nations collapsed under Settler colonial pressure. For instance, historian Pekka Hämäläinen describes the powerful and expansive Comanche empire as “demolished” by 1877 because of American efforts toward “massive national consolidation.”⁶⁷ Legal scholar Charles Wilkinson called the period from the 1890s to the early 1950s the “all-time low” and the “nadir” of American Indian experience.⁶⁸ This narrative allows for resurgence in the 1960s, but the years between 1850 and 1950 remain associated with destruction and decline.⁶⁹ Settlers’

⁶⁵ Warren, *History of the Ojibway People*, 3, 27.

⁶⁶ Contemporary Anishinaabeg scholars must likewise write against a Settler tradition that marginalizes Anishinaabeg peoples and tells stories of cultural decay. See, for example, Harold Hickerson, *The Chippewa and Their Neighbors: A Study in Ethnohistory* (New York: Holt, Rinehart and Winston, 1970); Edmund Jefferson Danziger, *The Chippewas of Lake Superior* (1979; reprint, Norman: University of Oklahoma Press, 1990).

⁶⁷ Pekka Hämäläinen, *The Comanche Empire* (New Haven: Yale University Press, 2008), 361.

⁶⁸ Charles Wilkinson, *Blood Struggle: The Rise of Modern Indian Nations* (New York: W.W. Norton, 2005), xiv, 100. Other works that follow a similar trajectory include the following: Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (New York: Cambridge University Press, 1991); James Brooks, *Captives and Cousins: Slavery, Kinship, and Community in the Southwest Borderlands* (Chapel Hill: University of North Carolina Press, 2002); Jeffrey Ostler, *The Plains Sioux and U.S. Colonialism from Lewis and Clark to Wounded Knee* (New York: Cambridge University Press, 2004); Robert Utley, *The Last Days of the Sioux Nation* (New Haven: Yale University Press, 2004); Brian DeLay, *War of a Thousand Deserts: Indian Raids and the U.S.-Mexican War* (New Haven: Yale University Press, 2008); Elliott West, *The Last Indian War: The Nez Perce Story* (New York: Oxford University Press, 2009).

⁶⁹ Legal historian Charles Wilkinson, for instance, argues that the push for self-determination emerged from the fight against termination policy. Paul Rosier and Dan Cobb make similar connections to termination. Many Indigenous activists made this connection in their own speeches and writings. For example, Leonard Peltier, Turtle

encroachments on territory and sovereignty were realities with which Native peoples had to struggle.⁷⁰ As Anishinaabeg history demonstrates, however, the process of Settler colonialism in the United States and Canada remained incomplete. The Anishinaabeg did not rise and fall, only to reemerge and rebuild in the second half of the twentieth century. They persisted and thrived; they continued to articulate and defend their sovereignty.

Since the 1980s, Ojibwe writers have presented narratives of persistence and adaptation.⁷¹ Gerald Vizenor (White Earth) began the task of reclaiming Anishinaabe history.⁷²

Mountain and Dakota activist currently in prison for the murder of federal agents, links his own awakening as an advocate for his People to the fight against termination at Turtle Mountain in the 1950s. Wilkinson, *Blood Struggle*; Daniel M. Cobb, *Native American Activism in Cold War America: The Struggle for Sovereignty* (Lawrence: University Press of Kansas, 2008); Paul Rosier, *Serving their Country: American Indian Politics and Patriotism in the Twentieth Century* (Cambridge: Harvard University Press, 2009); Leonard Peltier, *Prison Writings: My Life Is My Sundance* (New York: St. Martin's Press, 1999), 80.

⁷⁰ Ostler, *Plains Sioux*, 1-13.

⁷¹ Non-Ojibwe scholars also address themes of adaptation and survival. In *Authentic Indians*, for instance, Raibmon challenges the binary constructions that make change seem inimical to Indianness. Philip Deloria addresses the theme of change and modernity as well. Rose Strelau details how Cherokee kinship networks facilitated adaptation to changing colonial land policies. Raibmon, *Authentic Indians*; Deloria, *Indians in Unexpected Places* (Lawrence: University Press of Kansas, 2004); Strelau, *Sustaining the Cherokee Family: Kinship and the Allotment of an Indigenous Nation* (Chapel Hill: The University of North Carolina Press, 2011); For economic adaptation specifically, see Eric Meeks, "The Tohono O'odham, Wage Labor, and Resistant Adaptation, 1900-1930," *Western Historical Quarterly* 34:4 (Winter 2003): 469-489; Brian Hosmer, *American Indians in the Marketplace: Persistence and Innovation among the Menominees and Metlakatlans, 1870-1920* (Lawrence: University Press of Kansas, 1999); Richard White, *The Roots of Dependency: Subsistence, Environment, and Social Change among the Choctaws, Pawnees, and Navajos* (Lincoln: University of Nebraska Press, 1983); Steven High, "Native Wage Labor and Independent Production during the 'Era of Irrelevance'" *Labor/LeTrevail* 37 (Spring 1996): 243-64. This shift aligns with a broader shift in Native American history, known as New Indian history. New Indian history produced more Native-centered histories that moved away from narratives of decline. Scholars advocated for a reimagining of Indigenous social and political experiences, a focus on Indian-Indian relationships, the study of pre-Columbian communities, and a call for scholarship to enter the twentieth-century. The following articles provide a brief overview of the historiographical development: Robert F. Berkhofer, Jr. "The Political Context of a New Indian History," *Pacific Historical Review* 40:3 (1971): 357-382; R. David Edmunds, "Native Americans, New Voices: American Indian History, 1895-1995," *The American Historical Review* 100:3 (1995): 717-740; Nicolas G. Rosenthal, "Beyond the New Indian History: Recent Trends in the Historiography on the Native Peoples of North America," *History Compass* 4:5 (2006): 962-974.

⁷² After Warren and his contemporaries, few Ojibwe authors followed. Several published memoirs over the next century, but the overwhelming majority of scholarship on the Ojibwe came from white anthropologists and historians. Examples of Ojibwe autobiography and memoir include Andrew J. Blackbird, *History of the Ottawa and Chippewa Indians of Michigan: A Grammar of Their Language, and Personal and Family History of the Author* (Ypsilanti, Michigan: The Ypsilantian Job Printing House, 1887) and John Rogers, *Red World and White: Memories of a Chippewa Boyhood* (Norman: University of Oklahoma Press, 1957). Early and mid-twentieth century works by white scholars include Frances Densmore, *Chippewa Customs* (1929; reprint St. Paul: Minnesota Historical Society

Vizenor, better known as a poet, novelist, and critic, contributes a framework for understanding Anishinaabeg persistence and adaptation.⁷³ He coined the term survivance, which evokes “an active sense of presence over absence, deracination, and oblivion; survivance is the continuance of stories, not a mere reaction, however pertinent.”⁷⁴ Vizenor continues to explain that stories of survivance are “renunciations of dominance, detractions, obtrusions, the unbearable sentiments of tragedy, and the legacy of victimry.”⁷⁵ Red Lake historian Brenda Child cautions, “It is impossible to overemphasize the personal toll of dispossession and reservation poverty on American Indian lives. ‘Survival’ rarely felt like freedom or sovereignty to Indigenous people.”⁷⁶ While honoring the trauma inflicted by Settler colonialism, the Indigenous theory of survivance illuminates the ongoing pattern of adaptation and active—not merely reactive—survival of the Anishinaabeg people that continues with each new generation. Through this Ojibwe framework, my dissertation emulates the adaptive, Indigenous strategy of resistance that advanced Anishinaabeg peoplehood in the nineteenth and twentieth centuries.

Press, 1979); M. Inez Hilger, *Chippewa Child Life and its Cultural Background* (1951; reprint, St. Paul: Minnesota Historical Society Press, 1992); Sonia Bleeker, *The Chippewa Indians, Rice Gatherers of the Great Lakes* (New York: Morrow, 1955); Robert William Dunning, *Social and Economic Change among the Northern Ojibwa* (Toronto: University of Toronto Press, 1959); Ruth Landes, *Ojibwa Religion and the Midewiwin* (Madison: University of Wisconsin Press, 1968). Historical writings by Anishinaabeg reemerged in the late twentieth century. The first of these were not written by historians. Gail Guthrie Valaskakis (Lac du Flambeau) worked in media and communications and wrote about Anishinaabe identity, also in the 1980s. Wub-e-ke-niew (Red Lake), unaffiliated with academia entirely, wrote his polemical justification of Ojibwe sovereignty, *We Have the Right to Exist: A Translation of Aboriginal Indigenous Thought*, in 1995.

⁷³ Vizenor’s earlier work critiqued Settler colonial histories of Ojibweg. He advocated for Ojibwe history that, rooted in imagination and creation, envisioned the “past as a lived event.” Vizenor, *The People Named the Chippewa: Narrative Histories* (Minneapolis: University of Minnesota Press, 1984), 19.

⁷⁴ Gerald Vizenor, ed., *Survivance: Narratives of Native Presence* (Lincoln: University of Nebraska, 2008), 1.

⁷⁵ Vizenor, *Survivance*, 1.

⁷⁶ Child, *My Grandfather’s Knocking Sticks*, 3.

Recent works by Ojibweg authors carry on the narrative of survivance. Bad River scholar Patty Loew refers to this process as endurance and renewal.⁷⁷ Brenda Child's brief but syncretic history of Ojibweg in Wisconsin, Minnesota, and Michigan demonstrates how women, especially female elders, managed "to hold things together" during the reservation era and into cities in the 1960s and 1970s.⁷⁸ Child addresses the challenges imposed by Settler colonialism, but she simultaneously shows the strength and continuity of the Ojibweg. For instance, amidst the flu epidemic in the 1910s, Ojibwe sacred and medicinal traditions created the Jingle Dress, given to the People in a dream, which spread through Anishinaabewaki in both the United States and Canada by the 1920s.⁷⁹ An understanding of Anishinaabe peoplehood can help to illuminate the social, cultural, and political relationships that made survival possible, relating back to the idea of sovereignty so important to modern Anishinaabeg.

Anishinaabeg scholars from a range of disciplines recently came together to propose a common methodology for approaching Anishinaabeg studies. Nearly two dozen Anishinaabeg-focused scholars, many of Anishinaabe descent, advocate for an approach to Anishinaabeg pasts, presents, and futures rooted in stories. Stories, according to editors Jill Doerfler (White Earth), Nigaanwewidam James Sinclair (St. Peter's), and Heidi Kiiwetinepinesiik Stark (Turtle Mountain), "are like maps, or perhaps instructions, that teach us how to navigate the past, present, and future."⁸⁰ The collected articles consider Anishinaabeg-centered scholarship's radical possibilities to promote *mino-bimaadiziwin*, the good life, among Anishinaabeg People, and they document a continuous history of Anishinaabeg adaptation and survival both in their

⁷⁷ Loew, *Indian Nations of Wisconsin*.

⁷⁸ Brenda Child, *Holding Our World Together: Ojibwe Women and the Survival of Community* (New York: Viking, 2012), 62.

⁷⁹ Child, *Holding Our World Together*, 92-95.

⁸⁰ Doerfler, Sinclair, and Stark, *Centering Anishinaabeg Stories*, xviii.

contents and in their existence as a counterpoint to mainstream epistemologies.⁸¹ Stories and storytelling offer a framework that, when coupled with a peoplehood paradigm, allows me to re-imagine dynamic Anishinaabeg pasts.⁸² I am fortunate that Anishinaabe men and women have taken an active role in preserving and sharing their own stories and in producing scholarship. I use this literature as a basis for approaching Settler archives from an Anishinaabe perspective.⁸³ Privileging Anishinaabeg stories and ways of knowing challenges dominant narratives that marginalize Indigenous Peoples, demonstrating instead a long and evolving history of sovereignty and survival that is, in itself, an act of resistance against Settler colonial control.

The Anishinaabeg present an ideal community to study peoplehood. They claimed a truly extensive homeland in the early nineteenth century. Anishinaabe borders included nearly all of the Great Lakes watershed, crossing the Mississippi to the west, and extending into the northern

⁸¹ Doerfler, Sinclair, and Stark, *Centering Anishinaabeg Stories*, xvii-xviii.

⁸² Two additional works rooted in this Anishinaabe methodology have helped to me re-imagine Settler legal constructs in Anishinaabeg terms. Nawush Anishinaabek First Nation legal scholar John Borrows, who masterfully weaves stories into his analyses, demonstrates how throughout the history of colonialism in Canada, Indigenous peoples enacted and adapted traditions to defend against Settler legal attacks. Borrows documents the very continuous sovereignty I uncover, and his concept of Ojibwe *inaakonigewin* or law rooted in stories and living relationships has influenced how I understand Anishinaabeg peoplehood. Additionally, Chantal Norrgard connects Anishinaabe labor and treaty rights via lived relationships into a framework of resistance that likewise shaped my understanding of the sovereignty inherent to Anishinaabe peoplehood. John Borrows, *Recovering Canada: The Resurgence of Indigenous Law* (Toronto: University of Toronto Press, 2002); Borrows, *Drawing Out Law: A Spirit's Guide* (Toronto: University of Toronto Press, 2010); Norrgard, *Seasons of Change*, 2.

⁸³ The foundations of Settler colonialism rest on eliminating Indigenous Peoples through displacement or incorporation, and archives, both the physical locations and the metaphorical space of publicly-constructed knowledge, provide a powerful tool in this process. Archives are not merely passive receptacles of neutral, fully-formed and self-contained truth. They take part in constructing knowledge at national, regional, and local levels, often but not always in service of the state. Every choice—from what and who was recorded and what merited preservation to how that information is organized and explained and who has access to it—is deeply implicated in processes of power and possession. Although scholars (especially in Indigenous studies) have begun to expose and challenge the veneer of objectivity, archives continue to present a sense of authoritative truth that masks the role of colonialism and inscribes Settler colonial power relationships, denying the legitimacy of Indigenous knowledge and assimilating Native narratives into nation-building, Settler discourses. See, for example, Melissa Adams-Campbell, Ashley Glassburn Falzetti, and Courtney Rivard, “Indignity and the Work of Settler Archives,” *Settler Colonial Studies* 5:2 (2015): 109-116; Ashley Glassburn Falzetti, “Archiving Absence: the Burden of History,” *Settler Colonial Studies* 5:2 (2015): 128-144; Gayatri Spivak, “Can the Subaltern Speak?” in *Marxism and the Interpretation of Culture*, edited by Cary Nelson and Lawrence Grossberg (London: Macmillan, 1988).

plains of what is now Canada. They organized daily life around family groups and kinship networks, but the decentralization and geographical diffusion only emphasize the peoplehood that united them. Moreover, the Great Lakes region, with its diverse and shifting population, offers the perfect setting for such a study. Historians and anthropologists have demonstrated the flexibility of Ojibwe social relationships in the period from 1854 to 1954, actively shaping colonial contexts and maintaining a strong but fluid Ojibwe identity.⁸⁴

Works on Anishinaabe history tend to focus on a single reservation or region and time period. Few scholars consider the political, economic, social, and cultural ties that united the Anishinaabeg as a People. For instance, anthropologist Laura Peers and historians Rebecca Kugel and Melissa Meyer structure their studies around a single historic band or reservation.⁸⁵ Historian Cary Miller discusses Ojibwe political organization with a broad geographic scope in the period before 1850, she remains within the confines of the United States.⁸⁶ My dissertation uses the Turtle Mountain, Lac Courte Oreilles, and St. Peter's Peoples as case studies but seeks to move beyond typical regional constraints and reframe western Anishinaabewaki as a site of dynamic adaptation and persistence.

⁸⁴ For instance, anthropologist Laura Peers describes how Canadian Ojibweg fluidly blended their social practices with the plains environment they encountered on the western edges of Anishinaabewaki. Historian Rebecca Kugel examines the persistence of White Earth Ojibwe leadership from 1825 to 1898 as ogimaag (leaders) defended Anishinaabe land and political autonomy and despite deep divisions over strategies. Melissa Meyer discusses how White Earth Ojibweg defined their own membership and influenced the policy of the Settler government even as allotment dispossessed them of their land and lumber. Peers, *Ojibwa of Western Canada: 1780 to 1870* (St. Paul: Minnesota Historical Society Press, 1994); Rebecca Kugel, *To Be the Main Leaders of Our People: A History of Minnesota Ojibwe Politics* (East Lansing: Michigan State University Press, 1998); Meyer, *The White Earth Tragedy*.

⁸⁵ Several works published in the past several years emphasize this trend: Anton Treuer and Brenda Child's Red Lake histories, Eric Redix's study of leadership at Lac Courte Oreilles, and Jill Doerfler's examination of identity at White Earth. Chantal Norrgard's labor history focuses on communities on the United States shores of Lake Superior. Treuer, *Warrior Nation*; Child, *My Grandfather's Knocking Sticks*; Redix, *The Murder of Joe White*; Norrgard, *Seasons of Change*.

⁸⁶ Miller, *Ogimaag*.

Little scholarship exists on these three Peoples. Historian Sarah Carter addresses St. Peter's in two separate articles, one on St. Peter's agricultural practices in the nineteenth century and one on the 1907 surrender agreement.⁸⁷ This dissertation situates the St. Peter's People in a longer and broader context. Lac Courte Oreilles historian Eric Redix's recent study of leadership at Lac Courte Oreilles in the nineteenth century has been invaluable in understanding the several communities that comprise Lac Courte Oreilles, especially the non-ishkonigan community of Rice Lake, and the contested history of leadership following the 1854 treaty.⁸⁸ Redix's work with Anishinaabemowin and Anishinaabeg readings of nineteenth century treaties likewise provided a foundation for my work. The final episode in Redix's book, the 1894 murder of Joe White and the trial of his murderers, occurs in the middle of my study. I hope to contextualize the narrative of loss and dislocation that Redix relates, an integral layer of the Lac Courte Oreilles People's history, within the continuing trajectory of Lac Courte Oreilles sovereignty.⁸⁹ Finally, Turtle Mountain legal scholar Keith Richotte's dissertation on Turtle Mountain constitutionalism remains one of the few studies of the Turtle Mountain People.⁹⁰ Richotte covers an expansive

⁸⁷ Sarah Carter, "St. Peter's and the Interpretation of the Agriculture of Manitoba's Aboriginal People," *Manitoba History* 18 (Autumn 1989): 46-52; Carter, "'They Would Not Give Up One Inch of It': The Rise and Demise of St. Peter's Reserve, Manitoba," in *Indigenous Communities and Settler Colonialism*, edited by Zoe Laidlaw and Alan Lester (Basingstoke, England: Palgrave Macmillan, 2015), 73-193. The only other published work focusing on St. Peter's is a community and family history written by Albert Edward Thompson, Peguis descendent and former chief. Albert Edward Thompson, *Chief Peguis and His Descendants* (Winnipeg: Peguis Publishers, 1973).

⁸⁸ Redix, *The Murder of Joe White*.

⁸⁹ Several other studies touch on the Lac Courte Oreilles in conversation with other Ojibwe Peoples in Wisconsin and Minnesota. Norrgard, Child, Walleye War. See also James W. Oberly, "Tribal Sovereignty and Natural Resources: the Lac Courte Oreilles Experience," in *Buried Roots and Indestructible Seeds: The Survival of American Indian Life in Story, History, and Spirit*, edited by Mark A. Lindquist and Martin Zanger (Madison: University of Wisconsin Press, 1994); Charlie Otto Rasmussen, *Where the River is Wide: Pahquahwong and the Chippewa Flowage* (Odanah: Great Lakes Indian Fish and Wildlife Commission Press, 1998).

⁹⁰ Richotte, "'We the Indians of the Turtle Mountain Reservation...': Rethinking Tribal Constitutionalism Beyond Colonialist/Revolutionary Dialectic," unpublished PhD dissertation, University of Minnesota, 2009. Other works that focus on Turtle Mountain include the following: Gregory Scott Camp, "The Turtle Mountain Plains-Chippewas and Métis, 1797-1935" (Ph.D. diss., University of New Mexico, 1987); John M. Shaw, "'In Order That Justice May Be Done': The Legal Struggle of the Turtle Mountain Chippewa, 1795-1905," (Ph.D. diss., University of Arizona,

sweep of history, from time immemorial through the 1990s, although the main body of his work begins in the 1890s. Richotte demonstrates the continuous if contested self-governance of the Turtle Mountain People, and he centers Turtle Mountain men and women as the drivers and shapers of change. My dissertation seeks to connect the Turtle Mountain People to other Anishinaabeg Peoples across Settler borders while maintaining a focus on Anishinaabeg men and women and the relationships that comprised the People.

By starting with the creation of reserves and reservations in the 1850s and continuing into the 1950s, I connect the reservation present with a longer narrative of change and continuity that spans colonial borders.⁹¹ My dissertation, while by no means claiming to offer a complete picture of the Anishinaabeg, seeks to unite seemingly disparate reservation communities within a larger framework of peoplehood that can serve as a lens for studying a wide range of topics in Ojibwe history. My geographical framework is Anishinaabewaki.⁹² Looking across this colonial divide

2004); Charlie White Weasel, *Pembina and Turtle Mountain Ojibway (Chippewa) History* (Canada: self-published, 1994); Gregory S. Camp, "Working Out Their Own Salvation: The Allotment of Land in Severalty and the Turtle Mountain Chippewa Band, 1870-1920," *American Indian Culture and Research Journal* 14:1 (1990): 19-38; Gregory S. Camp, "The Dispossessed: The Ojibwa and Métis of Northwest North Dakota," *North Dakota History: Journal of the Northern Plains* 67:1 (2000): 62-79; James H. Howard, "The Turtle Mountain 'Chippewa,'" *The North Dakota Quarterly* (Spring 1956): 37-46; David P. Delorme, "'Emancipation' and the Turtle Mountain Chippewa," *The American Indian Magazine* 7 (Spring 1954): 11-20.

⁹¹ The available tribal histories on the Ojibwe reflect a more static tradition. Edmund Danziger provides one of the only tribal histories. His work is fragmentary, focusing on the reservation era with only a superficial discussion of the pre-reservation period, and Danziger makes no attempt to connect traditional Anishinaabe understandings of themselves as a people to the present. Not to mention, Danziger's study stops at the border. Edmund Danziger, *The Chippewas of Lake Superior* (Norman: University of Oklahoma Press, 1979). For a critique of Danziger, see James A. Clifton, "The Tribal History: An Obsolete Paradigm," *American Indian Culture and Research Journal* 3 (1979): 81-100.

⁹² Few works encompass Anishinaabe territory on both sides of the U.S.-Canadian border. Richard White includes the Ojibwe in his borderlands milieu, but they comprise only one of many tribes. White is less interested in what this history has to say about the Anishinaabe past in particular and more interested in a general understanding of Native and Euro-American interaction. White, *The Middle Ground*. More recently, Red Cliff historian Michael Witgen refocuses White's middle ground through an Anishinaabe lens, looking at Anishinaabe power throughout the Great Lakes region. He uses Anishinaabewaki as his setting, and he demonstrates that the Great Lakes region, defined by diverse and layered Anishinaabe social relationships, remained Anishinaabe territory through the first half of the nineteenth century. Witgen, *An Infinity of Nations: How the Native New World Shaped Early North America* (Philadelphia: University of Pennsylvania Press, 2012). Similarly, Turtle Mountain legal scholar Heidi

redirects the focus away from European and North American imperial centers and borders, reconfiguring the Great Lakes and Northern Plains not as peripheral borderlands but as an Indigenous center.

My dissertation picks up where Red Cliff historian Michael Witgen ends his narrative of Anishinaabewaki.⁹³ Witgen leaves the Anishinaabeg, the dominant power in the transnational Great Lakes region, in the early nineteenth century as they negotiated their first land cession treaties with the United States and Canada. Witgen identifies it as a transitional moment, when Settler colonial nation-states constrained the power of an expanding Anishinaabewaki by tying it to limited landholdings within the sovereign United States and Canada.⁹⁴ “No longer would Anishinaabe peoples mobilize political power across a shared and infinitely expandable land base,” Witgen contends.⁹⁵ I argue, however, that even with Anishinaabewaki broken into reserves and reservations, Anishinaabeg relational networks—made visible through the theoretical framework of peoplehood—remained conduits for political power or, more

Kiiwetinepinesiiik Stark considers the Ojibweg’s struggles over land boundaries with the United States and Canada. She offers a framework for understanding Ojibwe geopolitics in a world of multiple borders. Stark limits her focus to nineteenth century treaty-making and external performances of Ojibwe nationalism while I am more interested in internal relationships, but her analysis demonstrates how paying attention to the borderland context of the Anishinaabe helps to explain their layered identities. Both Witgen and Stark conclude their studies in the middle of the nineteenth century.

⁹³ Beginning with an expanding People and carrying through the reservation era into the twentieth century, I reconfigure the traditional narrative associated with Indigenous power in the eighteenth and nineteenth century that end with confinement and decline. In his narrative of the rise and fall of the Comanche empire, historian Pekka Hämäläinen ends with a dramatic, emotional scene: Comanche warriors confined within the roofless walls of an ice house, scrambling for scraps of raw meat tossed over a wall by U.S. soldiers. The tragic, dehumanizing image emphasizes the message of decline. In his conclusion, Hämäläinen acknowledges that the Comanche People endured, but the tendency to end narratives of Indigenous power with defeat rather than continuing on to endurance and renewal conforms to dominant narratives of Vanishing Indians and obscures the continuity that enabled survival and contradicts what Anishinaabeg know about their own history. Hämäläinen, *Comanche Empire*, 341-342.

⁹⁴ Witgen’s methodology is also significant. Witgen interrogates French sources, exposing how French claims to power and empire were often no more than rhetoric. He reads against French claims to power over Native Peoples, an approach that is also useful when looking at U.S. and Canadian archival documents in the nineteenth and twentieth centuries. Witgen, *An Infinity of Nations*, 356-357.

⁹⁵ Witgen, *An Infinity of Nations*, 357.

accurately, sovereignty.⁹⁶ Anishinaabewaki was no longer infinitely expandable, but considering western Anishinaabewaki moving forward from this period of transition in the mid-nineteenth century allows the historian to observe continuity in the midst of change. I look west from the center of a far-reaching homeland, conceiving of supposedly isolated reserves and reservations as part of an expansive Anishinaabe world connected by relationships and elastic social networks—the land, language, sacred history, ceremonial cycle, and kinship that comprise Anishinaabe peoplehood.⁹⁷

Throughout my dissertation, I privilege Ojibwe knowledge. My overarching approach for this project is decolonization. Seminole scholar Susan Miller formulates a method of decolonization that she calls the “Indigenous paradigm.”⁹⁸ Her approach contains four principles: indigenesness, sovereignty, colonization, and decolonization. Sovereignty accepts the notion of indigenous political, economic, and cultural authority over their own lands and people. Colonization insists on the recognition that Indigenous peoples, including in the United States, exist in a state of continued colonialism. Decolonization, meanwhile, means not an ahistorical effort to return to an idealized past but rather reinvigorating Indigenous worldviews and incorporating them into a modern context. Jeffrey Shepherd explains the project of decolonization as “[m]ore than a critique of the West or an illumination of victimization.”

⁹⁶ Witgen and I define sovereignty differently. Witgen sees sovereignty as inseparable from the centralized nation-state, but I prefer to think of Anishinaabe sovereignty as Stark does: an inherent part of Anishinaabeg. This definition of sovereignty matches with contemporary legal understandings. David E. Wilkins and K. Tsianina Lomawaima, for instance, define sovereignty as inherent “powers of self-government, self-definition, self-determination, and self-education,” which can conceivably take many Indigenous forms. Witgen, *An Infinity of Nations*, 356. David E. Wilkins and K. Tsianina Lomawaima, *Uneven Ground: American Indian Sovereignty and Federal Law* (Norman: University of Oklahoma Press, 2001).

⁹⁷ Here I draw on Pacific scholar Epeli Hau’ofa’s description of Oceania as “sea of islands.” Epeli Hau’ofa, “Our Sea of Islands,” *The Contemporary Pacific* 6:1 (Spring 1994): 147-161.

⁹⁸ Susan Miller, “Native America Writes Back: The Origins of the Indigenous Paradigm in Historiography,” *Wicazo Sa Review* 23:2 (Fall 2008): 9-28.

Rather, it re-centers the historical narrative on Native communities, for “decolonization points to the struggles of Indigenous peoples to reclaim lands, traditions, and a sense of collective purpose. It seeks a place of healing from historical trauma and violence while at the same time carving a space for indigeneity in the modern world.”⁹⁹ In many ways, the work of scholars like Miller, Noenoe Silva, and Linda Tuhiwai Smith, Angela Wazyatawin Wilson, and Devon Mihesuah focuses on the production of knowledge, which is essential to relationships of power.¹⁰⁰ Thus, my study of the Ojibwe seeks to reconceptualize the history of the Great Lakes region in order to reconstruct an Ojibwe paradigm, and peoplehood provides the framework to facilitate that shift.

Centering Anishinaabeg means centering Anishinaabeg voices and sources. An Anishinaabe methodology rooted in stories and survivance allows me to read Anishinaabeg presence in Settler archives, such as the Bureau of Indian Affairs records in the National Archives and Records Administration of the United States and its local branches as well as the Department of Indian Affairs records housed in Ottawa.¹⁰¹ As Ojibweg scholars since William W. Warren have advocated, I draw on oral histories to contextualize archival sources within Anishinaabeg frameworks. Fortunately, Anishinaabeg communities have made an effort to

⁹⁹ Shepherd, *We Are an Indian Nation*, 9.

¹⁰⁰ Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples* (London: Zed Books Ltd: 1999); Devon Abbott Mihesuah and Angela Cavender Wilson, editors, *Indigenizing the Academy: Transforming Scholarship and Empowering Communities* (Lincoln: University of Nebraska Press, 2004); Angela Wazyatawin Wilson, *Remember This!: Dakota Decolonization and the Eli Taylor Narratives* (Lincoln, University of Nebraska Press, 2004). Western and Indigenous scholars agree about the production of knowledge and its relationship to power relationships. See, for example, Michel Foucault, *The History of Sexuality: Volume 1: An Introduction* (New York: Random House, 1978); Edward Said, *Orientalism* (New York: Pantheon Books, 1978); Antonio Gramsci, *Prison Notebooks* (New York: Columbia University Press, 1992).

¹⁰¹ For a full list of archival sources, see bibliography.

preserve elders' wisdom.¹⁰² Additionally, oral histories exist in the archives through anthropologists' records and oral history initiatives such as the Works Progress Administration at Bad River in Wisconsin. I opened my dissertation with my family's history, and, wherever possible, I fold my family's stories into the narrative that follows. I integrate a technique that Malinda Lowery calls autoethnography, "a method of exploring one's own relationship to one's research that begins with questioning how culture and society have affected one's experiences." Lowery incorporates vignettes from her relatives' pasts throughout her work, "allowing a Lumbee way of seeing the world to enter the more conventional narrative of political history."¹⁰³ Including the personal stories alongside evidence that historians are more used to encountering legitimizes and normalizes autoethnography as an interpretive evidentiary tool. Incorporating this method furthers a larger theoretical framework of decolonization.

Decolonization, combined with the peoplehood matrix, encourages an approach that privileges Anishinaabemowin. Even peoplehood provides a generic term that in its breadth dulls the distinct details of what it means to be Anishinaabe. Language remains absolutely essential to Ojibwe understandings of themselves. Anishinaabeg scholars including Thomas Peacock say that Anishinaabemowin is what, at its core, sets the Ojibwe apart. As a central aspect of Anishinaabe

¹⁰² Just a few of the numerous examples include Sara Balbin, James R. Bailey, and Thelma Nayquonabe, eds., *Spirit of the Ojibwe: Images of Lac Courte Oreilles Elders* (Duluth: Holy Cow! Press, 2012); Anton Treuer, ed., *Living our Language: Ojibwe Tales and Oral Histories* (St. Paul: Minnesota Historical Society Press, 2001); Thompson, *Chief Peguis and His Descendants*; Vi Chalmers, Mary-Rose Olson, and Moses Bigness, eds., "Manitoba Elders," Manitoba Indian Cultural Education Center, 1981; Edward Benton-Banai, *The Mishomis Book: The Voice of the Ojibway* (Minneapolis: University of Minnesota Press, 2010). I also conducted a limited number of interviews with family members and acquaintances at Lac Courte Oreilles and in Winnipeg. See bibliography.

¹⁰³ Lowery, *Lumbee Indians*, 1; Bauer, *We Were All Like Migrant Workers Here: Work, Community, and Memory on California's Round Valley Reservation, 1850-1941* (Chapel Hill, University of North Carolina Press, 2009); Jennifer Denetdale, *Reclaiming Diné History: The Legacies of Navajo Chief Manuelito and Juanita* (Tucson: University of Arizona Press, 2007). Ned Blackhawk uses a similar technique in *Violence over the Land*. Unlike Lowery, he confines his personal experiences to an epilogue. I prefer the more integrated approach modeled by Lowery. Ned Blackhawk, *Violence over the Land: Indians and Empires in the Early American West* (Cambridge: Harvard University Press, 2006).

definitions of self, language demands critical attention. Silva demonstrates the benefits of a language-focused analysis in her study of the Kanaka Maoli, in which she draws extensively on Kanaka sources to reinterpret the history of Hawaiian colonization. Additionally, she avoids many of the dangers inherent to terms like ‘nationalism’ and ‘peoplehood’ by replacing them with Kanaka words that are more than mere approximations of the concepts she discusses. I rely on Anishinaabe words and phrases that articulate Anishinaabe ways of knowing. Using *ishkonigan* instead of reserve or reservation, for instance, helps to convey Anishinaabe understandings of land and the alliances or treaties they made with Settlers. *Ishkonigan* derives from the verb to save or to leave, and *ishkonigan* literally means “that which we have saved or left for ourselves,” highlighting the fact that reserves and reservations derived not from the United States, British, or Canadian governments but from Anishianabeg relationships with the land—relationships that remain unbroken today.¹⁰⁴ Incorporating *Anishinaabemowin* expresses more clearly the uniquely Anishinaabe understanding of themselves as a People and represents an act of resistance to Settler colonial erasure.¹⁰⁵

Unsettling Settler Narratives

This dissertation has implications for understanding United States, Canadian, and North American history more broadly. It challenges the dominant Settler narratives that underwrite Settler colonial hegemony and illuminates United States and Canadian colonialism and imperialism. I use the language of Settler colonialism, which, briefly defined, refers to the process of colonialism based on the removal and eventual elimination of Indigenous Peoples to

¹⁰⁴ Ojibwe People’s Dictionary, ojibwe.lib.umn.edu, accessed Jun. 3, 2015.

¹⁰⁵ I have chosen not to italicize Anishinaabe words but to treat them the same as English words. This is, in part, an anti-colonial act, for the words are not foreign to the region I discuss nor the Peoples who are at the center of my narrative.

gain access to land and resources.¹⁰⁶ Throughout the nineteenth and twentieth centuries, the United States was an empire—expanding, displacing, and occupying.¹⁰⁷ The United States pursued expansion in Cuba, Hawaii, Latin America, and South Asia—and in the Great Lakes.¹⁰⁸ In the final decade of my study, the United States continued its imperial history through interventionist policies in Southeast Asia and Latin America and often applied the same rhetoric to reservations.¹⁰⁹ Canada, entangled in British empire, fulfilled its own imperial ambitions

¹⁰⁶ Patrick Wolfe defines Settler colonialism in his foundational essay, “Settler Colonialism and the Elimination of the Native.” The literature on Settler colonialism disagrees about some of the particulars. While Wolfe argues that Settler colonialism is not always genocidal, historian Roxanne Dunbar-Ortiz equates Settler colonialism with “genocidal policy.” Hixon uses the term “ethnic cleansing” instead of genocide. Some scholars, such as Adam Barker emphasize that Settler colonialism involved not just elites but rather individuals throughout Settler society. Walter Hixon argues that Settler colonialism must be understood “from the bottom up,” although all levels of the state were involved. Others, such as historian Roxanne Dunbar-Ortiz hold the United States accountable. This leads to questions about whiteness and Settler colonialism. Haunani-Kay Trask uses the term “Settlers of color” to integrate Asian Settlers in Hawaii into discussions about Settler colonialism. In addition to race, scholars have also pointed out the need to consider intersecting systems of power such as patriarchy and capitalism. Finally, there is a concern among scholars that settler colonial studies de-centers or even displaces Indigenous studies, reinscribing Settler colonial relations and gaining legitimacy through the work of Settler scholars. Mark Rifkin, for instance, marginalizes Indigenous people in his discussion of “Settler common sense.” I see the framework of Settler colonialism as a tool to illuminate Indigenous resistance. Indigenous Peoples like the Ojibweg experienced dispossession and attempts to eliminate their existence as distinct Peoples. In order to understand these experiences and the continuous history of resistance and survivance, one must reveal the lie of Indigenous disappearance that underwrites Settler colonialism. Wolfe, “Settler Colonialism and the Elimination of the Native,” *Journal of Genocidal Research* (Dec. 2006): 387-409; Roxanne Dunbar-Ortiz, *An Indigenous Peoples’ History of the United States* (Boston: Beacon Press, 2014), 6; Walter L. Hixon, *American Settler Colonialism: A History* (New York: Palgrave Macmillan, 2013), 1; Lorenzo Veracini, “Introducing Settler Colonial Studies,” *Settler Colonial Studies* 1:1 (2011): 2-3; Mark Rifkin, *Settler Common Sense: Queerness and Everyday Colonialism in the American Renaissance* (Minneapolis: University of Minnesota Press, 2014); Haunani-Kay Trask, “Settlers of Color and ‘Immigrant’ Hegemony: ‘Locals’ in Hawaii,” *Amerasia Journal* 26:2 (2000): 1-24; Sunera Thobani, *Exalted Subjects: Studies in the Making of Race and Nation in Canada* (Toronto: University of Toronto Press, 2007).

¹⁰⁷ Walter Nugent, *Habits of Empire: A History of American Expansion* (New York: Vintage Books, 2008).

¹⁰⁸ For examples of the United States’ long history as a global empire, see Odd Arne Westad, *The Global Cold War: Third World Interventions and the Making of Our Times* (New York: Cambridge University Press, 2005); Michael Hunt, *Ideology and U.S. Foreign Policy* (New Haven: Yale University Press, 1988); Emily S. Rosenberg, *Spreading the American Dream: American Economic and Cultural Expansion, 1890-1945* (New York: Hill and Wang, 1982); Richard Immerman, *Empire for Liberty: A History of American Imperialism from Benjamin Franklin to Paul Wolfowitz* (Princeton: Princeton University Press, 2010).

¹⁰⁹ Westad, *Global Cold War*. Dan Cobb connects the rhetoric of U.S. Cold War imperialism with domestic policy regarding Native Americans in *Native American Activism in Cold War America*, and he demonstrates how Indian activists in turn shaped policy discussions. Paul Rosier depicts termination as an extension of Cold War “liberation” discourses in “‘They Are Ancestral Homelands’: Race, Place, and Politics in Cold War Native America, 1945-1961,” *Journal of American History* 92 (Mar 2006): 1300-1326. He writes, “For Native Americans the Cold War started on the reservation, in their own under-developed countries.” In other words, reservations became another

internally as they sought to occupy, physically and politically, their mapped borders.¹¹⁰

American and Canadian sovereignty remained dependent upon “acquisition, displacement, and settlement” of Native peoples and their land, which calls into question the moral exceptionalism that fueled their imperialism and led to the subjugation of Indigenous populations around the world that continues today.¹¹¹ Most studies of imperialism in North America present imperialism as a nineteenth century phenomenon, and the dominant public narratives in U.S. and Canadian mask continued Settler colonialism.¹¹²

Examining relationships between Settler states and Anishinaabeg Peoples through the 1950s, it becomes clear that United States and Canadian colonialism is not a nineteenth century phenomenon. Rather, Settler colonialism continued into the mid-twentieth century and beyond. The United States’ role as a colonizer did not end in 1890 with Lakota defeat after the massacre at Wounded Knee, and this history was not confined to the West of the Mississippi.¹¹³ Canada’s less overtly violent interactions with First Nations were no more benign.¹¹⁴ Both the United States and Canada pursued policies of limiting Native sovereignty and land bases, and Ojibweg

Cold War battlefield. He extends this argument in *Serving Their Country*. He frames American global expansion as an extension of colonial policies developed in “Indian Country,” and he compares Americanization programs to “a simmering cold war, by which I mean, broadly speaking, a sustained and ritualized practice of ideological conflict,” thus linking American imperialism at home and abroad (6, 9).

¹¹⁰ Jill St. Germain, *Broken Treaties: United States and Canadian Relations with the Lakotas and the Plains Cree, 1968-1885* (Lincoln: University of Nebraska Press, 2009).

¹¹¹ Nugent, *Habits of Empire*, xiv.

¹¹² Historian Margaret D. Jacobs addresses these masking narratives in the United States and Australia in *White Mother to a Dark Race: Settler Colonialism, Maternalism, and the Removal of Indigenous Children in the American West and Australia, 1880-1940* (Lincoln: University of Nebraska Press, 2009), 1-20. The invisibility of Settler colonialism is part of its epistemic violence. Invisibility is as much a myth as the disappearance of Indigenous Peoples. To the Ojibwe and other Indigenous Peoples, Settler colonialism has always been visible, and ignoring the lived reality of these experiences in the everyday lives of Indigenous men and women unintentionally privileges Settler perspectives and reinscribes the power relationships of Settler colonialism. An Ojibwe-centric approach rooted in Indigenous systems of knowledge makes it impossible not to see Settler colonialism.

¹¹³ West, *The Last Indian War*; White, *Middle Ground*; Hämäläinen, *Comanche Empire*; Utey, *The Last Days of the Sioux Nation*.

¹¹⁴ Roger Nichols, *Indians in the United States and Canada: A Comparative History* (Lincoln: University of Nebraska Press, 1999); Paige Raibmon, *Authentic Indians*.

in the Great Lakes region continued to live that colonial reality throughout the twentieth century as Settlers encroached on their reserved lands. Understanding the persistent Settler colonialism of the United States and Canada is essential to understanding American history more generally.¹¹⁵ The history of nineteenth and twentieth century North America cannot be told without Indigenous Peoples such as the Anishinaabeg.¹¹⁶

Using Anishinaabewaki as my geographical framework unsettles Settler geographies. Here, my work intersects with borderlands scholarship. Borderlands as a field developed nearly a century ago from the work of Herbert E. Bolton, who sought to integrate the Spanish colonial period into the narrative of American expansion.¹¹⁷ Beginning with Bolton, this scholarship has featured prominently—if not always dynamically—the indigenous population.¹¹⁸ Almost coincident with the rise of “new” Western history and its attention to race, class, and gender, as well as the rhetoric of conquest, borderlands—and Southwestern borderlands especially—reemerged as a dynamic field; these narratives, however, continued to focus on Euro-American power and to marginalize Native nations as reactionary.¹¹⁹ Recently, scholars such as Brian

¹¹⁵ Barker, “The Contemporary Reality of Canadian Imperialism,” 347.

¹¹⁶ In 2012, historian James Merrell reviewed colonial scholarship and demonstrated how far colonial American historians have yet to come in incorporating Indigenous scholarship and perspectives into their research. There is no comparable article for the nineteenth and twentieth centuries, but the pattern among mainstream historians is likely the same. James H. Merrell, “Thoughts on Colonial Historians and American Indians,” *William and Mary Quarterly* 69:3 (Jul. 2012): 451-512.

¹¹⁷ Herbert E. Bolton, *The Spanish Borderlands: A Chronicle of Old Florida and the Southwest* (New Haven: Yale University Press, 1921).

¹¹⁸ For instance, ethnohistorian Jack Forbes’ *Apache, Navaho, and Spaniard* (Norman: University of Oklahoma Press, 1960) and anthropologist Edward Spicer’s *Cycles of Conquest: The Impact of Spain, Mexico, and the United States on the Indians of the Southwest* (Tucson: University of Arizona Press, 1962) emphasize Natives as integral to understanding the borderlands, although these works were often overshadowed by the broader field of Western American history.

¹¹⁹ See, for instance, Patricia Nelson Limerick, *Legacy of Conquest: The Unbroken Past of the American West* (New York: Norton, 1987); Jeremy Adelman and Stephen Aron, “From Borderlands to Borders: Empires, Nation-States, and the Peoples in between in North American History,” *American Historical Review* 104 (Jun 1999): 814-841. As the title of the article suggests, Adelman and Aron position Native peoples as “in between” Euro-American empires.

DeLay and Pekka Hämäläinen have combined Native American history with a Southwest borderlands perspective to reconfigure the way historians think about empire and nation.¹²⁰ My study will contribute to the small but growing number of works on Indians and the U.S.-Canadian border, which remains incomplete without an understanding of how Native peoples like the Ojibwe shaped and were shaped by the boundary.¹²¹

More importantly, peoplehood redirects the focus away from the European and American imperial centers and borders to Indigenous centers and borders—in this case, the Ojibwe.¹²² Borders were just as important for the Ojibwe. Borderlands were not borderless lands, and Euro-American borders were not the ones competing for recognition. Indian borders mattered, too. In the Southwest, for instance, Juliana Barr proves that “Indian nations’ borders defined the limits of Spanish imperialism.”¹²³ Long before the arrival of Europeans in the seventeenth century, the Great Lakes region was a transnational space.¹²⁴ The Ojibwe shared their borders with many

¹²⁰ DeLay, *War of a Thousand Deserts*; Hämäläinen, *Comanche Empire*.

¹²¹ Nichols, *Indians in the United States and Canada*; Theodore Binnema, *Common and Contested Ground: A Human and Environmental History of the Northwestern Plains* (Norman: University of Oklahoma Press, 2001); Sheila McManus, *The Line Which Separates: Race, Gender, and the Making of the Alberta-Montana Borderlands*; Sterling Evans, ed., *The Borderlands of the American and Canadian Wests: Essays on Regional History of the Forty-ninth Parallel* (Lincoln: University of Nebraska Press, 2008); Michel Hogue, *The Line Which Separates: Race, Gender, and the Making of the Alberta-Montana Borderlands* (Chapel Hill: The University of North Carolina Press, 2015).

¹²² Witgen, *An Infinity of Nations*, 3-10. Centering Anishinaabeg rather than federal policy, which of course shaped Anishinaabeg experiences, emphasizes commonalities. Although U.S. and Canadian policies often differed and occasionally contradicted each other, the Ojibweg experienced Settler colonialism in much the same way—via policies designed to erase and replace to benefit Settler expansion. An Anishinaabe-centered narrative challenges both United States and Canadian exceptionalism.

¹²³ Juliana Barr, “Geographies of Power: Mapping Indian Borders in the ‘Borderlands’ of the Early Southwest,” *William and Mary Quarterly* 68 (Winter 2011): 5.

¹²⁴ Transnationalism is a useful perspective for understanding Ojibwe history and Indigenous history more generally. Nationhood often form the center of Indigenous scholarship. Elizabeth Cook-Lynn, for instance, asserts that scholars of American Indian studies should focus their work to promote “the indigenous principles of sovereignty and nationhood” (14). Elizabeth Cook-Lynn, “American Indian Studies: An Overview—Keynote Address at the Native Studies Conference, Yale University, Feb 5, 1998,” *Wicazo Sa Review* 14:2 (1998): 14-20. See also Duane Champagne, “In Search of Theory and Method in American Indian Studies,” *American Indian Quarterly* 31:3 (2007): 353. Hence, many Native American scholars remain skeptical of transnationalism, which

people: Odawa, Potawatomi, Menominee, Haudenosaunee, Fox and Sac, not to mention Euro-American Settler communities. Literary scholar Chadwick Allen argues that Indigenous people have always “move[d] through space and time, through landscapes and generations, cross[ed] borders, infiltrate[d] languages, cultures, and communities.”¹²⁵ The borderlands context of their homeland was not a challenge but rather integral to their sense of community. Too many histories cast First Nations as reactionary, responding to circumstances entirely beyond their control or even understanding.¹²⁶ A closer examination of Ojibweg responses reveals that, while colonial pressures introduced rapid and ultimately threatening changes, the Ojibwe were not always a step behind. Drawing on the strength of their peoplehood, the Anishinaabe met the forces of colonialism not as victims but as equals. Moreover, the continued existence of an Anishinaabewaki that spanned the U.S.-Canadian border complicates understandings of United

seeks to challenge the nation-state as the primary scale of historical analysis. In fact, transnationalism often highlights the very borders it seeks to traverse. According to Joseph Bauerkeper and Heidi Kiiwetinepinesiiik Stark, indigenous transnationalism emphasizes “the linkages, conversations, cross-references, and movement of ideas, practices, and obligations between indigenous nations,” webs of relationships that “facilitate—rather than undermine—the ongoing production and maintenance of Native nations and their relationships with one another and with other polities” (8). A transnational perspective reaffirms indigenous nationhood, emphasizing the continuing effects of Settler nation-states, and moves away from the privileging Western conceptions of the nation-state in the production of knowledge. Bauerkemper and Stark, “The Trans/National Terrain of Anishinaabe Law and Diplomacy,” *Journal of Transnational American Studies* 4 (2012): 1-21. For more on transnational theory in American studies, see Richard White, “The Naturalization of Nature,” *Journal of American History* 86:3 (Dec 1999): 976-986; Rachel Adams, *Continental Divides: Remapping the Cultures of North America* (Chicago: University of Chicago Press, 2009); Nicholas De Genova, *Working the Boundaries: Race, Space, and “Illegality” in Mexican Chicago* (Durham: Duke University Press, 2005); Sterling Evans, *Bound in Twine: The History and Ecology of the Henequen-Wheat Complex for Mexico and the American and Canadian Plains, 1880-1950* (College Station: Texas A&M University Press, 2007). For more on how transnational perspectives benefit Native American studies, see Robert Warrior, “The Native American Scholar: Toward a New Intellectual Agenda,” *Wicazo Sa Review* 14:2 (Fall 1999): 46-54; Daniel Heath Justice, *Our Fire Survives the Storm: A Cherokee Literary History* (Minneapolis: University of Minnesota Press, 2006); Reyna K. Ramirez, *Native Hubs: Culture, Community, and Belonging in Silicon Valley and Beyond* (Durham: Duke University Press, 2007); Shari M. Huhndorf, *Mapping the Americas: The Transnational Politics of Contemporary Native Culture* (Ithaca: Cornell University Press, 2009).

¹²⁵ Chadwick Allen, “A Transnational Native American Studies? Why Not Studies That Are Trans-Indigenous?” *Journal of Transnational American Studies* 4 (2012): 1. In other words, Indigenous studies are inherently “trans-,” and more than just transnational from the perspective of Settler nation-states.

¹²⁶ See, for example Claudio Saunt, *A New Order of Things: Property, Power, and the Transformation of the Creek Indians, 1733-1816* (New York: Oxford University Press, 1999). Even Peter Iverson’s *Diné*, which is an otherwise excellent book with a resonant Native voice, has a tendency to cast Diné political developments as largely external.

States and Canadian nation-building.¹²⁷ Discussing the myriad ways in which Anishinaabeg men and women undermined, avoided, and shaped federal policies contradicts the expansionist, nation-building narratives that support U.S. and Canadian colonial hegemony.¹²⁸

Dibaajimowin (Narrative)

In the middle of the nineteenth century, the Anishinaabeg continued the westward expansion begun by their chibimoodaywin (migration). The borders of Anishinaabewaki, the Ojibwe homeland, included nearly all of the Great Lakes watershed crossing the Mississippi River to the west and extending into the northern plains of what is now Canada. The Ojibweg organized daily life around family groups and doodem or clan networks, but the diversity and mobility of the region highlights not only the ways in which people moved apart but also how they came together. To make sense of such a dispersed, localized People, I focus on three specific regions—Lac Courte Oreilles in the interior of Anishinaabewaki; the Pembina and Pillager Peoples along the western borders; and a group of Saulteaux along the Red River to the north in what is now Manitoba.

For nearly three centuries, explorers, anthropologists, and historians have misread the layered identities of Anishinaabeg as signs of disunity. Anthropologists classified the Ojibweg as

¹²⁷ Most scholars who address the United States and Canada rely on a comparative approach. Historian Roger Nichols focuses on federal-Indian relationships in both the United States and Canada, discussing each nation's policies separately and assessing similarities and differences. Nichols concludes that, especially after the early nineteenth century, the U.S. and Canada pursued parallel land policy and assimilation goals. Nichols, *Indians in the United States and Canada: A Comparative History* (Lincoln: University of Nebraska Press, 1998). Paige Raibmon's *Authentic Indians* is a notable exception. Raibmon uses the theme of labor, as well as a focus on Indigenous People's experiences, to explore Indigenous exploitation and resistance in both the United States and Canada.

Settler colonial scholarship works to highlight similarities across national borders. A recent collection edited by Zoe Laidlaw and Alan Lester includes scholarship on the United States, Canada, Australia, New Zealand, and South Africa. Zoe Laidlaw and Alan Lester, eds., *Indigenous Communities and Settler Colonialism* (Basingstoke, England: Palgrave Macmillan, 2015). Canadian scholars Corey Snelgrove, Rita Kaur Dhamoon, and Jeff Corntassel also highlight the international nature of settler colonial scholarship in "Unsettling Settler Colonialism: The Discourse and Politics of Settlers, and Solidarity with Indigenous Nations," *Decolonization: Indigeneity, Education, and Society* (2014): 1-32.

¹²⁸ In a broad way, then, this research illuminates how distant rural areas and non-state actors can shape state power.

an acephalous (headless) or band-level society, implying that the diffusion of Ojibwe families meant that the Ojibweg recognized no boundaries in territory or membership.¹²⁹ Relying on seemingly scientific labels, scholars present the Ojibweg and similarly decentralized Peoples as weaker and less stable than the highly centralized Euro-American ideal of the nation-state.¹³⁰ From an Anishinaabe perspective, however, flexibility signified not disjointedness but rather the lived relationships that made them a distinct People, strengthening rather than atomizing community ties.¹³¹ Individual Ojibweg developed a layered sense of belonging, what Taiaiake Alfred calls nested identities.¹³² For the Ojibwe, family, band, clan, and Anishinaabe community—and, eventually, reserve or reservation—intersected without imposing a hierarchy of belonging.¹³³ Anishinaabeg, the People, is who they were from ethnogenesis, or the moment that Gitchi Manitou lowered Anishinaabe, the first man, to the Earth.¹³⁴ Movement, expansion, and nested identities facilitated, rather than interfered with, this overarching community. As Ojibwe historian Thomas Peacock explains, “Although our ancestors identified who they were primarily by dodaim (clan membership) and then by community, there was a sense of tribal

¹²⁹ Victor Barnouw, *Wisconsin Chippewa Myths and Tales and Their Relation to Chippewa Life: Based on Folktales Collected by Victor Barnouw* (Madison: University of Wisconsin Press, 1977); John A. Grim, *The Shaman: Patterns of Religious Healing among the Ojibwe Indians* (Norman: University of Oklahoma Press, 1983); Ruth Landes, *Ojibwa Sociology* (New York: Columbia University Press, 1937).

¹³⁰ See, for example, John Tosh, *Clan Leaders and Colonial Chiefs in Lango: The Political History of an East African Stateless Society, c. 1800-1939* (New York: Oxford University Press, 1979).

¹³¹ Individual Ojibweg lived in clusters of families, highly mobile in their pursuit of seasonal resources. The seasonal village formed the most significant unit in an Ojibwe’s everyday life. Miller, *Ogimaag*; Stark, “Marked by Fire”: 119-150.

¹³² Gerald Taiaiake Alfred, *Heeding the Voices of Our Ancestors: Kahnawake Mohawk Politics and the Rise of Native Nationalism* (New York: Oxford University Press, 1995); Stark, “Marked by Fire”: 119-150.

¹³³ “A dense web of clans, kinship ties, and loyalties to non-Anishinaabe nations existed within nationhood, not as forces that opposed it,” argues Stark. She describes the band structure as nations within a nation. Stark, “Marked by Fire,” 124.

¹³⁴ Benton-Banai, *The Mishomis Book*, 3. From an Ojibwe perspective, ethnogenesis occurred within aadizookanag.

unity, as one people, in those traditional times.”¹³⁵ Anishinaabe intellectuals throughout time have defined Anishinaabe peoplehood in terms of inawemaagan (kinship) or doodem (clan), Anishinaabewaki (land), Anishinaabemowin (language), aadizookanag (sacred history), and manidookewin (ceremonial cycle).

Inawemaagan provides the ties that bind the People together. Anishinaabemowin encodes Ojibwe kinship, which derives its power from aadizookanag, is reaffirmed in manidookewin gatherings and seasonal movements, and connects individuals both in and across the aki. When Ojibweg differentiated between themselves and others, they focused on relationships. Community insiders were inawemaagan, or relatives. Outsiders, by contrast, they called meyaagizid.¹³⁶ Mayag, the root of meyaagizid, translates as stranger. A meyaagizid, then, meant a stranger, which implies a lack of relationships.¹³⁷ Patrilineal doodem (clan) or doodemag (clans) formed the base of Ojibwe relationships, which helped to organize the large and fluid Ojibwe community.¹³⁸ Doodem networks fed an ethic of reciprocity.¹³⁹ Aadizookaanag about

¹³⁵ Thomas Peacock, *Ojibwe Waasa Inaabidaa: We Look in All Directions* (St. Paul: Minnesota Historical Society Press, 2009), 45.

¹³⁶ Additionally, the Anishinaabe referred to the phrase as na-towe-ssiwak, often transcribed as Nadouessioux, which, according to Witgen, meant “alien or foreign people.” Witgen, *An Infinity of Nations*, 371, 59.

¹³⁷ Ojibwe People’s Dictionary, <http://ojibwe.lib.umn.edu/>, accessed November 15, 2013. This digital, talking dictionary was established by faculty and students in the Department of American Indian studies at the University of Minnesota. It supplements dictionary entries with the Minnesota Historical Society’s collections.

¹³⁸ Kinship formed such an integral aspect of Ojibwe community relationships that individuals identified themselves with pictographs representing their doodem, a practice that continued on treaties and petitions through the twentieth century. Heidi Bohaker, “*Nindoodemag*: The Significance of Algonquian Kinship Networks in the Eastern Great Lakes Region, 1600-1700,” *William and Mary Quarterly* 63:1 (2006): 23-52.

¹³⁹ Additionally, the relationship between doodemag provided the basis by which members of different doodemag interacted. Aadizookanag suggest that Gitchi Manitou gifted the original clans to provide for the needs of the people. Each patrilineal clan, designated by an animal emblem, took on a specific set of duties to fulfill those needs. The Crane and Loon doodemag, for instance, served the function of political leadership. The Fish clan served as teachers, Bear clan members fulfilled the role of police and legal guardianship, people of the Martin clan provided hunters and warriors, and the Bird clan played a spiritual role. Thus, the doodem system required that different doodemag cooperate for the good of the people. Without one, the entire community suffered. Village groups tended to include only one or two clans, but marriage between members of different doodemag provided broader connections. Kinship might have been the most meaningful layer of identity for most Ojibweg on a daily basis, but

gift exchanges between human beings and manidoog informed the social lives of Anishinaabeg people. Kinship, both real and fictive, required certain behavior—both to give and to receive.¹⁴⁰ For Anishinaabeg, reciprocity helped to forge community ties that bound together a dispersed population without superseding local autonomy.

In addition to kinship, aki, or land, forms an integral aspect of Ojibwe peoplehood. Anishinaabewaki comprises thousands of miles of mitigoog (forest), mashkigoon (marshes), and mashkoden (prairie), connected by the ziibiwan (rivers) and zagaa'iganan (lakes) that provide the people with manoomin.¹⁴¹ My earliest memories of understanding that I am Ojibwe are linked directly to walking the forested hills and shallow riverbeds of the Lac Courte Oreilles reservation with my grandfather. My grandfather, who grew up away from the reservation and only returns for summer visits, still calls this aki his home. On one trip, he took me to the graveyard where our ancestors lay in the ground, and I remember him telling me, “This is where we come from.”¹⁴² For Anishinaabeg, the bones in the aki represent a living relationship with the land.¹⁴³ Aadizookaanag confirmed an ancestral right to the lands and waters of Anishinaabewaki, where the Ojibwe were relatively recent arrivals in the sixteenth century.¹⁴⁴ The Creator chose this land

these relationships nonetheless facilitated outward connections by establishing reciprocal duties. Edward Benton-Banai, *The Mishomis Book*, 3; William Whipple Warren, *History of the Ojibways*, 45.

¹⁴⁰ As historian Cary Miller argues, “A society based on the need for establishing social networks of reciprocity likely places greater value on and defines itself in terms of its larger social units rather than its smaller parts.” Miller, *Ojimaag*, 34-35.

¹⁴¹ Mitigoog literally means trees. Noopiming means in the forest. Ojibwe People’s Dictionary, ojibwe.lib.umn.edu.

¹⁴² Conversations with the author.

¹⁴³ Peacock, *Ojibwe Waasa Inaabidaa*, 57.

¹⁴⁴ These aadizookaanag also defined place as an integral aspect of Anishinaabe identity, not an inanimate object to claim but as an entity with what Basil Johnston (Wasauksing First Nation) calls a “soul-spirit.” Basil Johnston, *Ojibway Heritage* (New York: Columbia University Press, 1976), 29. The Earth forms part of a larger system that incorporates the land, men and women, plants, and animals into a system of reciprocity. Ojibwe land use was intensely personal and incorporated a wide range of economic activities—hunting, fishing, gathering wild rice, berries, and maple sugar—into the patterns of Ojibwe life. The seasonal pursuit of resources, etched into everyday language, reinforced families’ connections to particular places and brought larger groups of Anishinaabeg together

for them, and he led them home from their exile in the east using visions of the miigis or sacred shell—the same shell through which the Creator blew life into Anishinaabe the first man.¹⁴⁵

Ojibweg link the preservation of Anishinaabemowin with their very survival as a people. Archie Mosay, a St. Croix elder whose mother belonged to the Lac Courte Oreilles People, observes that with the decline of native speakers, the Ojibwe people are “losing this thing he was gifted with, to have a language for us to speak—Ojibwe.”¹⁴⁶ The Creator gifted Anishinaabemowin, one of the foundational aspects of what makes them Ojibwe, to the People. Language shapes the way people see the world. It contains a people’s memories. Anishinaabemowin holds “the Anishinaabe connection to the past, to the earth, and to the future.”¹⁴⁷ The structure of Ojibwemowin, with its abundance of animate nouns, emphasizes relationships. Animacy allows for the recognition that some things, like a drum or the moon, can house spirit and are alive.¹⁴⁸ Thus, Ojibwemowin speakers mark their peoplehood both internally and externally in terms of relationships.

for ceremonies and mutual support. It also reinforced the importance of adaptability and change contained in migration stories and Ojibwe understandings of the living world. As communities formed and reformed with the seasons, Ojibweg integrated economic and political activities with the sacred history of their environment.

¹⁴⁵ The Ojibwe became a people through their journey to the Great Lakes. Stories told about the journey reminded Ojibweg of their origins as a common people even as continued migration spread them further apart. In these narratives, the Ojibwe began their travels with other Algonquian-speaking peoples who stayed behind at various stops or, like the Odawa and Potawatomi at Sault Ste. Marie, Michigan, peeled off to pursue their own interests. Out of the journey emerge the Ojibwe, who continued to the seventh stopping point prophesied when the migration began. The various partings not only differentiate them from other groups but also define relationships and alliances with them, in particular with the Odawa and Potawatomi who form the other two keepers of the Anishinaabe Three Fires alliance. Benton-Banai, *The Mishomis Book*, 12-20; Warren, *History of the Ojibways*, 85; Copway, *Traditional History*, 43; Peacock, *Ojibwe Waasaa Inaabidaa*, 15.

¹⁴⁶ Archie Mosay interview with Anton Treuer, *Living our Language: Ojibwe Tales and Oral Histories*, edited by Anton Treuer (St. Paul: Minnesota Historical Society Press, 2001), 9.

¹⁴⁷ Mosay interview, *Living Our Language*, 5.

¹⁴⁸ Ojibwemowin speaker and scholar Margaret Noodin discusses how understanding the language enables one “to think in an Anishinaabe way, not just think about the Anishinaabeg.” Noodin, *Bawaajimo: A Dialect of Dreams in Anishinaabe Language and Literature* (East Lansing: Michigan State University Press, 20014), xx.

Anishinaabe sacred history provides meaning and instructions for the other aspects of Ojibwe peoplehood. For the Ojibwe, sacred history resides in aadizookaanag, or sacred stories. The fact that Ojibweg understand sacred history through storytelling emphasizes again the relational nature of their peoplehood. Anishinaabe stories are bagijiganan, or offerings. The intent of bagijige, the act of making an offering, is to initiate, confirm, and enrich ties to other people, animals, spirits, and beings. Moreover, Anishinaabemowin classifies aadizookaanag as animate, implying the living, creative nature of these narratives.¹⁴⁹ Aadizookaanag include more than ancient pasts; Anishinaabe sacred history enfolds more recent events such as treaties in a sacred narrative that extends back to the chibimoodaywin narrative. Aadizookaanag affirm the relationships that define Anishinaabe peoplehood.

Manidookewin or the ceremonial cycle, articulated in Midewiwin or Grand Medicine Lodge ceremonies and tied to seasonal economic activities, united the Ojibwe People. The best-known of these ceremonies is athataion (the Feast of the Dead), two weeks of dancing, games, gift exchanges that ended in an eat-all feast where the living dined alongside the dead before their kin returned their bones to the earth.¹⁵⁰ The primary site of athataion, Mooningwanekaaning-minis (Madeleine Island in Lake Superior), served as a unifying center not only for sacred gatherings but also for political and economic business. Even those Ojibweg who could not make it to Mooningwanekaaning-minis performed the same ceremonies in the same seasons.¹⁵¹ Manidookewin also occurred on a daily basis—zagaswe (burning tobacco) before a meal or travel, welcoming a visitor into one's wigwam by offering them food, the

¹⁴⁹ Doerfler, Sinclair, and Stark, *Centering Anishinaabeg Studies*, xvii-xviii.

¹⁵⁰ Witgen, *An Infinity of Nations*, 31-35.

¹⁵¹ Peacock, *Ojibwe Waasa Inaabidaa*, 121.

exchange of gifts before diplomatic negotiations.¹⁵² Like the aadizookaanag from which they derived, Ojibwe ceremonies, performed in Anishinaabemowin, embodied living relationships—with doodem, with specific places, and with the manidoo or power that comes from stories.

Inaawemaagan or doodem, aki, Anishinaabemowin, aadizookaanag, and manidookewin form the living relationships that comprise the Anishinaabeg People. These relationships were never static, nor was Anishinaabeg peoplehood. As scholars such as John Moore and Brenda Child have demonstrated, change occurred before Europeans arrived on Turtle Island, and it continued after. The Anishinaabe chibimoodaywin narrative makes change an integral part of Anishinaabewi (being Anishinaabe). Like any language, Anishinaabemowin evolved to incorporate new experiences. Aadizookaanag and manidookewin absorbed new sacred relationships into the relational network that comprised Anishinaabeg peoplehood, and these helped to form ties with western territories. Understanding sovereignty as lived relationships allows for flexibility and change that avoids essentializing and helps to explain how Anishinaabeg Peoples advanced their sovereignty between 1854 and 1954.

Lac Courte Oreilles

Beginning in the 1850s, the Settler governments of Canada and the United States created reserves and reservations that isolated Anishinaabeg communities and sought to limit their movements. Reserves and reservations, however, remained a part of Anishinaabewaki. The evidence lies in Anishinaabemowin, which incorporated this new, fixed territorial arrangement. A reserve is ishkoniigan, derived from iskhonan, which, as mentioned above, means to reserve or to save. Anishinaabe elder Harry Bone explains, “Elders told us that, gigii-mii-ishkonaamin –

¹⁵² Ojibwe People’s Dictionary, <http://ojibwe.lib.umn.edu/word-part/zagaswe-initial>, accessed Nov. 15, 2013.

meaning we left some part of that land for ourselves, that is what it means. Gigii-mii-ishkonaamin—in other words, here is the land, it's not left over and that is not what the intent was, set aside, we set aside for ourselves this land.”¹⁵³ The Lac Courte Oreilles People in Wisconsin, the Turtle Mountain People in North Dakota, and the St. Peter's People and later Peguis People in Manitoba experienced the Settler policies of confinement and erasure enacted on ishkonigan in distinct ways, but together they illuminate Anishinaabeg peoplehood in the nineteenth and twentieth centuries.

At Lac Courte Oreilles, the People navigated repeated attempts by federal, state, and local officials to appropriate their lands and resources.¹⁵⁴ After a deadly attempt at forced removal in the 1850s, the Ojibweg surrounding Lake Superior, including the Lac Courte Oreilles People, sought a treaty to protect their right to stay in their homeland. Along with inawemaagan from the region, the Lac Courte Oreilles People negotiated the Treaty of La Pointe in 1854 with U.S. officials and insisted on about a dozen reservations that protected Ojibwe villages and resources. When officials came to make the boundaries of the reservation, Lac Courte Oreilles ogimaa Akiwenzii walked around manoomin to map the border of the ishkonigan in a way that would allow the Ojibwe to maintain access to essential resources. In the 1880s, allotment policies divided ishkonigan land into individual parcels.

At the same time destructive, exploitative logging threatened the ishkonigan, Lac Courte Oreilles anokiiwin or labor in the woods on and beyond the ishkonigan inscribed the People's

¹⁵³ Doris Pratt, Harry Bone & the Treaty and Dakota Elders of Manitoba, with contributions by the Assembly of Manitoba Chiefs Council of Elders & Darren H. Courchene, *Untuwe Pi Kin He—Who We Are: Treaty Elders' Teachings*, vol. 1 (Winnipeg: Treaty Relations Commission of Manitoba and Assembly of Manitoba Chiefs, 2011).

¹⁵⁴ The Lac Courte Oreilles are part of a subdivision of Ojibweg known as the Lake Superior Ojibwe, which reflects both bureaucratic organizing and Ojibwe relational networks. The division emerged through negotiating the 1854 Treaty of La Pointe, discussed in the first chapter. Other Lake Superior Ojibwe include Keweenaw Bay, Lac Vieux Desert, Red Cliff, Bad River, Lac du Flambeau, St. Croix, Mille Lacs, Sokaogon, Fond du Lac, Grand Portage, and Bois Forte. Kinship and ceremonial networks continue to connect the various Lake Superior Ojibwe Peoples.

sovereign right to access those resources. In the 1910s, the Lac Courte Oreilles experienced a devastating loss. The People met in zagaswe'idiwag or general councils to discuss how to protect their lands and resources. Despite their best efforts, they were unable to stop the state of Wisconsin from building a hydroelectric dam that flooded much of the ishkonigan in 1919, including mitigoog, wild rice, and the ancestors' graves. Rather than destroying the People, however, the loss compelled Lac Courte Oreilles to continue to fight for their sovereignty. Throughout the 1920s and 1930s, the People met in zagaswe'idiwag. Evolving leadership led to internal conflicts that centered on who had the right to lead, but the Lac Courte Oreilles People agreed that Ojibweg leadership was necessary to protect their lands and resources. In the 1930s, the Indian Reorganization Act (IRA) again raised issues of land rights and resource access, as well as leadership, and the People voted to accept the IRA and its promises to reunite ishkonigan lands. They rejected, however, the IRA constitution, becoming one of very few Indigenous Peoples in the United States who accepted the IRA but not a constitution, for they preferred the somewhat tenuous balance leaders had worked out between zagaswe'idiwag and elected, Bureau-approved representatives.

In the 1940s and 1950s, the decentralized governance at Lac Courte Oreilles did not prevent the People from asserting treaty rights against an increasingly encroaching state, which led to conflict especially visible between state game wardens and Ojibweg exercising their treaty rights to hunt and fish both in the ishkonigan and on ceded lands. As termination legislation sought to replace Anishinaabeg sovereignty with state sovereignty, the Lac Courte Oreilles People articulated a clear defense of treaties that affirmed the right to hunt, fish, and gather, even as individual Ojibweg went to jail. The Lac Courte Oreilles Peoples kept their treaties—and the

inherent sovereignty they represented—alive for the next generation, as the previous generations had done since 1854.

Turtle Mountain

The Turtle Mountain People's dibaajimowin parallels that of Lac Courte Oreilles. For one hundred years between the 1850s and 1950s, the Turtle Mountain People, once the vanguard of Anishinaabe westward expansion, fought against the near constant threat of erasure. Toward the end of the nineteenth century, the Turtle Mountain People, drawn onto the plains by the buffalo trade, controlled an expansive territory that ranged from the Red River in the east to the Rocky Mountains in the west. Although the 1863 Old Crossing Treaty recognized their expansive homeland, they avoided ceding land through the 1870s. In the 1880s, the Turtle Mountain People, led by hereditary ogimaag Little Shell III, sought an ishkonigan, recognizing that increasing Settler presence threatened their relationships with their homeland. Although the federal government claimed to have stopped negotiating treaties in 1871, the Turtle Mountain People sent delegations to Washington and succeeded in securing an ishkonigan via executive order. Land loss came quickly to Turtle Mountain. Unilateral moves in the the 1880s reduced the reservation to a mere two townships. At the same time, the Turtle Mountain People welcomed an influx of kin from the north, across the border that cut through their homeland. The U.S. government viewed these inawemaagan as foreigners and many as not truly Indian because they came from mixed-descent families.

Turtle Mountain land rights remained unsettled in the 1890s. The federal government sent what amounted to treaty negotiators in 1892. The treaty negotiators disparaged the mixed-descent, transnational Turtle Mountain People as not truly Indian, and they used the overcrowded People's hunger as enticement to sign the agreement. The resulting document confirmed the two

township ishkonigan, opened it to allotment, and also provided for allotment on the public domain to draw Ojibweg away from the ishkonigan. The agreement, known as the McCumber Agreement or the Ten Cent Treaty, raised two key, related issues, as allotment had done at Lac Courte Oreilles: belonging and resource access. The agreement called for a roll, and the Turtle Mountain People used the roll to ensure inawemaagan had access to land and resources and that those who lacked relationships did not jeopardize the future of the Turtle Mountain homeland.

When Settler officials ignored Turtle Mountain decisions, the People found ways to advance those relationships, making room for unenrolled kin on overcrowded allotments. The People also continued to access non-ishkonigan spaces and to use their labor on the mashkoden or prairie to support individuals and the People as a whole. In this context, a dispute about making hay had implications for Turtle Mountain sovereignty, as happened in the 1890s. Overcrowded, hungry, and struggling with the effects of land loss, the People continued to enact their sovereignty. Throughout the first decades of the twentieth century, they pursued a claim against the federal government for the coerced sale of their lands. They refused to surrender their sovereignty or the daily governance of the reserve to overbearing agents, and, in 1932, the Turtle Mountain People adopted a new Constitution, two years before the Indian Reorganization Act. The People rejected the IRA in its entirety, suspicious of federal legislation, but their pre-existing systems of governance continued to advance the People's sovereignty. In the 1950s, the People faced perhaps the most serious challenge to their existence in the form of federal termination policy, but decades of fighting against erasure through dispersal and poverty prepared the People to fight. The Turtle Mountain People fought termination both on the ishkonigan and in Washington, and they won.

St. Peter's and Peguis

Like the Turtle Mountain and Lac Courte Oreilles Peoples' histories, the St. Peter's People dibaajimowin tells of unbroken sovereignty. The St. Peter's People moved northwest from Sault Ste. Marie, which is why they call themselves Saulteaux.¹⁵⁵ Led by an ogimaa named Peguis, the St. Peter's, later Peguis, People established themselves in an important colonial center along the Red River south of Lake Winnipeg. Peguis cultivated an extensive network of relationships that placed his People at the center of a thriving fur and buffalo trade network, taking advantage of their position straddling prairie and woods and connected to essential waterways. Peguis negotiated land access agreements with a group of Maškēkowak (Swampy Cree) who moved east into Anishinaabewaki and newly-arrived British Settlers under Lord Selkirk in 1817. The St. Peter's People built on this history of negotiated alliances when they entered into Treaty One in 1871, ceding much of their homeland to Settler agricultural use while retaining a substantial ishkoniigan on the Red River to sustain future generations of their People.

Although the Saulteaux knew what they had negotiated, Settler officials manipulated or forgot aspects of the agreement. In addition to treating the Maškēkowak as equally entitled to the Saulteaux ishkoniigan, Dominion of Canada officials sanctioned Settlers who claimed ishkoniigan land and resources. By the 1880s, the People relied on an elected council, frequently led by Peguis's descendants and created independently of the Department of Indian Affairs. They protected timber, hay, and other ishkoniigan resources against unauthorized use by both Settler and Maškēkowak. Amidst economic change in the 1880s through the 1920s, Saulteaux men and women remained an integral part of the Red River region, working the waters around their ishkoniigan.

¹⁵⁵ Pronounced "soh-toh."

In 1907, Settler officials colluded to force a fraudulent agreement that surrendered the ishkonigan in exchange for a new ishkonigan more than one hundred miles north along Lake Winnipeg. The Saulteaux fought the so-called surrender and won a legal victory in 1912 when a Royal Commission ruled the surrender invalid. The Settler legislature, however, reaffirmed the fraudulent agreement in 1916. The St. Peter's People's forced relocation, although never complete, exacerbated existing tensions between Saulteaux and Settlers and Saulteaux and Maškēkowak. In the 1930s, tensions swelled to a climax. After Saulteaux ogimaag lost a zagaswe'idiwag election to Maškēkowak leaders, the Saulteaux, led by an ogimaa named Naynahkawkanape and a gifted writer and speaker named Angus Prince, refused to transfer power to the newly-elected Maškēkowak. Naynahkawkanape and Prince led several dozen Saulteaux families back to their former ishkonigan, where they camped in the haylands they had long protected. The courtroom drama that followed, and the everyday anokiiwin of Saulteaux families within the erased boundaries of their ishkonigan, affirmed the existence of the St. Peter's People despite a quarter-century of ethnic cleansing.

To bring together the dibaajimowinan of these three Anishinaabeg Peoples, the chapters in this dissertation are organized thematically. Every chapter opens with a version of the chibimoodaywin story, where every Anishinaabe dibaajimowin begins, retold to reflect the themes within the chapter.¹⁵⁶ Each chapter explores various social, political, and economic relationships through which Anishinaabeg Peoples enacted their sovereignty. Internally, the

¹⁵⁶ Bad River scholar Patty Loew validated my approach. As I was working on the third chapter of my dissertation, Loew gave the keynote address at a conference on Wisconsin history held at the University of Wisconsin-Platteville. Loew recounted her experiences talking with elders about their successful efforts to prevent construction of a mine that would have destroyed a sacred site. At first, she felt frustrated that, instead of talking about the mine, the elders started with the migration story and then the history of the treaties. After listening to this pattern several times, Loew recognized that it was all the same story. In order to talk about the mine, one had to talk about the treaties, and in order to talk about the treaties, one had to start long, long ago on the eastern shores of Turtle Island.

chapters proceed geographically, with sections that address the Lac Courte Oreilles, Turtle Mountain, and St. Peter's People to organize the local dibaajimowinan. The order in which each People appears varies from chapter to chapter to preserve internal chronology. Although there is some overlap between chapters, because timelines at the three ishkoniiganan do not always run directly parallel, each new chapter moves the narrative forward in time. Together, the chapters tell a dibaajimowin of dynamic, unbroken sovereignty.

Chapter Outline

Chapter Two begins with Anishinaabeg understandings of treaties. During the nineteenth century, Anishinaabeg in the United States and Canada negotiated a series of treaties that both ceded and reserved aki, resources, and sovereignty. The Anishinaabeg understood these treaties as part of a longer history of alliance-making where written documents comprised only one part of living relationships that protected peoplehood while also making room for new alliances to access resources according to Anishinaabeg understandings of usufruct rights. After exploring early alliances and treaties, the chapter focuses on three main events: the aftermath of the Sandy Lake Tragedy in 1850 and the Lac Courte Oreilles People's efforts to retain their rights to their homeland, culminating in the 1854 Treaty of LaPointe; the St. Peter's People's negotiations for Treaty One in 1871; and the Turtle Mountain People's involvement in the 1863 Old Crossing Treaty, which ceded no land, and subsequent efforts to secure an ishkoniigan, created by executive order in 1882. After 1854, when Anishinaabeg ceded land, they also created ishkoniiganan. Reserves and reservations emerged not only from Settler policies forced on the Anishinaabeg but also out of the context of Anishinaabeg alliance making that engaged Anishinaabeg peoplehood.

Chapter Three considers the theme of belonging between 1870 and 1900. Determining belonging involved more than legal definitions; it implicated kinship and other living relationships that granted or denied access to land and resources, increasingly contested in the context of Settler colonial allotment policies in the United States and Canada. At Lac Courte Oreilles, allotment opened the newly-created ishkonigan to exploitative logging, and the men and women of Lac Courte Oreilles called for an Office of Indian Affairs investigation into the theft of their resources. As part of the investigation, the Lac Courte Oreilles People adjusted federal rolls to more closely align with Ojibweg expectations of kinship, which determined access to the land and its resources. The Turtle Mountain People faced impending allotment when a team of federal negotiators, the McCumber Commission, arrived in the Turtle Mountains in 1892. The negotiations required that the People compile a tribal roll, which raised questions of belonging for mixed-descent families and those whose histories intersected the U.S.-Canadian border. The chapter concludes with the St. Peter's People, focusing on chief and councillor elections in 1875 and 1891 that threatened their right to determine resource access against the Maškēkowak People included in their ishkonigan's borders.

Chapter Four explores Anishinaabeg anokiiwin or labor both on and beyond ishkoniganan. The period between 1880 and 1920 involved economic change, but Anishinaabeg men and women continued to pursue a variety of seasonal anokiiwin in a variety of economic contexts. To make sense of the many forms of anokiiwin, I focus on harvesting maple sugar and logging in the woods at Lac Courte Oreilles, fishing and trapping on lakes and rivers at St. Peter's, and buffalo hunts and agriculture at Turtle Mountain. In all three cases, anokiiwin, protected by treaty relationships, served as conduit to advance Anishinaabeg sovereignty.

The fifth chapter acknowledges the traumatic land loss that Anishinaabeg experienced between 1900 and 1920. The McCumber Agreement, derisively known as the Ten Cent Treaty for the one million dollars paid for ten million acres of Turtle Mountain aki, not only reduced the Turtle Mountain homeland to two townships but also opened the ishkoniigan to allotment and scattered the People across the prairies in public domain allotments after 1904. The St. Peter's People could not stop the theft of their ishkoniigan by the Canadian government through a coerced land surrender agreement in 1907 that exchanged the St. Peter's ishkoniigan for a new reserve more than one hundred miles north near the Fisher River. The final episode in the chapter recounts the Lac Courte Oreilles People's fight in the 1910s against a dam that ultimately flooded acres of manoomin and ancestors' graves. Each section documents not only loss but also Anishinaabeg efforts to prevent that loss or repair relationships in the aftermath. The theme of loss does not mean defeat; the story of the Anishinaabeg People remained ongoing.

Chapter Six centers on the theme of leadership. In the broader context of debates about Indigenous leadership in the United States and Canada in the 1920s and 1930s, Anishinaabeg Peoples adapted leadership and governance systems along lines that sustained sovereignty. In response to the Ten Cent Treaty and subsequent loss of land, the Turtle Mountain Ojibweg organized a constitution with federal approval in 1932, two years before the IRA. The People voted to reject the IRA, not because the 1932 constitution settled questions of who should lead and how but precisely because these issues remained unsettled. The Lac Courte Oreilles People voted to accept the IRA in 1935 but refused to adopt a written constitution. A group of hereditary ogimaag challenged the elected leadership on the ishkoniigan in the 1920s and 1930s. In Canada, where officials sought to dismember Indigenous leadership during this period, the St. Peter's People's ogimaag challenged their ethnic cleansing. In 1932, the Saulteaux lost an election to the

Maškēkowak. Ogimaa Naynahkawkanape refused to concede the election, which led to his arrest for stealing government property. Like the theme of belonging, the debates surrounding leadership revolved around questions of land usage and resource rights and sought answers through the relationships of Anishinaabeg peoplehood.

The dissertation ends where it began, with treaty rights and relationships. Chapter Seven picks up the story of Naynahkawkanape, who led a group of Saulteaux to occupy their former ishkonigan following the election in 1932. The Saulteaux argued their treaty rights in a series of court cases between 1933 and 1935 and subsequently asserted them with their anokiiwin. The Turtle Mountain People defended their sovereignty against termination between 1947 and 1954, holding the federal government to the relationships it established in nineteenth century treaties. The Lac Courte Oreilles People likewise faced termination policies in the 1940s and 1950s, but in the form of the state of Wisconsin's efforts to wrest control. The chapter concludes by looking at two episodes, a confrontation between Lac Courte Oreilles ogimaag and state game wardens in 1941 and the arrest of Frank Denasha for hunting out of season. In both events, the Lac Courte Oreilles People articulated a dynamic sovereignty rooted in the living relationships of nineteenth century treaties. Anishinaabeg understandings of their treaties remained consistent from 1854 to 1954, and the People of Lac Courte Oreilles, St. Peter's, and Turtle Mountain relied on these relationships to refashion Anishinaabewaki as they advanced a dynamic vision of Anishinaabe sovereignty.

Chapter 2

Gidaakiim Ezhi-Dibendaman Noongom:¹ Negotiating Alliances and Treaties, 1854-1882

The Ojibwe People arrived at Mooningwanekaaning-minis (Madeline Island) nearly six hundred years ago after a long migration.² When they lived far way “somewhere on the shores of the Great Salt Water in the East,” seven prophets visited the Ojibwe men and women to share their vision of the future. They told of a coming chibimoodaywin (migration). “If you do not move, you will be destroyed,” the First Prophet warned the People. Salvation lay to the west. The Ojibwe People would have to travel to a turtle-shaped island in the land where the food grows on water. They would draw strength from the journey. The Miigis, the sacred shell of the Midewiwin (Medicine Lodge), led them along their journey. The Ojibwe People travelled west, stopping at each of the places that the prophets foretold: the first turtle-shaped island in what is now the St. Lawrence River, Gichi-gakaabikaang (Niagara Falls), Wawiiantanong (Detroit), Manitoulin Island, Baawitigong (Sault Sainte Marie), and Wiikwedong (Fond du Lac or Spirit Island/Duluth). At last, the Miigis led them to Mooningwanekaaning-minis, the turtle-shaped island from the First Prophet’s story.³ The Creator chose this land for the Anishinaabe People. Manoomin, or the food that grows on water (wild rice), grew there in abundance. The island became the sacred gathering site for Midewiwin ceremonies. The People kept moving west,

¹ Eric Redix translates this phrase, found in the 1864 petition by Lake Superior area ogimaag, as “your land how you own it now.” The ogimaag were paraphrasing what U.S. negotiators said to the Anishinaabeg regarding their land and rights.

² Ojibwe and Anishinaabe both refer to the same people, as does Chippewa. The term Anishinaabe also refers to three allied groups of Native Americans whose homelands are in the Great Lakes region: the Ojibwe (the Faith Keepers), the Ottawa (Keepers of Trade), and the Potawatomie (Keepers of the Fire). I use them interchangeably, in part for stylistic variation but also because the multiple names are simply another manifestation of layered Anishinaabe identity. In Anishinaabemowin, the Anishinaabe language, the plural of Ojibwe is Ojibweg and the plural of Anishinaabe is Anishinaabeg.

³ Edward Benton-Banai, *The Mishomis Book: The Voice of the Ojibway* (Minneapolis: University of Minnesota Press, 1988), 92-102 [quote p. 94]; Basil Johnston, *Ojibway Heritage* (Lincoln, University of Nebraska Press, 1990).

while many more remained at various stopping points in between, and the aadizookanag centered in Mooningwanekaaning-minis bound the People together.

In 1854, Ojibwe ogimaag gathered on Mooningwanekaaning-minis to negotiate a treaty with the United States that would protect their sovereignty. The Anishinaabe People called on the United States government to honor the obligation of their alliance, laid out in more than three decades of treaty-making. Ogimaag came from Keeweenaw Bay on the shores of Lake Superior, Fond du Lac and other villages near the headwaters of the Mississippi River, and Lac du Flambeau and Lac Courte Oreilles from the southern woods. Ogimaag asserted that they had upheld their role in the alliance with the United States. “We have never shed the blood of the whites, killed their cattle, nor done them any injury and we are not in their way,” they declared, “And why is it that now we hear this order to remove? We do not understand it.”⁴ Several decades past, the Ojibwe People had formed an alliance with the United States that incorporated American people into their relational networks and allowed their American neighbors to share their land, hunt game in their woods, fish in their lakes and streams, and use the soil for their farms. The American settlers, however, behaved like meyaagizid (strangers), not inawemaagan (relatives or allies). They crowded Ojibweg from their homes, appropriated game and timber without reimbursing the losses, and ignored Ojibwe authority.⁵ In 1850, federal officials halted annuity payments guaranteed in earlier treaties in an attempt to force Ojibweg in Michigan, Wisconsin, and Minnesota to relocate to Sandy Lake, west of the Mississippi. Several hundred

⁴ Buffalo, Chiefs, and Head Men of the Chippeway Tribe of Indians of Lake Superior, “Petition to Commissioner of Indian Affairs Luke Lea,” Nov. 6 1852, No. 70, Archives Division, State Historical Society of Wisconsin.

⁵ For a history of Ojibwe-Settler relations, see the following: Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (New York: Cambridge University Press, 1991); Rebecca Kugel, *To Be the Main Leaders of Our People: A History of Minnesota Ojibwe Politics* (East Lansing: Michigan State University Press, 1998); Michael Witgen, *An Infinity of Nations: How the Native New World Shaped Early North America* (Philadelphia: University of Pennsylvania Press, 2012).

men, women, and children died as a result of this ethnic cleansing, and the Ojibwe People responded by calling the United States to Mooningwanekaaning-minis to restore their failing alliance. The 1854 treaty negotiated at the town of La Pointe on Mooningwanekaaning-minis, initiated by Anishinaabeg, created the first Ojibwe reservations in Anishinaabewaki and voiced Ojibwe sovereignty in the context of Settler policies intended to confine and erase Indigenous Peoples.

Treaties, like that at La Pointe in 1854, must be understood as more than written documents imposed on desperate Native peoples. That people perceive treaties as one-sided, foreign documents derives from the events that followed their signing. As Canadian legal scholar J. Edward Chamberlain argues, “We deeply discredit Aboriginal participation in the process if we see it as powerless, victimized, defrauded.”⁶ Undeniably, these treaty documents put in place the legal mechanisms that Settler governments ultimately used to override Indigenous sovereignty and control their lands and resources.⁷ Nevertheless, as historian Alexandra Harmon explains in relation to treaties in the Pacific Northwest, scholars must look beyond an “outcome-oriented perspective on power relations.”⁸ She stresses the need to understand treaties in their local and transnational historical contexts and to tell more complicated stories. Attention to the

⁶ J. Edward Chamberlain, “Culture and Anarchy in Indian Country,” *Aboriginal Treaty Rights in Canada: Essays on Law, Equity, and Respect for Difference*, edited by Michael Asch (Vancouver: University of British Columbia Press, 1997), 16.

⁷ Historian Michael Witgen argues, “Treaty making with the United States, however, began a process has tied Native political power to a land base legally situated within the sovereign territory of the American nation-state.” Witgen, *Infinity of Nations*, 355-357 [quote p. 357]. The Ojibwe, however, could not have anticipated this distortion of treaty negotiations. They entered into treaties as equal partners, both sides with something to give. The problem developed later, when Settler lawyers and politicians imposed a utilitarian view of treaties. See also Colin Calloway, *Pen and Ink Witchcraft: Treaties and Treaty-Making in American Indian History* (New York: Oxford University Press, 2013).

⁸ Alexandra Harmon, *The Power of Promises: Rethinking Indian Treaties in the Pacific Northwest* (Seattle: University of Washington Press, 2008), 17.

Ojibwe perspective reveals that Anishinaabeg saw treaty-making as an egalitarian endeavor—one rooted in Anishinaabe peoplehood and sovereignty.⁹

In the eighteenth and nineteenth centuries, the Anishinaabe People made alliances with many meyaagizid. Before the arrival of Settler traders, missionaries, and military representatives, Anishinaabeg created and maintained alliances to initiate and stabilize a range of relationships: trade contracts, alliances in peace and war, and land occupancy and usage. During the fur trade, a renewed moment of Ojibwe westward expansion, made inawemaagan of French, British, and American traders. After the American Revolution, a new form of alliance making developed in Anishinaabewaki: treaties. Between 1785 and 1923, Ojibweg ogimaag signed more than sixty treaties with Settler governments, forty-two in the United States and thirty-six with Great Britain and, later, Canada.¹⁰ Early treaties focused on economic and military relationships. Following the War of 1812, both the United States and Great Britain, fueled by imperial expansion and confident in their power, used treaties to acquire Ojibwe land. Certainly, the Ojibwe ceded land to the United States in exchange for annuity payments, yet they maintained clear ideas about what exactly they exchanged. After 1854, Ojibwe treaties with the United States and Canada shared one common detail: they were not merely land cessions; they included reservations of land and resource rights. The Lac Courte Oreilles, Turtle Mountain, and St. Peter's Peoples made treaties to protect their peoplehood, incorporating treaty-making and reserves and reservations into their strategies for sovereignty. Anishinaabeg Peoples shaped reserve and reservation policy as they negotiated agreements that protected relationships with land, kin, language, sacred history, and ceremonial cycles.

⁹ Chamberlain, "Culture and Anarchy," 16-18.

¹⁰ Satz, *Chippewa Treaty Rights*, 168; B. Chamberlain, editor, *Indian Treaties and Surrenders, from 1680-1890*, vol. 1-3 (Toronto: Coles Publication Company, 1971).

“The Perpetuity of Our Nation”: Alliances and Treaties in Western Anishinaabewaki

In the early eighteenth century, pushed by their prophetic chibimoodaywin and pulled by the Atlantic World’s fur trade, the Anishinaabeg People incorporated new places as they expanded west from Mooningwanekaaning-minis. Risking conflict with the Dakota who also lived in the region, several Ojibwe families belonging to the Makwa (Bear) Doodem hunted near a large lake at the head of Anishinaabe-ziibi (Chippewa River) in the hilly, wooded region to the south of Mooningwanekaaning-minis. Earlier hunters had named the lake Odawasagaegun after finding and burying the dead body of an Odawa man on its eastern shore.¹¹ In 1741, when the French governor in Montreal lifted a fur trade moratorium, the Makwa Doodem hunters hoped to fill their canoes with fur.¹² An Anishinaabe child died while the families wintered by the lake, and they buried the child in woods near the water. Their young kin’s bones in the ground bound the families to the place, which they made their home. In the summer of 1750, Odawasagaegun hosted its first Midewiwin ceremony. Each spring, the families traveled to Mooningwanekaaning-minis to trade fur, interacting with other Anishinaabeg around Lake Superior, and the muskets that they received in return helped to make the isolated outpost secure against Fox and Dakota who hunted within the contested edges of Anishinaabewaki.¹³

As Anishinaabeg such as the families who settled at Odawasagaegun pushed west, they created alliances with the people whom they met. Along the Ojibwe’s initial chibimoodaywin detailed in their creation story, for instance, the Ojibwe encountered an unnamed people. After a long and protracted war, the Ojibwe People adopted the group’s surviving members rather than

¹¹ Rick St. Germaine, “Odawasagaegun: A Brief History of Lac Courte Oreilles”; *Spirit of the Ojibwe: Images of Lac Courte Oreilles Elders*, edited by Sara Balbin, James R. Bailey, and Thelma Nayquonabe (Duluth: Holy Cow! Press, 2012), 190.

¹² St. Germaine, “Odawasagaegun,” 190.

¹³ Warren, *History of the Ojibwe People*, 131; St. Germaine, “Odawasagaegun,” 190-191.

exterminate them.¹⁴ The Ojibwe continued to use similar strategies as they encountered meyaagizid in the west. Anishinaabeg used marriage to solidify peace between themselves and the Dakota, one time so frequent that “to some extent they learned to speak each other’s language.”¹⁵ Such connections ultimately led to the Ojibwe integrating Dakota drums into their ceremonies and dances.¹⁶ William Warren, a nineteenth-century Ojibwe scholar and politician born at Mooningwanekaning-minis, recounted an incident involving a Dakota warrior, whom the Ojibwe captured and then adopted “as a relative.” The Dakota captive fit so naturally within the kinship network that “blood was nearly shed on his account” when members of another band murdered him. After protracted negotiations with the murderer’s kin, the family accepted gifts to cover their loss.¹⁷ The kinship system incorporated other peoples. Ojibwe set the terms for membership within the People, remaining fluid and adaptable but also forming boundaries between themselves and others. These relationships formed the foundation of Ojibwe alliances and treaty making.

At the most fundamental level, Anishinaabeg alliances like those described above were human relationships, a way of turning meyaagizid (strangers) into inawemaagan (relatives). These alliances, embedded in Anishinaabeg peoplehood, were egalitarian and based on expectations of proper behavior such as reciprocity. These relationships enabled the shared access of land and resources, one of the primary reasons to form alliances. Kinship ties facilitated international alliances. The Ojibwe cast interactions with the Odawa and Potawatomi, for example, in relational terms. The Ojibwe People were the older brothers, the Odawa People

¹⁴ Warren, *History of the Ojibway People*, 44.

¹⁵ Copway, *Traditional History*, 165.

¹⁶ Treuer, *Living Our Language*, 27.

¹⁷ Warren, *History of the Ojibwe People*, 179.

the middle, and the Potawatomi People the younger brothers.¹⁸ The relationship between brothers was equitable, although younger brothers were expected to show some deference to older brothers according to Anishinaabeg understandings of age.¹⁹ Resource access depended on the obligations of inawemaagan, which extended across borders.²⁰

As with reciprocity and kinship, trade relationships defined Anishinaabe alliances. Seasonal economic activities provided the basis of Ojibwe trading patterns. While Native villages such as La Pointe already functioned as trading centers among Indians, Ojibwe families incorporated visits to Settler trading posts into their rounds, stopping in late fall to trade for goods and in spring to bring the furs and meat from their winter hunts.²¹ Posts established on the Mississippi and at interior lakes, including Lac Courte Oreilles, served as smaller centers.²² The strength of Anishinaabe peoplehood, as well as the flexibility and mobility that allowed them to maintain it over thousands of miles of territory, meant that, in the nineteenth century, the Ojibwe encountered the settler colonialism of the British and American empires on equal footing.

By 1800, the village of Odawasagaegun became an important fur trade post. The name, which may have referred to a dead Odawa, also meant trader's lake. The French called it Lac Courte Oreilles. It was a good place, one that would share with the People if they took care of the aki. The woods contained abundant wiigwaasaatigoog (birch trees) to build their wigwams, ziinzibaakwadwaatigoog (maple trees) for sugar, and waawaashkeshiwag (deer) and other animals for hunting. Along the Anishinaabe-ziibi and the many marshes and lakes—Odaawaa-

¹⁸ Phil Bellfy, *Three Fires Unity: The Anishinaabeg of the Lake Huron Borderlands* (Lincoln: University of Nebraska Press, 2011).

¹⁹ Kugel, *To Be the Main Leaders of Our People*; Cary Miller, *Ogimaag*.

²⁰ Stark, "Marked by Fire," 134.

²¹ Peers, *Ojibwa of Western Canada*: 174; Warren, *History of the Ojibway People*; Copway, *Traditional History*; Carver.

²² Warren, *History of the Ojibwe People*, 192.

zaaga'igan, Gaa-zhiigwanaabiko-zaaga'igan (Grindstone Lake), Ashigani-zaaga'igan (Bass Lake), Waawiyegamaag (Round Lake)—the Lac Courte Oreilles People had manoomin beds, giigoonyag (fish), and a convenient travel route through Anishinaabewaki, especially useful for trading.

The North American fur trade required a host of new relationships.²³ The fur trade, part of an expanding trans-Atlantic economic network, connected Indigenous and Settler geographies, politics, and economies in the Great Lakes region as early as the sixteenth century.²⁴ Contests for power within the trade fueled both Anishinaabe expansion and Settler colonial empire-building, and the lucrative exchange depended on a complex network of relationships rooted in Anishinaabe peoplehood. Anishinaabeg naturalized European newcomers by incorporating them into kinship networks. Ojibwe women who married French traders formed similar alliances, incorporating the French into a nexus of kin relationships that encouraged reciprocity and facilitated trade.²⁵ Additionally, the fur trade facilitated marriages between Ojibwe women and French traders, which in turn gave these women and their families' greater mobility and connected them to a broader Anishinaabe alliance network. Individuals in these blended families could then use Anishinaabeg networks to promote the interests of the Ojibwe People. For instance,

²³ Throughout the seventeenth and eighteenth centuries, Ojibweg played a central role in the development of the fur trade, in particular with the French but also later with British and American traders. The Ojibwe initially incorporated French traders into Ojibwe peoplehood. French traders married Ojibwe women according to Ojibwe customs, spoke Ojibwemowin, participated in ceremonies to create ties, and abided by Anishinaabeg land and resource protocols. Some of these marriages provided the foundation of Metis and Michif mixed-descent Peoples. Additionally, the fur trade fueled Ojibwe expansion and brought westward-moving Ojibwe into conflict with Dakota neighbors. The Red River functioned as a main pathway for the trade, and westward-moving Ojibweg incorporated buffalo into trading patterns. For a history of the Great Lakes area trade, see Child, *Holding Our World Together*, 31-80. For the western trade, see Peers, *Ojibwa of Western Canada*, 11-14, 32-40. For a history of Ojibwe-descended Metis, see Chris Andersen, *Metis: Race, Recognition, and the Struggle for Indigenous Peoplehood* (Vancouver: University of British Columbia Press, 2014).

²⁴ Witgen, *An Infinity of Nations*, 11-12, 127.

²⁵ Susan Sleeper-Smith, editor, *Rethinking the Fur Trade: Cultures of Exchange in an Atlantic World* (Lincoln: University of Nebraska Press, 2009).

throughout the nineteenth century, William Warren, the product of a fur trade marriage, used his connections to the network of social relationships to travel throughout Anishinaabewaki to strengthen and secure Ojibwe alliances with Settler governments.²⁶

After the American Revolution, the Ojibweg created a new set of relationships and alliances. Amidst their expansion, the Ojibweg encountered a young United States, economically weak and desperate to protect itself against Great Britain. Forming alliances offered economic opportunities and stability to both growing nations. The United States, however, desired access to land, which it hoped to obtain via treaties.²⁷ Treaties satisfied several Settler colonial goals. First, these documents located authority to deal with Indian peoples in the federal government, which contributed to nation building by diminishing the role of individual states.²⁸ Treaties also asserted the power of one Settler nation in relation to other nations, claiming territory and authority through an internationally recognized process. Additionally, treaties satisfied ideological impulses. In the United States, General Henry Knox, Secretary of War under

²⁶ Settler governments intended traders to perform some of the earliest work of reservation policy. In 1795, the United States created the factory system, in which Congress established trading houses throughout the western lands it hoped to hold. Government-appointed traders offered “what were supposed to be quality foods at fair prices.” More importantly, officials believed that trade would reduce Native dependence on hunting, thereby reducing their need for land. If that failed, argued Thomas Jefferson, trading posts would at least encourage a cycle of debt and dependency that would force Indians to sell their lands. The Hudson Bay Company played a similar role in the Canadian Northwest at the behest of the British and affected Native peoples more directly than the distant imperial government. Apart from trade, the Hudson Bay Company’s responsibilities included selling land to Settler newcomers and developing the infrastructure necessary to exploit local resources. HBC officials, although dependent on Native labor, sought to confine Indigenous populations through land cessions and cycles of debt. Government-sponsored traders facilitated peaceful, economical expansion. See Nichols, *Indians in the United States and Canada*, 75; Cole Harris, “How did Colonialism Dispossess? Comments from an Edge of Empire,” *Annals of the Association of American Geographers* 94:1 (March 2004): 165-182; Rockwell, *Indian Affairs, and the Administrative State in the Nineteenth Century* (New York: Cambridge University Press, 2010), 94-102.

²⁷ After unsuccessfully attempting to use military force to evict Indigenous Peoples between 1783 and 1786, the United States returned to the previous British policy of treaty making, coupled with a push for assimilation. Reginald Horsman, *Expansion and American Indian Policy, 1783-1812* (Lansing: Michigan State University Press, 1968).

²⁸ The federal or Crown governments in the United States and Canada assumed responsibility for Indian affairs, rather than states or provinces, in part because the treaty process recognized Indigenous Peoples as sovereign nations. Chief Justice Marshall explains this reasoning in *Worcester v. Georgia*.

President George Washington, promoted the concept of “expansion with honor.” He and other American leaders saw expansion as inevitable and necessary, and treaties offered a diplomatic means to fulfill the young republic’s goals that appeared most in line with the new nation’s self-identification as a bastion of justice and liberty.²⁹

After 1812, new forces impinged on Ojibwe alliance making. The peace between the United States and Great Britain following the War of 1812 diminished opportunities for the strategic alliances while emphasizing the Settler border that cut through Anishinaabewaki.³⁰ Furthermore, the rapid arrival of Settlers in the Great Lakes region after the War of 1812 accelerated Settler encroachment on Ojibwe lands, resources, and authority.³¹ Between 1815 and 1865, the United States population increased from 7.5 million to 30 million.³² The western frontier, which included the Ojibwe homeland, attracted many of these settlers. Between 1837 and 1848, Michigan, Wisconsin, and Minnesota all achieved statehood. Rather than to secure economic ties with Indian nations or stanch military alliances with Great Britain, the United States now saw treaties as a way in which to acquire Indigenous land and economic resources.

The Anishinaabe People incorporated treaty making into existing ceremonies and procedures for forming alliances. According to Ojibwe scholar Heidi Kiiwetinepinesiik Stark, Anishinaabe diplomacy “was carried out through the stories told, the customs practiced, and the

²⁹ Hoxie, “Why Treaties?” 90-92; Rosier, *Serving Their Country*, 4.

³⁰ Richard White marks the shift in power in the Great Lakes region following the War of 1812. *Middle Ground*, 517. Similarly, historian Mark Zuehlke argues that, while the War of 1812 minimally impacted the United States and Great Britain, it reduced opportunities for alliances between Native Americans and Settlers. Mark Zuehlke, *For Honour’s Sake: The War of 1812 and the Brokering of an Uneasy Peace* (Toronto: Alfred A. Knopf Canada, 2006). Historian Alan Taylor argues that the War of 1812 solidified the United States’ northern border, as well as generating what Taylor calls a “new ‘Canadian’ identity.” Both legacies fueled Settler nation-building and hunger for Native lands. Alan Taylor, *The Civil War of 1812: American Citizens, British Subjects, Irish Rebels, and Indian Allies* (New York: Alfred A. Knopf, 2010), 171, 439.

³¹ C. Joseph Genetin-Pilawa, *Crooked Paths to Allotment: The Fight over Federal Indian Policy after the Civil War* (Chapel Hill: University of North Carolina Press, 2014); Rockwell, *Indian Affairs*.

³² Nichols, *Indians in the United States and Canada*, 175.

commitments filled.”³³ For Ojibweg, written treaty documents represented merely one aspect of an agreement. Anishinaabeg emphasized the ceremonies and gift-giving that preceded negotiations, which replicated the reciprocity that Ojibweg expected, as well as the oral arbitrations that led up to the written documents. In the nineteenth century, Ojibweg saw, and still see, treaties as government-to-government agreements derived from Anishinaabe sovereignty. Settler governments often chose to ignore Ojibwe understandings of these relationships, but records of oral discussions and even the written documents themselves preserved the Anishinaabeg perspectives that shaped negotiations.³⁴ Ojibweg understood treaty making as an active process that formed part of broader systems of relationships entangled with their peoplehood, including daily encounters, reciprocal duties, resource access, and negotiations.

Anishinaabeg entered into post-War of 1812 treaties to address their territorial, economic, and military concerns of alliances. Westward-moving Ojibweg expanded into a contested borderland that also served as a stage for United States and British imperial ambitions. In 1825, when ogimaag from various Ojibweg Peoples met with United States and neighboring Indigenous Peoples at Prairie du Chien, a trading post on the Mississippi River in modern-day Wisconsin, to clarify their western boundaries, Ojibweg and U.S. representatives had diverging purposes.³⁵ The United States hoped to increase the legibility of Indigenous Peoples in what it

³³ Stark, “Marked by Fire,” 122.

³⁴ Red Lake scholar Brenda Child, for example, noted, “Even as the United States grew in power, diplomacy with indigenous social formations was maintained through the treaty process, which recognized the self-government and inherent sovereignty of the Ojibwe.” Child, *Holding Our World Together*, 50.

³⁵ For an understanding of United States Settler perspectives, see Frederick Hoxie, “Why Treaties?”, *Buried Roots and Indestructible Seeds: The Survival of American Indian Life in Story, History, and Spirit*, edited by Mark A. Lindquist and Martin Zanger (Madison: University of Wisconsin Press, 1994); Robert Trewnert, *Alternative to Extinction: Federal Indian Policy and the Beginnings of the Reservation System* (Philadelphia: Temple University

saw as the United States' western frontier, while the Ojibweg hoped to secure their own western borders. In the 1825 Prairie du Chien treaty, Anishinaabeg ogimaag addressed relationships with their neighbors while resisting United States' attempts to bind their peoplehood. The Indigenous Peoples thwarted United States hopes reducing the complex network of kin, alliances, and resources to legible map lines.³⁶ Ogimaag reported the boundaries of their territorial rights. St. Croix ogimaa Pee-a-guck presented a map drawn on wiigwas (birch bark) to illustrate the lands to which he possessed access rights. The 1825 treaty ceded no lands to the United States. Instead, Ojibweg laid out their relationships with both inawemaagan and meyaagizid. Negotiations confirmed that kinship ties with the Menominee allowed each people to hunt in the other's territory. Grizzly Bear, a Menominee leader, said that his People's land was "so small that we can't turn round without touching our neighbors." He acknowledged that the Ojibwe could stop the Menominee from hunting in Anishinaabewaki, but they "do not restrain us from doing so."³⁷

Press, 1975); Lindsay Robertson, *Conquest by Law: How the Discovery of America Dispossessed Indigenous Peoples of Their Lands* (New York: Oxford University Press 2005); Colin Calloway, *Pen and Ink Witchcraft: Treaties and Treaty Making in American Indian History* (New York: Oxford University Press, 2013). For Canadian Settler Perspectives, see J.R. Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada* (Toronto: University of Toronto Press, 2009); Michael Ash, editor, *Aboriginal Treaty Rights in Canada: Essays on Law, Equity, and Respect for Difference* (Vancouver: University of British Columbia Press, 1997); Roger Nichols, *Indians in the United States and Canada: A Comparative History* (Lincoln: University of Nebraska Press, 1998). British, Canadian, and American understandings of treaties derived from the doctrine of discovery. The discovery doctrine held that law and divine design gave European Christian countries legal rights over Indigenous peoples and their lands. It was a right of preemption; in other words, the discovering country obtained the right to exclude other Settler powers from purchasing lands from Indian peoples in the territory they "discovered." In 1823, the Supreme Court decision *Johnson v. M'Intosh* codified this view in American legal tradition—not by coincidence as westward expansion accelerated. As Vine Deloria, Jr., put it, "Discovery negated the rights of Indian tribes to sovereignty and equality among the nations of the world." To Europeans, it gave "the right to that land regardless of the people living there at the time." Treaties offered an expedient way to extinguish Native rights of occupancy, the only claims Indigenous peoples retained. Robert J. Miller, *Native America, Discovered and Conquered: Thomas Jefferson, Lewis and Clark, and Manifest Destiny* (Westport, CT: Praeger, 2006), 9; Deloria, *Custer Died for Your Sins*, 30.

³⁶ Stark, "Marked by Fire," 129.

³⁷ Ratified Treaty No. 139 Documents, 42, <http://digital.library.wisc.edu/1711.dl/History.IT1825no139> (accessed on Nov. 15, 2015).

In contrast, the lack of relationships with the Dakota People frequently led to conflict.³⁸ An Ojibwe ogimaa identified in the treaty documents simply as The Wind warned that “giving it [the land] to our enemies may make new disturbances and breed new wars.”³⁹ From an Ojibwe perspective, treaties could not simply redraw boundary lines. Access to territory depended on relationships, and determining who possessed those rights remained an important function of peoplehood. Ogimaag used the 1825 treaty to demarcate the relationships that gave people access to resources in Anishinaabewaki, relationships that had nothing to do with Settler colonial goals.

Between 1808 and 1867, the Anishinaabe ceded all but a few thousand acres to the United States while protecting and preserving essential resources. Anishinaabeg understood “to cede” differently than Settlers. Ojibweg in Wisconsin and Minnesota agreed to allow Settlers to access Anishinaabewaki’s resources but did not sell the land. In 1837, ogimaag signed the White Pine or Pine Tree Treaty, which granted the United States timber rights in central Wisconsin and Minnesota. The 1842 Copper Treaty, concerning lands north of the 1837 boundaries, opened the rich copper deposits along Lake Superior to Settler mining. Ogimaag understood these treaties as agreeing to grant access to certain resources—white pine trees and copper—while protecting Anishinaabe homelands and sovereignty. Leading up to the 1837 treaty, ogimaag told federal officials that they would lease timberlands to white “friends,” as they had done on a smaller scale to allow the husbands of Ojibwe women to log and operate sawmills.⁴⁰ Throughout the

³⁸ Heidi Kiiwetinepinesik Stark, “Marked by Fire: Anishinaabe Articulations of Nationhood in Treaty Making with the United States and Canada,” *American Indian Quarterly* 36 (Spring 2012): 127, 133. Stark notes that “the kinship and sociopolitical obligations that motivated some Native nations to allow access into their territories also served to prevent access into their lands and often led to warfare, most prevalently seen between the Anishinaabe and the Dakota” (133).

³⁹ Ratified Treaty No. 139 Documents, 20, <http://digital.library.wisc.edu/1711.dl/History.IT1825no139> (accessed on Nov. 15, 2015).

⁴⁰ Satz, *Chippewa Treaty Rights*, 15.

negotiations, the Ojibweg remained adamant that they intended to stay on their lands. Leech Lake ogimaa Magesawbaw (La Trappe) laid a mitigomizh (oak) leaf over the map that outlined the proposed cessions, distinguishing it from the zhingwaak (pine) that the Settlers wanted. With this gesture, he signaled that the treaty concerned only the zhingwaak. He explained Anishinaabeg intent, “We wish to hold on to a tree where we get our living, and to reserve the streams where we drink the waters that give us life.”⁴¹ Settler officials interpreted this expression of rights as retaining the “privilege of hunting, fishing, and gathering the wild rice,” which Magesawbaw and other ogimaag undoubtedly intended to reserve. By insisting on hunting and harvesting rights, Ojibweg , perceived treaty making via the matrix of their peoplehood. The Ojibwe informed United States officials of the inviolable relationships that Anishinaabeg possessed with the land the United States tried to claim. These relationships comprised their peoplehood, and the ogimaag reminded the United States of that fact. “You know we can not [sic] live, deprived of our Lakes and Rivers....The Great Spirit above, made the Earth, and causes it to produce, which enables us to live,” explained Eshkibagikoozhe, or Flat Mouth, another Leech Lake ogimaa.⁴²

Before Congress ratified the 1842 treaty, an ogimaa from Lac Courte Oreilles named Martin wrote to Washington to correct claims that he had agreed to cede his People’s land. While negotiating the treaty, he insisted, Settler officials had promised that the Ojibwe would be “permitted to live on the land as long as we behaved well and are peaceable with our grand father

⁴¹ Quoted in Satz, *Chippewa Treaty Rights*, 18.

⁴² Van Antwerp 1837, 0560-561, App. 1

[sic] and his white children.”⁴³ Martin positioned the agreement as relational, dependent upon the active and reciprocal ties between kin, and compatible with flexible Anishinaabeg land tenure practices. Akiwenziii, a young ogimaa from Lac Courte Oreilles, saw these treaties as leasing timber and mineral rights, not ceding land. The Ojibwe People did not “sell” the land; they offered it (ninganibagidinamawaa), as they reminded the United States in an Ojibwe-language petition several decades later.⁴⁴ The Ojibwe People “reserve the root of the tree,” asserting that Ojibweg retained the rights to the land in which these roots grew.⁴⁵ Adhering to Ojibwe understandings of relational resource rights, ogimaag negotiated treaties to protect their peoplehood.

In the 1830s and 1840s, Ojibweg emphasized the promises made by American officials at treaty conferences. One female elder admonished the United States for failing to honor its obligations. “My Father,” she began, “truly I am poor, your Children the Chippewas are poor. At the time when the English People were supporting me I had plenty to wear; but when you made your appearance you who are called ‘Big Knives’ and come among us, you told me that you would support me, that I would not be poor, that I would be better off than I had been with the English. I am now a good deal poorer than I was then. You have made me a great many promises which you have not fulfilled.”⁴⁶ The unnamed woman chastised the United States government’s seeming inability to behave as proper allies—their failure to honor reciprocal obligations—which she strategically compared to the behavior of British allies. Moreover, in an 1864 petition

⁴³ Quoted in Satz, *Chippewa Treaty Rights*, 40. Eric Redix discusses the multiple kinship terms that Ojibweg used during treaty-making process, arguing that mutual obligations grounded their understanding of the relationship. Redix, *The Murder of Joe White*, 127-128.

⁴⁴ Redix, *The Murder of Joe White*, 96.

⁴⁵ “Statement made by the Indians, a bilingual petition of the Chippewas of Lake Superior, 1864” 4.

⁴⁶ “Statement made by the Indians, a bilingual petition of the Chippewas of Lake Superior, 1864,” 3.

that expressed Ojibwe understandings of what they had agreed to in 1837 and 1842, ogimaag insisted that the agreement they negotiated allowed access to territory but did not sunder Ojibwe access to the land and its resources. They admonished, “[Y]ou may not destroy the Rice in working the timber. Also the Rapids and Falls in the Streams I will lend you to saw your timber, also a small tract of land to make a garden to live on while you are working the timber. I do not make you a present of this, I merely lend it to you.”⁴⁷ Annuities fit into these relational agreements. Ogimaag saw the grant of timber rights as “an exchange of civility” to which the conceded “out of respect” for their relationships with the United States. In return for the lease, the United States owed annuities and other gifts to the Anishinaabeg People.⁴⁸ Ojibweg might sell land, but they understood treaties as preserving a mutual land use policy, not an absolute surrender. Throughout the petition, the ogimaag rarely referenced the written documents. They emphasized the relationships that constituted the treaties—the preceding negotiations and subsequent behavior in carrying out the agreed-upon terms of alliance. For the Ojibwe People, treaties represented relationships between sovereign Peoples.

At the same time Ojibweg reminded Americans of their reciprocal obligations, the United States pursued a federal policy of assimilating and relocating Indigenous Peoples, approaches that threatened the bonds of kinship, language, sacred history, ceremonial cycles, and land.⁴⁹

⁴⁷ “Statement made by the Indians, a bilingual petition of the Chippewas of Lake Superior, 1864,” 5.

⁴⁸ “Statement made by the Indians, a bilingual petition of the Chippewas of Lake Superior, 1864,” 5.

⁴⁹ See J.R. Miller, *Compact, Contract, Covenant*, 4, 118-119; Rockwell, *Indian Affairs*; Akers, “Removing the Heart of the Choctaw People”; Nichols, *Indians in the United States and Canada*. In the 1830s, removal became the main Indian policy of the United States, although removal was merely a new approach to preexisting goals of confinement and dispossession. Removal sought to constrain and erase Native peoplehood by targeting connections to land and the sacred history contained there, as well as the ability to perform ceremonies that may have been linked to specific sites. While the removals of the southeastern nations in the 1830s and 1840s receive the most attention, the federal approach remained remarkably consistent through the nineteenth century. When possible, move Native peoples to make room for settlers. In the southeastern Great Lakes region, for instance, the federal government targeted Sauk, Fox, and Ho-Chunk Peoples for removal in the 1830s, with varying degrees of success. See Kerry Trask. *Black*

Most Settlers saw these policies as the “humanitarian” alternative to outright physical extermination.⁵⁰ The end goal, however, remained to destroy Indian peoples as distinct—and inherently sovereign—groups in order to facilitate Settler expansion. Reservation policies, a form of Settler colonialism directed at both external and internal sovereignty, began long before the first neatly-bounded reserve appeared on a map.⁵¹ The process started small and inconspicuously, driven by the desire for Native land and resources. Settler colonialism sought to remove Native peoples and replace them with a Settler population. This form of expansion left no room for Native peoples’ continued existence.⁵²

The Ojibwe Peoples who moved into western Anishinaabewaki imposed what they expected about reciprocity onto potential alliances with Settler representatives. For instance, in the 1830s, the men and women living at Ozaawaagamig or Yellow Lake, north of the Mississippi in what is now Wisconsin, negotiated alliances with missionaries. Two dozen or so Pembina

Hawk: The Battle for the Heart of America (N.Y., Henry Holt: 2006); Loew, *Indian Nations of Wisconsin*; John P Bowes, “American Indian Removal Beyond the Removal Act,” *Native American and Indigenous Studies* 1 (Spring 2014): 65-87.

In the winter of 1851, Anishinaabeg faced coercive, secretive relocation, a year after President Zachary Taylor signed a removal order. To compel the Ojibwe in Wisconsin to move west of the Mississippi, the Office of Indian Affairs moved annual payments from La Pointe, the center of Ojibwe economic and spiritual activity, to the more remote Sandy Lake. Delayed annuities and insufficient provisions promised by the government led to the death of nearly four hundred Ojibweg that winter. The survivors’ resistance forced the federal government to temporarily abandon its plans, but smaller removals and recombinations continued, both in the United States and Canada. In Upper Canada in 1836, for example, the Indian Department tried to convince Cree, Ojibwe, and Assiniboine peoples to relocate to Manitoulin Island, part of Anishinaabewaki and one of the stopping places along the Ojibwe chibimoodaywin. The various peoples signed treaties in which the Ojibwe agreed to share the island and the others to migrate. Relocation occurred so sporadically, with most arrivals leaving within five years, that the Settler government negotiated new treaties in 1850. Throughout the nineteenth century, federal, state, and provincial governments collaborated to concentrate the Anishinaabe on ever-smaller pieces of land. A shared sense of peoplehood may have created common bonds among Ojibweg, but consolidation threatened its underlying foundations—in particular, place and ceremonial cycles. The goal was reduction of territory, and its side effects of limiting movement and reorganizing Native social and political organization targeted the foundations of Ojibwe peoplehood.

⁵⁰ Trennert, *Alternative to Extinction*, 194.

⁵¹ Genetin-Pilawa, *Crooked Paths to Allotment*, 25-28, 98.

⁵² Holm, *The Great Confusion in Indian Affairs*, 9-10; Barker, “The Contemporary Reality of Canadian Imperialism,” 325-351.

families lived at Ozaawaagamig. The Pembina or Aniibiminani-ziibiwininiwag had moved south from a trading center on the Red River. They built their wigwams in the borderlands between Anishinaabe and Dakota territory, risking conflict to access seasonal resources such as game and berries that abounded in the dense woods south of Lake Superior. In 1832, these Ojibwe families allowed Presbyterian missionary Frederick Ayer to settle at Ozaawaagaming. Ayer, the son of a Presbyterian minister from Pennsylvania, worked as a teacher at the mission school on Mackinac Island, where he met his wife Elizabeth, before joining the American Board of Commissioners for Foreign Missions.⁵³ Funded by the War Department, Ayer served as an agent of the federal government's civilizing mission, which facilitated the overarching goal of expansion. Through secular education, religious instruction, and sedentary farming, both the United States and Canada hoped to convert Indians into the mass of Settlers. In 1817, the federal government collaborated with the American Board of Commissioners for Foreign Missions, a Presbyterian organization, to establish missions among the tribes in the western Great Lakes. As Indian Agent Henry R. Schoolcraft wrote, "I am quite satisfied that their *political*, may result from their *moral* melioration."⁵⁴ The Presbyterian ministers worked closely with the federal government, receiving funds and reporting on their Native targets' progress, throughout the nineteenth century.⁵⁵ However, Ojibwe power defined and constrained their alliance.

⁵³ Minnesota Historical Society, "Frederick Ayer, teacher and missionary to the Ojibway Indians, 1829 to 1850," *Collections of the Minnesota Historical Society*, vol. 6, edited by Henry Warren Childs and Mary Schwandt (St. Paul: The Pioneer Press Company, 1894), 429-430.

⁵⁴ Henry Schoolcraft to David Green, Feb 1832, Transcripts of ABCFM, 2. (emphasis original.)

⁵⁵ David Greene to Frederic Ayer, 9 June 1834; Henry Schoolcraft to David Green, Feb 1832, Transcripts of ABCFM, 2.

In the early nineteenth century, Anishinaabeg often allowed missionaries to settle in their communities as representatives of Settler society.⁵⁶ The Anishinaabe treated missionaries as potential allies, allowing them to plant gardens in Ojibwe soil, hunt in their forests, and interact peaceably with Ojibwe communities. As a gesture of goodwill, some Ojibweg allowed their children to attend the missionaries' schools. In return, they expected missionaries and other Settlers to behave like *inawemaagan*, which meant meeting their mutual obligations. Ojibwe men and women expected the exchange of gifts that accompanied peaceful relationships, and they anticipated that their new allies would respect their continued autonomy. When Settlers intruded on Ojibwe autonomy or withheld resources that *inawemaagan* ought to have shared, Ojibwe men and women tried to shame their fumbling allies into proper behavior. If that failed, they sometimes resorted to theft to enforce reciprocity.⁵⁷

Despite missionaries' hopes to transform Ojibweg people into sedentary farmers, Ojibwe men and women defied assimilation efforts. Ayer wrote that the Ojibweg from Ozaawaagamig were "almost constantly moving from place to place and are much scattered over considerable

⁵⁶ Presbyterians received no special treatment; government funds were available to Catholics and Protestants alike. As Canadian Reverend James Coleman explained to the Indian Department, mission outposts allowed First Nations such as the Ojibwe of Walpole Island where he worked "to be continuously under the eye of the Missionary and Superintendent." His plan for "their complete Christianization and civilization" revealed the purpose of reserves: "that hunting and fishing may be suppressed among them" and replaced by "the introduction of agriculture, and the mechanical trades." Reports of missionaries on Sarnia and Walpole Island Reserves as reported in Appendix T of Journals of Legislative Assembly 1847 (Bright's Gorove, Ont.: George Smith, 1977), 9. In both the United States and Canada, missions served a political function, attempting to promote Settler colonial interests and to dismantle what it meant to be Ojibwe. Political scientist Stephen J. Rockwell explains that the United States relied on missionaries, supported by the factory system, to meet treaty obligations and carry out assimilation policies. In *Oregon and the Collapse of Illahee*, Whaley demonstrates that Methodist missionaries, spurred by the intertwining ideologies of evangelical Christianity and Manifest Destiny, believed they had to break down Indigenous culture before they could convert the Indigenous population of Oregon. Settler colonial and evangelical enterprises, both underwritten by ideologies of white supremacy, cannot be separated. Rockwell, *Indian Affairs*, 60-62; Whaley, *Illlahee*, 99-160.

⁵⁷ Kugel, *To Be the Main Leaders of the Our People*, 66-68.

territory.”⁵⁸ Ojibwe families moved away from their settlement at Ozaawaagamig in the spring for maple sugaring, back to the village to “cultivate small gardens in the summer,” away again to gather manoomin in the fall and in the winter to hunt. Likewise, Pokegama and Red Lake, also Pembina communities, displayed similar patterns of movement. In 1848, after two land cession treaties and several decades of missionary presence, Ojibweg from Red Lake continued to “go and visit [their family at Pokegama and Red River] and are absent two or three months in the summer and frequently all winter. Another portion of the Band (the men) go three or four times a year to a Trading Post on the Mississippi 6 days [sic] they encountered Major Woods’ expedition while on the plains hunting buffalo and fighting the Dakota with their kin.”⁵⁹ Ojibweg also incorporated travel to claim the annuity payments that they negotiated at early treaties into their seasonal economic movements, naturalizing the processes of confinement pressed by Settler reservation policies.⁶⁰

Continued mobility allowed the Pembina and Pillager People to approach the potential alliance with Ayer and other Presbyterian missionaries from a position of strength. Shortly after Ayer’s arrival, the families gathered for “a Medicine Dance and Feast at which there were about 35 men.” The ceremony served not only a religious purpose but a political one as well. Ayer complained that, after the dance, the attitude of the Yellow Lake Ojibwe changed significantly. The men used the time for “consultation and delivering speeches on the subject of our coming among them.” Afterwards, the man he considered his strongest supporter, whom he identified as

⁵⁸ Ayer to Greene, 10 Dec. 1833, Transcripts of the ABCFM, 10.

⁵⁹ “Letter from the Secretary of War, transmitting the report of Major Wood, relative to his expedition to Pembina Settlement, and the condition of affairs of the North-Western frontier of the Territory of Minnesota, March 19, 1850. 31st Congress, 1st session, House of Representatives, Ex. Doc. No. 51.

⁶⁰ Ayer to Greene, Dec. 1840, Transcripts of ABCFM, 2.

Maiians, joined in a show of solidarity with his people.⁶¹ In 1834, Maiians told him, “You must go—you shall go.”⁶² The band remained opposed to Ayer’s presence, ultimately convincing him to relocate. These gatherings reinforced broad connections in a landscape increasingly marked by Settlers’ borders. The U.S. asserted state and national boundaries alongside treaty cessions. The mobility that emerged from Ayer’s letters suggests that the Anishinaabe continued to define the bounds of their own People.

Anishinaabeg interacted with missionaries according to Anishinaabe understandings of alliances. When Ayer built his mission, he had to obtain permission from the local Ojibweg. In the 1830s Maiians, a Yellow Lake band leader, told Ayer, “If this room were filled with goods and you were to offer them all in exchange for our land, we wouldn’t sell it. It is ours and our childrens [sic]! This is all we have. We love it; nor will we ever give it up or sell it, for where would our children play?”⁶³ Rather, the local Ojibwe would only grant Ayer temporary rights that covered his house and field but little else. The pattern repeated itself at Pokegama and Red Lake, where Ayer moved to avoid the “hostility and indifference” of the previous band of Ojibweg—likely a sign that he failed to display the reciprocity that Ojibweg expected to maintain good relationships.⁶⁴ Like the Red River bands to the north, the Pillagers and Pembina expected frequent gifts for the use of their land. Even after Ayer provided flour, seeds, and tools, “still they [the Ojibwe] often advised him of his great obligations to them for his privileges.”⁶⁵ If he did not comply, the Ojibwe promised to remove him. Ayer and his colleagues saw themselves

⁶¹ Ayer to Greene, Dec. 1833, Transcripts of the ABCFM, 1-2.

⁶² Ayer to Greene, May 10 1834, Transcripts of the ABCFM, 5.

⁶³ Ayer to Greene, 11 May 1834, Transcripts of the ABCFM, 12.

⁶⁴ Ayer to Greene, 31 Oct 1838, Transcripts of the ABCFM, 1; Kugel, *To Be the Main Leaders of Our People*.

⁶⁵ Ayer to Greene, 31 Oct 1838, Transcripts of the ABCFM, 24.

as extending American institutions into the wilderness, but through the 1850s they remained in Anishinaabewaki, and the Ojibwe selectively entered into alliances by controlling access to aki and resources.

Ayer, however, refused to honor the reciprocal obligations of *inawemaagan*. Underlying his religious efforts, he filled the role of expanding American interests. He asked for more and more land, and rather than offer additional supplies in exchange, he most ungenerously chose to withhold them until the Ojibwe complied with his demands. When several men and women showed up at his house in Yellow Lake in 1834, frightening his wife and confiscating supplies, the Ojibweg acted not as belligerents but as allies demanding that Ayer recognize their relationships.⁶⁶ Indeed, they resisted Ayer's presence at Yellow Lake so strongly that, in 1836, Ayer believed he had no choice but to relocate to Pokegama.⁶⁷ At Pokegama in 1840, he promised to provide local Pembina with a farmer and a blacksmith in exchange for his use of their land. When he sent both workers to a different mission, the Pembina informed him that he had violated their alliance. To demonstrate their displeasure with their ally, they withdrew their children from school.⁶⁸

The Pembina and Pillager at Pokegama and Yellow Lake people fulfilled their obligations toward Ayer. The Ozaawaagamig community consented to send their students to school as a sign of their willingness to form a mutually beneficial relationship with their new American neighbors. However, they incorporated school into their seasonal rounds, demonstrating that entering an alliance did not surrender their autonomy. In the *ziigwan* (spring),

⁶⁶ Ayer to Greene, 11 May 1834, Transcripts of the ABCFM, 12.

⁶⁷ Ayer to Greene, 1 Oct 1836, Transcripts of the ABCFM, 4.

⁶⁸ Ayer to Greene, Dec 1840, Transcripts of ABCFM, 2.

maple sugar camps drained so many people that Ayer closed his school entirely. During the summer, however, Ojibweg eagerly accepted seeds and hoes from the mission to plant their gardens—gardens that Ojibwe women had planted for generations. The Ojibwe understood agricultural supplies as gifts that demonstrated that the missionary fulfilled his reciprocal responsibilities. At Ozaawaagamig, Ojibwe women continued to plant potatoes, beans, squash, and other vegetables in the early summer, often leaving for weeks at a time to pick berries and attend ceremonies.⁶⁹ Men, meanwhile, reluctantly converted to agricultural labor, reaffirming Ojibwe gender roles and subsistence practices that derived from creation stories. Their refusal to conform to Ayer’s image of proper farmers frustrated the missionary, but the mutual obligations that came with accepting his gifts of seeds and tools did not include total obedience. In entering alliances with missionaries like Ayer, the Ojibwe People maintained their autonomy.

Beginning in the late 1840s, treaty-making facilitated a shift in Settler policy from external to internal attacks on Indigenous sovereignty. Historian John Wunder defines the differences in Settler policy as “Old Colonialism” and “New Colonialism.” While “Old Colonialism” focused on “the physical acquisition of valuable western and southern lands and the physical subjugation of its people,” “New Colonialism” launched a broad assault on “every aspect of Native American life” from religion to economy to political structures.⁷⁰ From a United States perspective, the reservation system furthered the goals of undermining Native Peoples’ autonomy and facilitating Settler expansion. The reservation provided a space to isolate and ultimately erase Indigenous Peoples. In order to accomplish this goal, both governments had first

⁶⁹ Ayer to Greene, 10 Dec 1833, Transcripts of the ABCFM, 1-2.

⁷⁰ John Wunder, *“Retained by the People”*: A History of American Indians and the Bill of Rights (New York: Oxford University Press, 1994), 17. See also Genetin-Pilawa, *Crooked Paths*, 15. Both Wunder and Genetin-Pilawa date this transition in the mid-nineteenth century.

to dissolve community ties and deny the inherent sovereignty that facilitated Native Peoples' defiance. Particularly in the Great Lakes region, where the United States and Great Britain struggled to assert their own visions of themselves as nation-states, Indian autonomy threatened colonial interests. As a result, Settler policies often targeted the foundations of Anishinaabe peoplehood.⁷¹ Removal, containment, and assimilation policies sought to undermine Anishinaabe sovereignty. Treaty making, with an emphasis on land cessions, seemed like a convenient tool to expedite this process.

Nineteenth-century treaties almost always orchestrated cessions that confined Native Peoples to ever-smaller land bases. The United States employed annuities to secure land cessions. From the perspective of Settler treaty-writers, annuities provided an entry into internal tribal workings and a tool to socially, politically, and economically confine Indigenous Peoples, which characterized reservation policies. While Anishianabeg saw annuities as part of active, reciprocal relationships, Settlers interpreted them as transactions to secure absolute rights to the land. Annuities reduced the upfront costs of land sales. Settler officials hoped annuities would replace off-reservation resource gathering and confine Anishinaabe within treaty-limited boundaries. Yet, Anishinaabe people continued to move through their homeland and assert peoplehood.

Along with annuities came civilization initiatives. After twenty years of payments, the Office of Indian Affairs believed that the Ojibwe and other Peoples would be “above the

⁷¹ As historian Tom Holm points out in his examination of twentieth-century federal Indian policy, Native Peoples' sovereignty derived from the social relationships that comprise the peoplehood matrix. Whether knowingly or by instinct, Settler policies frequently directly targeted the components of this matrix. According to Holm, “Private property would defeat the notion of Native territory and even spatial identity; Christianity would do to death the ceremonies that tied a tribe to the land, the cosmos, and the spirit world; science would rout tribal sacred histories; and, finally, an English education would destroy Indian liturgical and colloquial languages.” Holm, *The Great Confusion in Indian Affairs*, 16-17.

necessities which the annuity system is desired to submit.”⁷² In other words, they would achieve self-sufficiency. The federal government sent more missionaries and teachers to reserves and reservations, as well as farmers, blacksmiths, and carpenters. These services intended to transform First Nations people into sedentary, English-speaking farmers with no claim on the land stronger than a fee simple patent. These goals targeted Ojibwe peoplehood. That the United States expected Native people to fade away is evident from phrases like that included in the 1837 treaty with the Ojibwe, which reserved “[t]he privilege of hunting, fishing, and gathering the wild rice” on ceded territory “during the pleasure of the President.”⁷³ The Ojibwe possessed a different understanding of these agreements based on a more fluid concept of resource rights rooted in relationships, but from the federal government’s perspective, dealing with Native peoples as independent nations was a temporary inconvenience.

In the 1850s, as the alliance between the United States and the Anishinaabe People frayed, Anishinaabe men and women, including those at Odawasagaegun, continued to move throughout their homeland and assert their peoplehood. As they expanded, the Ojibwe People maintained close connections with Mooningwanekaaning-minis. This island, the place to which Gitchi Manitou led them at the end of their chibimoodaywin, was the primary site for Midewiwin ceremonies. The Ojibwe from Odawasagaegun (Lac Courte Oreilles) traveled there several times a year for ceremonies and trade. George Copway remembered a visit in 1836 where he saw the Lac Courte Oreilles and others from Sandy Lake and Lac du Flambeau engaged in a ball game. While the bands of Ojibwe playing against one another might seem to drive each other apart,

⁷² Treaty with the Chippewa-Red Lake and Pembina Bands, 1863, "Indian Land Cessions in the United States, 1784-1894," House Document No. 736, 56th Congress, 1st Session (United States Serial Set Number 4015): 10.

⁷³ Treaty with the Chippewa, 1837, "Indian Land Cessions in the United States, 1784-1894." House Document No. 736, 56th Congress, 1st Session (United States Serial Set Number 4015).

after the day's game, the players "parted company, in good humor, and mingled with the crowd."⁷⁴ These games served as opening ceremonies for religious, economic, and political gatherings.⁷⁵ When Ojibweg like those from Lac Courte Oreilles came to La Pointe, they came to participate in a stronghold of sovereignty built on relationships with place, kin, sacred history, and ceremonies. In 1850, the federal government tried to sunder those ties by moving annuity payments from La Pointe to Sandy Lake.

In the mid-nineteenth century, federal and local officials decided that the gatherings at La Pointe interfered with the goals of Settler colonialism. Minnesota Territory governor Alexander Ramsey, intent on enforcing the boundaries of a Territory in which he invested political and financial capital, convinced the federal government to approve his plan for the removal of all Ojibweg east of the Mississippi to Sandy Lake in Minnesota. On February 6, 1850, President Zachary Taylor issued an executive order mandating the removal of "all said Indians remaining on the lands ceded" by the 1837 and 1842 treaties and revoking the hunting, fishing, and gathering rights reserved in those treaties. The Ojibwe, including those at Lac Courte Oreilles, understood these earlier treaties as guaranteeing those rights and their residency for at least 150 years, if not perpetually.⁷⁶ The Ojibwe from Lac Courte Oreilles held councils where they agreed that the removal order violated their treaties. They sent messengers to Lac du Flambeau and La Pointe and the other communities, all of which remained united in their opposition.⁷⁷ When they refused to abandon their understanding of treaties as more than written documents, federal and

⁷⁴ Copway, *Traditional History*, 54.

⁷⁵ Among the Comanche, ceremonies and other social gatherings established the essential relationships that bound the Comanche together. Public, face-to-face gatherings were essential to "being Comanche." Foster, *Being Comanche*, 27-29.

⁷⁶ Chippewa Petition to the Honorable Luke Lea, 1852, Letters Received, 1824-1881, Correspondence of the Office of Indian Affairs (Central Office) and Related Records, National Archives Microfilm Publications, Roll 149.

⁷⁷ Benjamin G. Armstrong, *Early Life Among the Indians* (Ashland, WI: A. W. Bowron, 1892), 12.

territorial Settler governments colluded to force removal. They consolidated annuity payments at Sandy Lake, intending to trap them there for the winter—long enough for federal troops to arrive and contain them on the reservation.⁷⁸

Both along the journey and after their return, the Ojibwe of Lac Courte Oreilles acted in ways that reflected the continued strength of their peoplehood. As they traveled, family groups met relatives at Lac du Flambeau, later stopping at the St. Croix River to wait for bands from Pokegama and St. Croix to join them. Continuing as a group, eventually totaling nearly seven hundred, protected the travelers from Dakota, with whom the Anishinaabe still fought over territory and resources. For three weeks, they fed themselves by hunting and gathering, as they had done on trips to collect annuities at La Pointe for twenty years.⁷⁹

When they and more than three thousand additional Ojibweg arrived at Sandy Lake, however, there were no supplies and no payments, and winter had frozen the waterways home.⁸⁰ One hundred seventy men, women, and children, died of hunger and disease in this attempt to wrest them from their homelands. The Ojibwe People rejected removal, returning to their homes. Two-hundred-thirty more died on the return journey.⁸¹

This episode of ethnic cleansing convinced many Ojibweg that they needed to find a way to protect their villages. For the next four years, they struggled to force officials in Washington, D.C., to negotiate a treaty and recognize the rights inherent to their peoplehood. The Ojibwe People, including those living at Lac Courte Oreilles, refused to surrender their homeland. A

⁷⁸ Child, *Holding Our World Together*, 53-66.

⁷⁹ Child, *Holding Our World Together*, 66-70.

⁸⁰ Child, *Holding Our World Together*, 66-70.

⁸¹ Eric Redix notes that 126 people from Lac Courte Oreilles and 167 from Lac du Flambeau died between the 1847 and 1857 annuity counts. Meanwhile, during the same period, the L'Anse People, who had refused to travel to Sandy Lake, increased by 146. Redix suggests that the devastating effects of the Sandy Lake Tragedy explain the disparities. Redix, "The Murder of Joe White," 120.

delegation at Madeline Island firmly stated, “when we die we will lay our bones at La Pointe,” a sacred place where their ancestors’ bones also lay beneath the earth.⁸² Over time, they grew “convinced that the perpetuity of our nation can only be secured by permanent settlements.”⁸³ In order to protect their existence as a distinct and sovereign people, they asked the United States to recognize their community through a treaty.

Ogimaag from Anishinaabe communities south of Lake Superior worked to bring officials from Washington, D.C., to Anishinaabewaki to negotiate such a treaty. Treaty-protected reservations became a central focus of their efforts. Bizhiki or Chief Buffalo, the most prominent ogimaa in the region, led these campaigns.⁸⁴ More than 70 years old, Bizhiki had witnessed several decades of deteriorating relationships with Settlers from his home at La Pointe. He and five additional ogimaag, including the young rhetorically-skilled Oshoge of the St. Croix People, traveled to Washington in April 1852 with the goal of rescinding the removal order. Their undertaking began in Anishinaabewaki, setting out in a wiigwaasi-jiimaan (birchbark canoe) newly made for the occasion. Bizhiki and his fellow ogimaag traveled through the homeland they wanted to protect, collecting signatures on a petition against removal. Although they targeted Settlers whose names on the paper would attract attention in Washington, the ogimaag visited the oodenawan or villages of their kin and undoubtedly discussed the business of their trip. They traveled first along the southern shore of Gichigami and stopped at the many copper mines opened by the Treaty of 1842. They also stopped in oodenawan such as Dasoonaaganing or Ontonagan, where the Dasoonaagani-ziibi (Ontonagon River) flows into Gichigami, and

⁸² Chippewa petition, 1852: 5.

⁸³ Chippewa petition to the Commissioner of Indian Affairs, 29 Jan 1853, Letters Received, 1824-1881. Correspondence of the Office of Indian Affairs (Central Office) and Related Records. National Archives Microfilm Publications, Roll 149, 1.

⁸⁴ Benjamin G. Armstrong, *Early Life Among the Indians* (Ashland, WI: A. W. Bowron, 1892), 19.

Baawatigong or Sault Ste. Marie. Their route then took them through the Great Lakes to Buffalo, New York, from which they traveled by rail to New York City and then on to Washington, D.C., where they arrived in June.⁸⁵

In Washington, Bizhiki and Oshoge reminded federal officials of their obligations to the Anishinaabeg. Benjamin Armstrong, a trader with kinship ties by marriage to Bizhiki and interpreter for the delegation, recounted the diplomatic skill of both the elder and the younger ogimaag. According to Armstrong, Oshoge opened a meeting with President Fillmore with an hour-long reminder about the 1837 and 1842 treaties. Oshoge “did not understand that in either treaty they had ceded away the land,” and they certainly had never consented to remove.⁸⁶ He spoke of the Anishinaabeg relationship with “the great father,” calling attention to how the removal order violated the ties of their alliance.⁸⁷

The ogimaag returned to Anishinaabewaki successful. President Fillmore agreed to revoke the removal order and continue to distribute treaty payments at La Pointe.⁸⁸ However, Bizhiki’s actions on the return journey reveal that canceling the removal order was only one step in the process of protecting Anishinaabeg peoplehood. As he spread the news of the favorable outcome in Washington, Bizhiki told his fellow Ojibweg “that there was yet one more treaty to be made with the great father,” and, as he called for a meeting in La Pointe that fall, he suggested that this treaty should “reserve a part of their land for themselves and their children.”⁸⁹ As they

⁸⁵ Armstrong, *Early Life Among the Indians*, 20-29.

⁸⁶ Armstrong, *Early Life Among the Indians*, 30.

⁸⁷ Armstrong, *Early Life Among the Indians*, 30.

⁸⁸ Armstrong, *Early Life Among the Indians*, 29. It helped the Anishinaabeg cause that Democrat Franklin Pierce assumed the office of President in March 1853 and replaced Governor Ramsey with Willis Gorman as governor of the Minnesota Territory and that the L’Anse People successfully brought corruption charges against Watrous, leading to his removal from his post. See Redix, “The Murder of Joe White,” 122-123.

⁸⁹ Armstrong, *Early Life Among the Indians*, 32.

prepared to negotiate another treaty with their fickle allies, ogimaag saw reservations as a way to protect their sovereignty in their homelands.

In 1854, at least four thousand Anishinaabeg traveled to La Pointe to discuss a new treaty.⁹⁰ As a respected ogimaa, Bizhiki continued to play a significant leadership role in the proceedings, but each individual community participated. The official representatives for the Lac Courte Oreilles People included Akiwenziii from the village at Lac Courte Oreilles, Gichi-binesi from Paquahwong, Omadaagami from Lake Chetac, Nenaa'angabi from Rice Lake, and three ogimaag from villages on the Chippewa River: Ginoozens, Waabizheshi, and Ozhaawashkogiizig.⁹¹ Throughout the councils and discussions that led to the treaty, ogimaag connected reservations with peoplehood. While the United States saw the new treaty as primarily a land cession, Lac Courte Oreilles ogimaag and others understood it as an agreement to protect their land and sovereignty. Before official negotiations began, the gathered Anishinaabeg agreed “that no one would sign a treaty that did not give them reservations at different points of the country that would suit their convenience, that should afterwards be their bonafide home.”⁹² Armstrong noted reservations’ significant place in Anishinaabeg intentions, “The Lake Superior Indians did not seem, through all these councils, to care so much for future annuities either in money or in goods as they did for securing a home for themselves and their posterity that should be a permanent one.”⁹³ Insisting on separate reservations that confirmed their current locations reflected Ojibwe goals of protecting the diffuse, autonomous structure of their Peoples. Moreover, it preserved important kinship relationships. Armstrong noted that his Anishinaabeg

⁹⁰ Gilbert to Mannypenny, October 17, 1854.

⁹¹ Redix, “Murder of Joe White,” 127.

⁹² Armstrong, *Early Life Among the Indians*, 35.

⁹³ Armstrong, *Early Life Among the Indians*, 36-37.

kin demonstrated an “unwillingness to give up and forsake their old burying grounds.”⁹⁴ They also protected resources intimately connected with ceremonial cycles and aadizhookanag. For instance, the treaty reserved land on Madeline Island to protect fishing rights and access to the final stopping point on their migration from the east. The agreement created reservations at L’Anse, View De Sert, Bad River, Fond du Lac, Bois Fort, Lac du Flambeau, and Lac Courte Oreilles.⁹⁵ Additionally, Article XI of the treaty reaffirmed the right of the Ojibweg to hunt and fish in ceded territory, as well as guaranteeing that La Pointe, their traditional gathering place, remained the site of annuity payments.⁹⁶ In treaty negotiations, Ojibweg requested a shift in the contents of these payments from “dry goods” to “guns, camp kettles, traps, cooking stoves and cooking utensils”—all items that indicated the continued vitality of seasonal economic activities.⁹⁷ Apparently, the Ojibwe did not intend for treaties and reservations to alter their way of life or their understanding of themselves as a people. They had negotiated a treaty that, as they understood it, not only reserved key pieces of their homeland but also preserved non-ishkonigan rights to hunt, fish, gather, and work in ceded territory. The 1854 Treaty and the negotiations

⁹⁴ Armstrong, *Early Life Among the Indians*, 34.

⁹⁵ Several Ojibwe Peoples were not included in the reservations that the treaty created. In Wisconsin, the Sokaogan or Mole Lake People and the St. Croix People became known as the “lost tribes” because of their lack of reservations. The Sokaogan People, who live near present-day Rhinelander, negotiated their own agreement with federal officials following the councils at La Point, which their primary ogimaa Migiizi could not attend for unknown reasons. The records of the agreement to reserve twelve square miles of land disappeared, and the Sokaogan remained homeless. For unknown reasons, St. Croix ogimaag did not sign the 1854 treaty and may not have attended the negotiations. According to Patty Loew, “Explanations about why the St. Croix were left out of the 1854 treaty and denied a reservation have been lost to time.” Loew, *Indian Nations of Wisconsin*, 77. The 1854 treaty council formalized the growing division between Ojibw living in Minnesota (the Mississippian Bands) and Ojibwe living in Wisconsin and Michigan (the Lake Superior Bands), and one possibility is that the St. Croix intended to secure a reservation when the Mississippi Bands entered into a treaty. Like the Sokaogan, the St. Croix People remained landless, squatting in their own homelands, until the 1930s. Loew, *Indian Nations of Wisconsin*, 76-77; Benjamin Armstrong, *Early Life Among the Indians*, 35; Redix, “The Murder of Joe White,” 120.

⁹⁶ Treaty with the Chippewa, 1854: Article XI.

⁹⁷ HC Gilbert Washington to Commissioner of Indian Affairs, 27 May 1854, Reports of the Inspection of the Field Jurisdictions of the Office of Indian Affairs, 1873-1900, National Archives Microfilm Publications, Roll 23: 1.

surrounding it contained an Anishinaabe understanding of mutual land use and resource rights, and they intended to force the United States to honor that agreement.

The Lac Courte Oreilles People used the treaty to retain their villages as permanent homelands. They reserved three townships, whose specific locations the Lac Courte Oreilles People would designate at a later date, supplemented by treaty-protected access to ceded lands for hunting, fishing, and gathering purposes. The boundaries, however, remained unconfirmed for nearly two decades, and the Lac Courte Oreilles People had to fight to enforce the Treaty of La Pointe and secure their reservation. In June 1859, Lac Courte Oreilles ogimaag proposed an irregularly-shaped ishkonigan that strategically included manoomin gathering places.⁹⁸ In 1863, federal officials surveyed the proposed lands for the first time. In part because of the lack of Settlers in the area surrounding Lac Courte Oreilles, Akiwenziii and other ogimaag succeeded in directing the survey. Still hoping to consolidate the Ojibwe in Wisconsin, federal officials delayed formal confirmation. Ojibwe ogimaag pressed officials to recognize the boundaries, especially as removal remained a Settler goal. Akiwenziii and other ogimaag likely knew of federal officials' intention throughout the 1860s and 1870s to contain Wisconsin's Ojibwe population at Bad River. Akiwenziii joined a delegation of ogimaag that traveled to Washington in 1865, meeting with President Lincoln to remind him of the 1854 treaty and to quell the talk of consolidating their Peoples. The delegation stalled removal and presented a petition, written in Anishinaabemowin and translated into English, that again called the United States' attention to their obligations under various treaties. The reprieve proved temporary, but Lac Courte Oreilles

⁹⁸ Redix, "The Murder of Joe White," 149-152. The reservation boundaries were not uncontested. Waabizheshi, who succeeded Nenaangabi as the Rice Lake ogimaa, strongly objected to the location of the reservation at Lac Courte Oreilles instead of Prairie Rice Lake, and Waabizheshi and Akiwenziii's relationship grew increasingly strained.

ogimaag remained determined.⁹⁹ In May 1872, Congress approved an Appropriation Bill that called for the removal of the Lac Courte Oreilles, along with the Lac du Flambeau and Fond du Lac Peoples, to Bad River, although Secretary of Interior Columbus Delano insisted on obtaining the Indians' consent.¹⁰⁰ The Lac Courte Oreilles denied the request and finally succeeded in convincing the federal government to declare the ishkonigan's boundaries in March 1873.¹⁰¹

The men and women of Lac Courte Oreilles remember ogimaag for their roles in creating their ishkonigan. For instance, they praised the efforts of Rice Lake ogimaa Nenaangabi. In the 1940s, people from Lac Courte Oreilles told anthropologist Joseph B. Casagrande, "There was one head chief who got the Indians seven reservations. His name was Nina'angebi [sic]."¹⁰² Before he could visit Washington "to get a reservation for his people" at Mashkode-manoominikaaniing (Prairie Rice Lake)—to set the boundaries of the reservation provided for in the 1854 Treaty—Nenaangabi died in a campaign against the Dakota in 1855.¹⁰³ In 1858, the ishkonigan's boundaries failed to include Prairie Rice Lake, despite its prominence as a town on the expanding western edge of Anishinaabewaki.¹⁰⁴ The people of Lac Courte Oreilles remembered that "his people were accepted here," and the off-ishkonigan community of Rice Lake, which continued to thrive in spite of disappearing monoomin beds and encroaching Settlers, maintained close ties with their kin now within the boundaries of the Lac Courte

⁹⁹ Redix, "The Murder of Joe White," 151-154.

¹⁰⁰ Redix, "The Murder of Joe White," 158. The push for removal occurred at the same time that removal took place in Minnesota. Anishinaabeg communities west of the Mississippi reserved four places—Mille Lacs, Rabbit Lake, Gull Lake, and Sandy Lake—in the 1855 Treaty of Washington, but today only Mille Lacs remains. The federal government coerced the families at Rabbit Lake, Gull Lake, and Sandy Lake to move to White Earth in the late nineteenth century.

¹⁰¹ Redix, "The Murder of Joe White," 149-157.

¹⁰² Joseph B. Casagrande Papers, University of Illinois-Urbana Archives.

¹⁰³ Redix, "The Murder of Joe White," 127.

¹⁰⁴ Redix, "The Murder of Joe White," 141, 147.

Oreilles Reservation.¹⁰⁵ These borders, although they protected Lac Courte Oreilles homes, did not separate them from the broader network of Anishinaabeg relationships that sustained their peoplehood.

While Nenaangabi died before securing a place for Mashkode-manoominaakiing within the ishkonigan, Akiwenziii, whose prominence increased following Nenaangabi's death, protected his People's manoomin. He walked the surveyor along his People's territory to set the ishkonigan boundaries, leading him around manoomin-rich lakes to create the irregular outline of the Lac Courte Oreilles ishkonigan.¹⁰⁶ The zigging and zagging boundaries protected essential land, doodem, ceremonial, and sacred relationships that comprised Lac Courte Oreilles peoplehood and also thwarted Settler policies designed to disrupt those relationships and erase Indigenous sovereignty.

The Lac Courte Oreilles Ojibwe faced perhaps the most direct, intensive incidents of reservation policy: coerced removal to Sandy Lake. Their experience with ethnic cleansing, however, reveals that even in the most tragic moments where it seemed like the forces of colonialism had totally subjugated the Ojibwe People, Ojibweg found ways to express and protect their peoplehood. As the aftermath of the Sandy Lake Tragedy demonstrates, the Ojibwe used treaty making to maintain essential economic, political, and social relationships. The Lac Courte Oreilles Ojibwe interpreted their treaties in a way that emphasized land use and maintained the movement that facilitated connections between Anishinaabe communities. In 1864, as they had many times in the past, leaders from throughout Anishinaabewaki came

¹⁰⁵ Joseph B. Casagrande Papers, University of Illinois-Urbana Archives; Redix, "The Murder of Joe White," 140-147.

¹⁰⁶ Clark W. Thompson to William P. Dole, November 14, 1863, RG 75, NARA Chicago, IL, M-234, Roll 393, F:0111.

together to protect Ojibwe interests and conduct international diplomacy. They wrote a statement to send to Washington, detailing their understandings of the treaties they signed since 1825 and the numerous ways in which the United States failed to respect these international agreements. Significantly, the ogimaag wrote the statement first in Anishinaabemowin and then translated their words into English.¹⁰⁷ Grounded in this Ojibwe foundation, they stated, “Again this I hold in my hand the Maple Timber, also the Oak Timber, also this straw which I hold in my hand. Wild Rice is what we call this. These I do not sell.”¹⁰⁸ Maple trees and manoomin were gifts from the Creator, sacred in themselves and intertwined with ceremonial and economic activities. By using treaties to secure ishkoniganan, the Ojibwe leaders protected their relationships with places and resources outside the new boundaries—and, by extension, their peoplehood.

“Property of Them Still”: Reserving the Red River Valley

From the banks of the Red and Assiniboine Rivers, the Ojibweg identified with ogimaa Peguis established relationships with a kaleidoscope of landscapes and peoples. Peguis, born in 1774 near Baawitigong (Sault Ste. Marie), became a prominent ogimaa of the Ojibwe or Salteaux living in the northern Red River valley by the time he turned just eighteen. Around 1771, Peguis’ family left Baawitigong to escape a smallpox epidemic. After hunting and fishing for a while with the Red Lake or Pembina People, he and his kin moved north along the Red River. Peguis settled on the marshes near Netley Creek, which fed into the Red River south of Lake Winnipeg and provided centralized access to wazhashkoog (muskrats) and wild fowl, fish

¹⁰⁷ “Ojibwe treaty statement, 1864,” original manuscript in the Wisconsin Historical Society Archives (SC-O 40); online facsimile at <http://www.wisconsinhistory.org/turningpoints/search.asp?id=40> (accessed on Nov. 15, 2015)..

¹⁰⁸ “Ojibwe treaty statement, 1864,” 10.

from the Red River, and buffalo and elk on the prairies. In 1810, Peguis also forged ties with the Hudson's Bay Company, connecting his People to essential fur trade networks.¹⁰⁹

Perhaps no other part of Anishinaabewaki seems so peripheral as the prairie where Peguis and his kin made their homes. Anthropologists and ethnohistorians often describe the northwestern plains as a transitional zone where Anishinaabeg transformed into Cree or Métis.¹¹⁰ In other words, scholars assume that the Plains are a region where Anishinaabe people disappear. In reality, however, the prairies and the rivers that ran through them held as much significance for Anishinaabe peoplehood as the lakes and forests of the Great Lakes. From an Anishinaabe perspective, the Red River was not a place where inawemaagan became meyaagizid but rather the reverse. Peguis and his kin called themselves the Saulteaux, a French name meaning people of the falls in reference to their original home at Sault Ste. Marie. Thus, their name affirmed ties to Anishinaabewaki's interior. The Peguis People relied on their position within a larger Anishinaabe relational network. Their seasonal movements in pursuit of buffalo and other resources extended as far west as the Turtle Mountains, and kin from Red Lake, Lake of the Woods, and Rainy Lake visited their settlements at the Red River.¹¹¹ As William Warren pointed out in 1852, an alliance with the Assiniboine enabled the westward-moving bands to “joi[n] their [Ojibwe] brethren of the Southern division in their wars against the fierce Dakotas.”¹¹² This alliance illustrates two points. First, the bands near the Red River expanded Ojibwe relational networks—in many ways, the decentralized center of their community—by allying with the

¹⁰⁹ Peers, *The Ojibwa of Western Canada*, 89.

¹¹⁰ Hickerson, *The Chippewa and Their Neighbors*, 48; James Howard, *The Plains Ojibwa or Bungi Hunters and Warriors of the Northern Prairies with Special Reference to the Turtle Mountain Band* (Lincoln: J&L Reprint Company, 1977); A. Irving Hallowell, *The Ojibwa of Berens River, Manitoba: Ethnography into History* (Fort Worth: Harcourt Brace Jovanovich College Publishers, 1992).

¹¹¹ Peers, *The Ojibwa of Western Canada*, 123-124.

¹¹² Warren, *History of the Ojibway People*, 84.

Assiniboine. Second, Warren suggests that these supposedly peripheral Anishinaabeg maintained alliances and continued to pursue the interests of their people as a whole. Peguis had positioned his People at a focal point of Anishinaabe political, economic, and social relationships.

Movement in the pursuit of resources reinforced the Peguis People's connections to the broader Anishinaabe People. At the end of sugaring in the spring, several hundred to more than a thousand Ojibweg assembled along the Rainy River, which runs east from Lake of the Woods across most of what is now northern Minnesota to Lake Superior, for the three- to four-week name (sturgeon) run. Trade, seasonal thanksgiving feasts, and other Midewiwin ceremonies followed the gatherings.¹¹³ One important resource missing from west of the Red River was manoomin. Nevertheless, in the early 1800s, members of the Peguis People traded rice with settlers. In all likelihood, the Peguis People traveled east to rice beds they used before their westward shift.¹¹⁴

The Peguis People supported their peoplehood by maintaining flexible relationships with sacred history and language. While their relatives south of Gichigami hunted in the woods, the Red River bands explored the plains, where they encountered new animals like the maskode-bizhiki, or buffalo.¹¹⁵ Ojibwe integrated stories about mashkode-bizhikiwag into aadizookanag. In one example, "Nānabushu Hunts Buffalo with his Younger Brother," cultural hero Nanabozho learned the proper way to butcher and distribute mashkode-bizhikiwag from his nephews and

¹¹³ Peers, *Ojibwa of Western Canada*, 23.

¹¹⁴ Peers, *Ojibwa of Western Canada*, 52-58.

¹¹⁵ Ojibwe People's Dictionary. Mashkode-bizhiki combines mashkode (plains) and bizhiki. Bizhiki may mean either buffalo or cow. The Ojibwe also incorporated horses in a similar manner. Inday means both my dog and my horse.

little brother.¹¹⁶ Such stories incorporated the buffalo as part of the reciprocal network of kinship relations and naturalized the mashkoden or plains as part of the Ojibwe landscape, expanding their peoplehood.¹¹⁷

As the Nanabozho episode suggests, the buffalo hunts connected kin and reinforced sovereignty. Setting out from the Red River Settlement, Ojibweg bands joined their Métis relations. Most Métis—or, at least, those mixed-descent relatives who identified as Métis rather than Ojibwe—lived separate from Peguis’ band. On the road to the prairies, the Ojibweg and their Métis descendants drew on kinship ties to unite, much like Nanaboozho hunted buffalo with his little brother.¹¹⁸ For the Peguis People in particular, bison hunts supported peoplehood not only because of their cyclically unifying movements but in diplomatic relationships as well. They used the hunts as cover for surprise offenses against the Dakota.¹¹⁹ The northern bands also met their relatives living in the south, including the Pembina and Pillagers.¹²⁰ The Red River band, Pembina, Pillagers, Métis, and the occasional Cree and Assiniboine used bison hunts to celebrate and reconfirm their affinitive relationships, enacting reciprocity ties through the hunt, participating in ceremonies related to war, and marking their territory by engaging the Dakota. The alliance between Ojibweg and their inawemaagan, both within and without the Ojibwe People, allowed them to share land and access resources in an expansive territory. This

¹¹⁶ “Nānabushu Hunts Buffalo with his Younger Brother,” *Ojibwe Texts*, collected by William Jones, edited by Truman Michelson, vol. VII part 1 (Leyden: E.J. Brill, 1917), 363-373.

¹¹⁷ As this example demonstrates, the peoplehood matrix allows for continuity through change.

¹¹⁸ Peers, *Ojibwa of Western Canada*, 56-60.

¹¹⁹ Peers, *Ojibwa of Western Canada*, 88-94.

¹²⁰ Samuel Woods, Pembina Settlement: Letter from the Secretary of War Transmitting the Report of Major Woods Relative to his Expedition to the Pembina Settlement, and the Condition of affairs on the North-Western Frontier of the Territory of Minnesota, 19 Mar 1850, pgs. 23-26, Ayer Collection, Newberry Library, Chicago, IL.

understanding of mutual land use policy shaped Anishinaabe expectations when they met to make treaties and alliances with Great Britain and, later, Canada.

At their village on the Red River, the Peguis First Nation engaged representatives of Great Britain's Settler society. In 1811, the Earl of Selkirk purchased land from the Hudson Bay Company—land that the HBC never received from its Indigenous possessors. By the following year, the first Settlers arrived at the fork of the Red and Assiniboine Rivers. As with HBC traders, the Ojibwe set out to incorporate the newcomers. Already the Peguis People had used the fur trade to forge favorable relations with the French, and they attempted to do the same with the Selkirk settlers. In the settlement's first years, they succeeded. After constructing the first buildings, British settlers invited the Peguis band to celebrate with a horse race. The Ojibwe eagerly participated, seeing an opportunity to establish the reciprocal relationships necessary for a peaceable alliance. Red River settler Miles Macdonnell counted "18 fellows—freemen, servants, Indians, ever one that could muster a horse running races with each other."¹²¹ The races resembled Anishinaabe games that preceded ceremonies at La Pointe and often opened trade gatherings and other alliance negotiations. The two communities established ties, and trade between settlers and the Red River Ojibwe grew so quickly that traders depended on Ojibwe supplies. This commerce enabled the Ojibwe to profit from their seasonal economic activities and retain their autonomy from HBC traders, who limited the credit available to Indian traders.¹²² In turn, trade in buffalo meat, fish, and other staples like manoomin moved people and resources throughout Anishinaabewaki.

¹²¹ Extract from the Journal of Miles Macdonnell, Sept 3 and 4, 1812, *The Treaties of Canada with the Indians of Manitoba and the North-west Territories: including the negotiations on which they were based, and other information relating thereto*, edited by Alexander Morris (Toronto: Willing and Williamson, 1880), 24, Ayer Collection, Newberry Library, Chicago, IL.

¹²² Peers, *Ojibwa of Western Canada*, 55.

An alliance agreement, the so-called Selkirk Treaty, signed in 1817 formalized the relationship between settlers and Anishinaabeg. Unlike treaties in the post-War of 1812 United States, the 1817 Selkirk Treaty ceded no lands. Instead, it reflected an Ojibwe form of land tenure based on shared access to resources among kin. The physical production of the document itself expressed Ojibwe peoplehood. Rather than a lengthy text, it consisted primarily of a hand-drawn map. The settlers marked rivers by their European names, but the Ojibwe inscribed the landscape with doodem pictographs. The Marten, Bear, and Sturgeon doodemag stray from the neat list of settler signatures to overly the map itself, emphatically marking the land and water as Anishianabewaki. Ogimaa Peguis later described the 1817 agreement “as a preliminary to a final bargain,” a relationship in process, not one fixed on paper. In the years that followed, he and other members of his band demanded that the settlers pay “the same small quantity of ammunition and tobacco” as the first year to reaffirm the alliance that gave the Red River settlement access to their tract of land.¹²³

The Red River Ojibwe led by Peguis also pursued an alliance with missionaries from a center of Ojibwe peoplehood. Missionaries—not only representatives of their God but also agents of colonialism who facilitated Settler goals of confinement and erasure through assimilation—expected converts; Peguis wanted a mutually beneficial relationship. Ojibwe alliances did not move in one direction. Peguis certainly believed the settlers and their religious leaders had accrued the larger debt by settling on Ojibwe land and accessing Ojibwe resources, but he remained willing to maintain his end of the bargain. In the case of the missionaries, that meant attending services and, in 1840, allowing the St. Peter’s Catholic church to baptize him

¹²³ Peguis (William King), “To the Aboriginal Protection Society,” 1851, reprinted in *A Few Acres of Snow: Documents in Pre-Confederation Canadian History*, 3rd edition (Toronto: University of Toronto Press, 2009), 292.

William King.¹²⁴ Peguis forged these connections to enact the relationship required for a productive alliance.¹²⁵

As at Pokegama and Yellow Lake to the south, Settler demands for more land strained the alliance. Canada's rapid growth mirrored that of the Settler population in the United States. In 1815, Canada's population hovered around half a million. By 1867, it increased five times to 2.5 million. Additionally, the 1867 confederation of the Dominion of Canada transferred power from Britain to Canada, where representatives answered the calls of Settler constituents for land.¹²⁶

Peguis and his relatives articulated their rights to autonomy by calling attention to British and Canadian obligations. In an 1857 protest to the Aboriginal Protection Society against unlicensed settler encroachments, Peguis first acknowledged "we have already derived great benefit" by trading with and learning from farmers.¹²⁷ Even more explicitly, he wrote, "We wish to practice these good rules of the whites, and hope the Great Mother will do the same to us."¹²⁸ In this speech, he revealed the logic of aligning with missionaries in the context of reserve policies, which had already begun, albeit at a lower intensity than in the United States. The HBC shifted their credit policy in the 1830s and insisted on cash-and-carry for goods, which conflicted with Anishinaabe seasonal hunting practices. They needed supplies in the fall but had the goods

¹²⁴ Peers, *Ojibway of Western Canada*, 130.

¹²⁵ Kugel says the same about White Earth people, *To Be the Main Leaders of Our People*, 98.

¹²⁶ Both the American and British empires acquired additional territory, the United States through the Mexican-American War and Great Britain through the transfer of power from the Hudson Bay Company and through confederation. Nichols, *Indians in the United States and Canada*; Rockwell, *Indian Affairs*. Trennert, *Alternative to Extinction*, 1-14.

¹²⁷ Peguis, "To the Aboriginal Protection Society," 291

¹²⁸ Peguis, "To the Aboriginal Protection Society," 292.

to exchange in the spring.¹²⁹ Peguis suggested that debt to traders, “who pay us little for our furs,” prevented Ojibweg from leaving forts to live near the missionaries.¹³⁰ Peguis’ goal in giving this speech, however, was not to promote the Christianization and permanent settlement of his band. He intended to prevent “our lands to be taken from us in this way.”¹³¹ For, as the Saulteaux leader knew, “in securing our own advantages, we wish also to secure those of our children and our children’s children,” not as future citizens but “on behalf of my tribe”—an example of peoplehood in action.¹³² He demanded that the missionaries return the good will shown by his people if they hoped to continue the relationship.

Ownership of the Red River settlement changed hands twice in the mid-nineteenth century. In 1836, the HBC repurchased the land from Selkirk’s estate to use as a base for their expansive trading network. In 1869, Métis under charismatic leader Louis Riel occupied the nearby Ft. Garry to demand that Settler officials recognize Métis land claims. The Manitoba Act of 1870 provisionally acknowledged Métis rights. The Act also transferred Settler claims to the land from the HBC to the newly-created province of Manitoba. These transfers of territory ignored the Peguis People’s claims, falling back on Settler notions of discovery and the denial of absolute aboriginal claims to the land.

To fuel expansion, British and later Canadian officials perpetuated a myth of generosity, in which many earnestly believed. Treaty commissioners presented themselves as arbiters of

¹²⁹ Peers, *Ojibwa of Western Canada*, 80.

¹³⁰ Peguis, “To the Aboriginal Protection Society,” 292.

¹³¹ Peguis, “To the Aboriginal Protection Society,” 291.

¹³² Peguis, “To the Aboriginal Protection Society,” 292.

“peace and goodwill” resulting from “Her Majesty’s bounty and benevolence.”¹³³ Most importantly, treaties provided access to land for an expanding nation. Canadian motivations matched those of the United States. Canadian officials, pressed by the British imperial government seeking to cut costs for its expansive empire, sought to deemphasize the status of treaties as government-to-government agreements. Instead, they increasingly portrayed treaties as simple land sales.¹³⁴ With the switch from alliances to land cessions, treaties became even more intertwined in nation-building. Agreements negotiating the exchange of land, from the Settler governments’ perspective, sought to redefine nation “along territorial lines.”¹³⁵ Within those lines, they included Native Peoples, defined out of territorial existence and, thereby, out of sovereignty.

In conjunction with confining Native Peoples geographically, Canada, like the United States, increasingly attached legal and political boundaries to peoplehood. In 1871, the same year the United States ended treaty making, Canada signed its first numbered treaty. Treaty-making proceeded unabated in Dominion of Canada, but in the 1870s Canada, too, moved to unilaterally deny First Nations sovereignty. The Indian Act of 1876 defined reserves negotiated in treaties as “Crown land set aside for the use of a Band of Indians,” placing rights to the land with the Settler state rather than Indigenous peoplehood.¹³⁶ Both the United States and Canada continued to negotiate for territory with Indigenous Peoples whose sovereignty they could deny on paper but

¹³³ Office of the Treaty Commissioner, *Treaty Implementation: Fulfilling the Covenant* (Saskatoon: Office of the Treaty Commissioner, 2007), 22; Arthur J. Ray, Jim Miller, and Frank Tough, *Bounty and Benevolence: A History of Saskatchewan Treaties* (Quebec: McGill-Queen’s University Press, 2007).

¹³⁴ J.R. Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada* (Toronto: University of Toronto Press, 2009), 60-62.

¹³⁵ Stark, “Marked by Fire,” 142.

¹³⁶ *Indian Act*, 1876.

not always in practice, but Anishinaabeg faced increasing encroachment into the internal relationships of their peoplehood.

Since an 1823 court decision acknowledged the Crown's right to confiscate Mohawk land for charges of treason, Canada considered First Nations to be subjects, no different from the French in Quebec. Between 1857 and 1890, a series of Canadian laws relegated Indians to the legal status of minors, inserting federal control into tribal affairs. The federal government interfered in everything from membership to the election of tribal leaders. For example, the 1869 Compulsory Enfranchisement Act denied status to Aboriginal women who married non-Aboriginal men. Thus, the Canadian government created categories of Indianness—status Indians, non-status Indians (who might be Native by kinship but not by legal definitions), Métis, and Inuit—that had nothing to do with Ojibwe understandings of peoplehood.

United States and Canadian policies differed in the details. From the perspective of the Anishinaabeg People, however, these divergences remained superficial. By the 1850s, both Canada and the United States developed reserve and reservation policies designed to isolate Ojibweg from their language, kin, sacred history, ceremonial cycle and, perhaps most obviously, their land. Settlers did not create reserves and reservations on their own, however, nor did they succeed in inscribing these spaces with Settler meanings. Anishinaabeg and other Peoples helped to create and define reserves and reservations through the treaty-making process. Drawing on a long history of alliances based in reciprocity, relational land usage rights, and kinship, the Peguis People made treaties to protect their homeland and the relationships that comprised their peoplehood. Reserves, like reservations, emerged from the negotiations and alliances—albeit sometimes from their failures—as Anishinaabe places.

The newly-confederated Canadian government failed to acknowledge the Peguis People's inherent rights. Like their Lac Courte Oreilles relations, the Red River People "applied" for a treaty to assert their rights to the land.¹³⁷ At least one thousand Natives, many Anishinaabeg, met in July of 1871 at Stone Fort in southern Manitoba. The negotiations intended to bolster threatened aspects of Ojibwe peoplehood. From the beginning of the meeting, Ojibweg expressed their sovereignty. They came to the negotiations not as desperate victims but as political equals. Canadian officials delayed proceedings because the Ojibweg "of the lake districts meet, as you know, on Rainy River yearly, about the 20th June to fish for sturgeon, and they could not be called together sooner."¹³⁸ By forcing the Canadians to wait, ogimaag ensured negotiations respected Anishinaabe terms.

Ojibweg guided negotiations with a relational concept of land use based on resource access that extended across boundaries. As the council proceeded, Lt. Governor Adam Archibald fumed, "the Indians seem to have false ideas of the meaning of a reserve. They have been led to suppose that large tracts of ground were to be set aside for them as hunting grounds, including timber lands, of which they might sell the wood as if they were property of them still."¹³⁹ Archibald "told them it was of no use for them to exert any such ideas," but Ojibweg left the negotiations with the understanding that their land sale did not include a surrender of their resources and access rights.¹⁴⁰ The gathered First Nations and Settler officials agreed to annual payments, among other provisions. The text of the treated stated that the queen "makes them a present of three dollars for each Indian man, woman, and child belonging to the bands here

¹³⁷ Lt. Governor Archibald, *The Treaties of Canada*, 26.

¹³⁸ Archibald, *The Treaties of Canada*, 27.

¹³⁹ Archibald, *The Treaties of Canada*, 33.

¹⁴⁰ Archibald, *The Treaties of Canada*, 33. More than a century later, the Peguis First Nation continues to articulate this view in a claims case intended to regain the land they argue was never ceded.

represented.” After the British Empire transferred responsibility for funding acquired territory to the Dominion of Canada, officials in Upper Canada devised a system where rather than a large lump sum that required high taxes to cover, they used annual interest on Settlers’ plots purchased in ceded territories. Annuity payments made sense to Ojibweg and other First Nations, fitting protocols of gift-giving and demonstrating that treaties were not a fixed sale but an ongoing relationship.¹⁴¹

Nine days after the treaty negotiations began, the Peguis People signed Treaty 1 and 2. The written document limited the Ojibweg to 160 acres per family of five, reflecting the Canadian government’s failure to take seriously Ojibwe perspectives. The land continued to be held in common, but the allotment-style apportionment facilitated the reduction of the Peguis First Nation’s, now officially the St. Peter’s First Nation, land. Despite the disparity between Anishinaabe negotiations and the final document, Anishinaabeg entered the treaty relationship to assert sovereignty based in peoplehood.

“The Master of Life Gave It to Us for an Inheritance”: Claiming Turtle Mountain

The region along the western reaches of Anishinaabewaki was a zone of interaction. Coming into contact with diverse peoples, including Dakotas, Crees, Métis, Americans, Canadians, Ho-Chunks and other Ojibweg, the Red Lake or Pembina, and Pillager Peoples continued to display their peoplehood through transnational relationships and conflicts. The Ojibweg living west of the Mississippi River had much in common with their northern relations, including their joint buffalo hunts. They ranged from the St. Croix River Valley in northern Wisconsin to the Red River Valley in southern Manitoba, trading at the Red River settlement,

¹⁴¹ Miller, *Compact, Contract, Covenant*, 166.

and west into the Turtle Mountain region. William Warren described these western bands as “standing one foot on the deep eastern forests, and the other on the broad western plains.”¹⁴²

Both feet, however, remained firmly within Anishinaabewaki.

The Turtle Mountain People emerged from this Anishinaabe-dominated milieu.¹⁴³ Originally a subsidiary band within the Pembina or Red Lake People, by the 1860s, the Turtle Mountain People became a distinct group with their own territory, identity, and authority. Although the move onto the mashkoden (prairies) occurred relatively recently in Anishinaabe history, spurred by the growth of the fur trade, aadizookanag claimed Turtle Mountain as part of the Anishinaabe homeland. Anishinaabe modified their sacred histories to include their western territories. When water covered the world, perhaps after “the great melting of ice,” Sky Woman rode upon Mekinok (the turtle) (other versions place Nanabozho on the turtle’s back). Wazhashk (muskrat), a strong and capable swimmer, dove down into the water and returned with his paws full of mud. Sky Woman used her breath to spread the dirt in all four directions, building up the earth around Mekinok’s shell. The land continued to pile up, eventually covering Mekinok’s back. Anishinaabeg called the place Mekinok Wajiw (“the mount of earth that is the turtle”), or Turtle Mountain.¹⁴⁴ When Ojibweg expanding their fur-trade empire rediscovered Turtle Mountain, they found not only mashkode-bizhiki (buffalo) but also a landscape dotted with small lakes and rivers and the densely-wooded mountains rising out of the prairies in modern-day

¹⁴² Warren, *History of the Ojibway People*, 40.

¹⁴³ In *An Infinity of Nations*, Witgen talks about the primacy of Anishinaabe power in this region.

¹⁴⁴ Patricia F. Poitra and Karen L. Poitra, *The History of the Turtle Mountain Band of Chippewa* (Bismarck: North Dakota Department of Public Instruction, 1997).

North Dakota and southern Manitoba.¹⁴⁵ Perhaps the best-known ogimaa of the Turtle Mountain People was Little Shell II, son of the first Little Shell killed by Dakota warriors onto whose lands Ojibweg encroached.¹⁴⁶ Moving through a homeland bisected by the United States-Canada border in 1818, Little Shell II and his fellow Turtle Mountain People defined their peoplehood within a network of shifting alliances that helped them to maintain their autonomy against competing Settler expansion.

Many Pembina families from settlements along the Mississippi moved west to the wooded hills and open prairies of the Turtle Mountains after 1850 as game near the Mississippi became scarce. For these Ojibwe, the uncertainty of their landbase threatened their peoplehood most directly throughout the mid-nineteenth century. Although the Sandy Lake removal tragedy did not include the Pembina bands, federal policy in the 1860s remained concentration.¹⁴⁷ Confinement on northern reservations may have happened on a smaller scale, but it comprised removal nonetheless. Between 1868 and 1870, American officials moved Ojibweg from Gull Lake and Crow Wing in central Minnesota northwest to White Earth, which the federal government then targeted for allotment.¹⁴⁸ White Earth was also the intended destination of the Pembina Ojibwe residing west in the Turtle Mountains, but the Pembina and Turtle Mountain Peoples used treaties to defend their right as a People to remain in their homeland.¹⁴⁹

¹⁴⁵ Laura Peers demonstrates that Ojibwe motivations for the westward migrations derived from more than simple dependency. Rather, the movement onto the plains to pursue buffalo and other resources occurred as part of a complex process of expansion related to the fur trade. Peers, *The Ojibwa of Western Canada*, 5-27.

¹⁴⁶ Richotte, ““We the Indians of the Turtle Mountain Reservation...”: Rethinking Tribal Constitutionalism Beyond Colonialist/Revolutionary Dialectic,” unpublished PhD dissertation, University of Manitoba, 2009, 54-55.

¹⁴⁷ Weeks, *Farewell, My Nation*; Genetin-Pilawa, *Crooked Paths*.

¹⁴⁸ Child, *Holding Our World Together*, 79-80.

¹⁴⁹ Richotte, ““We the Indians,”” 74.

The Turtle Mountain People and their Pembina kin incorporated treaty-making into their alliance relationships with other Indigenous Peoples, most notably the Dakota. The Sweet Corn Treaty, negotiated in 1825 and named after a Dakota leader who helped define its terms, later became useful in proving the Turtle Mountain People's rights to the United States. Following the Prairie du Chien treaty meeting in 1825, Ojibweg and Dakota parties defined the boundaries between Dakota and Ojibweg territory west of the Red River. They agreed upon a line from the Red River west to where the Knife River meets the Missouri River, marking the northern half of North Dakota as Anishinaabeg. The Sweet Corn Treaty did not recognize Settler authority in the entirely Indigenous-centered region, although Dakota leaders presented the written document to the United States at treaty negotiations in 1867 to support their rights to lands in southern North Dakota.¹⁵⁰ The Turtle Mountain and Pembina People used treaties to define the extent of their sovereignty in a region of shifting borders.

The Ojibwe remained determined to direct interactions with the Dakota. The array of relationships ranged from waging war in the 1840s after the attack on Pokegama to accommodating refugees from the Dakota-Minnesota War in 1862. Turtle Mountain lawyer John Bottineau observed that, in 1862, the Ojibwe allowed the Dakota "to cross over into the country north of the Sheyenne River, and to hunt at and about Devil's Lake" in territory that formed part of Anishinaabewaki.¹⁵¹ When the United States established a permanent reservation in Anishinaabwaki at Devil's Lake (now Spirit Lake), however, the Turtle Mountain Pembina bands insisted that they "do not recognize the right of the Government to establish such a

¹⁵⁰ Witgen, *An Infinity of Nations*.

¹⁵¹ White Weasel, *Pembina and Turtle Mountain Ojibway (Chippewa) History*, 12.

reservation for Indians of another tribe in the very heart of their present unceded country.”¹⁵² The Dakota reservation remained, and so it might seem like an empty statement, but the people at Turtle Mountain remained as well, refusing to be crowded out of their land.

The emerging Turtle Mountain People did not participate in the land cession treaties signed by their eastern kin between 1836 and 1871. Instead, they continued expanding westward onto the plains of modern-day northern North Dakota. They spent much of the years from 1850 to 1892 articulating their rights to the land based on their status as an independent People. In 1863, the Pembina and Turtle Mountain Peoples entered into a treaty with the United States. In what became known as the Old Crossing Treaty, the Pembina ceded their lands in the Red River Valley, but only the portion within Minnesota. The Settler government tried to minimize Ojibweg relationships with the region, undoubtedly hoping to secure more land for less money. Former Governor Alexander Ramsey, architect of the disastrous Sandy Lake removal attempt, suggested that the road and river had little value for the Red Lake and Pembina bands. Red Lake leader Little Rock contradicted him, “The Master of Life gave us the river and the water thereof to drink, and the woods and the roads we depend on for subsistence, and you are mistaken if you think we derive no benefit from them. The Master of Life gave it to us for an inheritance, and gave us the animals for food and clothing.”¹⁵³ Little Rock stated his peoples’ claims to the land in terms of sacred history. He articulated the intimacy of this relationship when he said, “My heart is made of silver, and the earth that I tread on is silver also.”¹⁵⁴ Ramsey noted this speech through an interpreter. In Anishinaabemowin, Little Rock’s speech captures the continued

¹⁵² White Weasel, *Pembina and Turtle Mountain Ojibway (Chippewa) History*, 12.

¹⁵³ Old Crossing Treaty, 18.

¹⁵⁴ Old Crossing Treaty, 18.

strength of Ojibwe peoplehood even more clearly. Silver, if he referred to the mineral substance that comes from the ground, is *zhooniyaawaabik*, a combination of *zhooniyaa* (silver) and the stem *-aabikw* (metal or stone).¹⁵⁵ Thus, his words imply in a uniquely Anishinaabe way that the same substance composed both himself and the earth. Ojibwe *aadizookaanag* contain many stories about rocks, emphasizing their capacity to hold a spirit.¹⁵⁶ A treaty and two decades of annuity payments were not enough to separate Little Rock and the land.

Nor could the pressures of Settler colonialism turn *inawemaagan* into *meyaagizid*. When the Pembina and Turtle Mountain People arrived to negotiate a treaty ceding the southern Red River Valley in 1863, known as the Old Crossing Treaty, they brought “nearly all the half-breed population of Pembina and St. Joseph, whose attendance was not expected or desired at all” by U.S. officials.¹⁵⁷ The Lac Courte Oreilles People likewise insisted on including all their relations in treaty negotiations. In the build-up to the 1854 treaty, Lac Courte Oreilles *ogimaag* including *Akiwenziii* told Washington that they could not agree to live without “our half-breed children.”¹⁵⁸ The 1854 treaty included a six thousand dollar payment for “the mixed-bloods of said nation” and eighty acres of land for each “mixed-blood” head of family. In both cases of mixed-blood scrip for Ojibwe relations in the United States, graft and mismanagement by officials more interested in timber and expanding American business and settlement interests

¹⁵⁵ Ojibwe People’s Dictionary. His name, transcribed as *Ase-e-ne-wub* beside his mark, seems quite similar to *assiniwii*, which the Ojibwe People’s Dictionary translates as “s/he is of rock or stone” or “s/he is rock-hard.” Perhaps the correlation has something to do with his choice of words.

¹⁵⁶ Thomas Peacock, for instance, writes that the Ojibwe believe that “what was done to a frog or a deer, to a tree, a rock or a river, was done to a brother or sister. Plants, and other animates and inanimates, were regarded as possessing spirit.” *Ojibwe Waasa Inaibidaa*, 50.

¹⁵⁷ Old Crossing Treaty, 7.

¹⁵⁸ “Undated copy of a letter from 13 chiefs and headmen describing Watrous’s actions and calling for his removal,” 1850-1852, United States Bureau of Indian Affairs Documents, Wisconsin Historical Society.

defrauded nearly all who identified as mixed-bloods of their rights.¹⁵⁹ Likewise, in 1871, Ojibweg from the Red River region insisted that the treaty must cover their mixed-descent children. Canadian officials noted that many of these descendants “have lived all their lives on the Indian reserves” and have been “calling themselves Indian.”¹⁶⁰ Ojibweg, including those in the Turtle Mountains borderland region, refused to allow Settler borders to divide inawemaagan. The movements of Red River and the Pembina men and women rebuffed the U.S.-Canada boundary as they pursued bizhiki on the plains. At the negotiations for Treaty Three, the Ojibwe insisted that Canadian officials include “some of their children [who] had married in the states” in annuities and allotment. British concern that the treaty include only “*bona fide British Indians*” suggests that movement throughout the region without any regard for the border remained common.¹⁶¹ As with the Lac Courte Oreilles and St. Peter’s Peoples, mobility had been an essential strategy for maintaining Anishinaabe peoplehood for centuries. In the nineteenth-century, the Ojibweg denied the power of someone else’s border stop them from recognizing members of their People.

The Treaty of Old Crossing, revised and ratified by the Senate in 1864, created the White Earth ishkoniigan and ceded millions of acres in northern Minnesota.¹⁶² The ten million acres of the Turtle Mountain region, however, remained unceded. The federal government expected the Pembina People to remove to White Earth, and two hundred men, women and children ultimately settled there, but the Turtle Mountain People refused to leave their homeland. Little

¹⁵⁹ Edmund Danziger, “They Would Not Be Moved,” *Minnesota History* 43 (Spring 1973), 183-185.

¹⁶⁰ Archibald, 41.

¹⁶¹ Lt.-Governor Alix Morriss, *The Canadian North-west*.

¹⁶² In 1889, Red Lake secured an ishkoniigan, and they fought to make sure it remains free from allotment.

Shell II, who participated in the treaty-making process, refused to sign the version of the Old Crossing Treaty ratified in 1864.

The different responses to the treaty performed the final step in differentiating the Turtle Mountain People into a distinct Anishinaabe People.¹⁶³ Negotiations reveal that the Pembina People used the treaty making process to assert cultural and political sovereignty through the relationships of peoplehood. The Turtle Mountain People, meanwhile, sought to protect their autonomy by refusing cessions. Both strategies reveal that Anishinaabe people used treaties to promote and protect their peoplehood in the context of reservation policies designed to confine and erase.

For the remainder of the nineteenth century, the federal government pressed for the removal of the Turtle Mountain People to White Earth. Meanwhile, the Turtle Mountain People continued to avoid the pressures of reservation policies by maintaining their seasonal movements. In 1873, the Commissioner of Indian Affairs observed, “The wandering bands of Chippewa in Minnesota require the attention of the Government.”¹⁶⁴ The Turtle Mountain People resided on lands the Pembina obtained “in pursuance of a solemn agreement or treaty of peace concluded between the Chippewas and the Sioux Nation,” the Sweet Corn Treaty.¹⁶⁵ These lines “were well known to all the Indians connected with said nations and were zealously guarded and defended by them.”¹⁶⁶ The Turtle Mountain Chippewa understood that moving to White Earth “would be construed as abandonment of their remaining territory and that they would thus be

¹⁶³ Richotte, “We the Indians,” 61-64.

¹⁶⁴ Charlie White Weasel, *Pembina and Turtle Mountain Ojibway (Chippewa) History: From the Personal Collections and Writings of Charlie White Weasel* (Belcourt, ND: White Weasel, 1994?), 9.

¹⁶⁵ White Weasel, *Pembina and Turtle Mountain Ojibway (Chippewa) History*, 3.

¹⁶⁶ White Weasel, *Pembina and Turtle Mountain Ojibway (Chippewa) History*, 4.

unable ever after to maintain their rights to their remaining lands.”¹⁶⁷ Their peoplehood was at stake.

Turtle Mountain Ojibweg continued to act as if negotiating a treaty, despite the official end to United States treaty making in 1871.¹⁶⁸ Tacked on to an Indian Appropriations bill in March 1871, Congress declared “that hereafter no Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe, or power with whom the United States may contract by treaty.”¹⁶⁹ Settler governments used legislation to further interfere with Ojibwe autonomy. In 1885, the Major Crimes Act, authorizing federal jurisdiction over seven major crimes even in the case of Native-on-Native offense, replaced Native systems of justice with American punitive jurisprudence. As part of the legal framework surrounding these laws, the Supreme Court acknowledged that the federal government could limit the authority of Native Peoples on reservations without Indian consent.¹⁷⁰

As the Lac Courte Oreilles had taken action before the 1854 treaty at La Pointe, the Turtle Mountain People sent several delegations to Washington, D.C., and engaged the help of a

¹⁶⁷ White Weasel, *Pembina and Turtle Mountain Ojibway (Chippewa) History*, 6.

¹⁶⁸ Many scholars have acknowledged that treaty-making continued after its official end. See Clara Sue Kidwell, *The Choctaws in Oklahoma: From Tribe to Nation* (Norman: University of Oklahoma Press, 2007), 150-167; Genetin-Pilawa, *Crooked Paths to Allotment*, 86-87; Calloway, *Pen and Ink Witchcraft*.

¹⁶⁹ Calloway, *Pen and Ink Witchcraft*, 231; John Wunder, “No More Treaties: The Resolution of 1871 and the Alteration of Indian Rights to Their Homelands,” *Working the Range: Essays on the History of Western Land Management and the Environment*, edited by John Wunder (Westport, CN: Greenwood, 1985): 39-56; Genetin-Pilawa, *Crooked Paths*, 25-26, 85-87. Historian Richard White provides a humorous yet apt summation of this transition: “The House didn’t end negotiations; it merely demanded a say in them. The agreements enacted after 1871 looked like treaties, walked like treaties, and even quacked like treaties, but they weren’t treaties. They were agreements, approved by Indians, the Senate, and the House.” *Railroaded*, 61. From a Native perspective that privileged negotiations, where exactly the United States government approved the results of those negotiations likely mattered little.

¹⁷⁰ See, for example, *United States v. Kagama* 118 U.S. 375 (1886) and Sidney Harring, “The Distorted History that Gave Rise to the ‘So Called’ Plenary Power Doctrine: The Story of *United States v. Kagama*,” *Indian Law Stories*, edited by Carole Goldberg, Kevin K. Washburn, and Philip P. Frickey (New York: Foundation Press, 2011).

lawyer, mixed-descent Turtle Mountain resident John B. Bottineau, to make their case.¹⁷¹ The Ojibwe convinced federal officials not to issue land in 160-acre individual tracts, preferring instead to hold the land in common and use Anishinaabe methods of resource allocation through kinship obligations to determine land rights internally. In 1882, the Turtle Mountain People succeeded, when President Chester A. Arthur created an executive order reservation of twenty-four by thirty-two miles. Although the United States government declared its refusal to negotiate with Native peoples on a nation-to-nation basis, the Turtle Mountain Ojibweg continued to negotiate as sovereign people. For the Anishinaabe People, treaties had always been more than written documents authorized by Congress. They represented reproductions of the relationships of peoplehood.

Treaties provided an opportunity for Anishinaabeg to articulate their peoplehood to meyaagaazid and, hopefully, transform them into inawemaagan. These relationships seemed increasingly important in the context of reserve and reservation policies and Settler threats to Anishinaabewaki. Pembina leader Little Rock drew directly on sacred history to articulate his peoples' claims to the land. "Now, my friend," he said, "I am going to show you how we came to occupy this land. The Master of Life placed us here. You can see far towards the east where our grandfather comes from. Our grandfather's tracks are perfectly plain and visible, not only here but far and away to the east."¹⁷² Little Rock and other ogimaag used treaties to voice that the sacred territorial and environmental inheritance entitled the Ojibweg to a fully autonomous

¹⁷¹ Richotte, "We the Indians," 71-72.

¹⁷² Old Crossing Treaty, 18.

peoplehood. Throughout the nineteenth century, the Ojibwe People continued to engage in diplomatic relationships on their own terms.

Settler reservation policies threatened Anishinaabe peoplehood. In the Turtle Mountains, the United States executive branch created a twenty-four by thirty-two mile reservation out of a territory that extended for at least fifteen thousand square miles—and then in 1884 they reduced that area even further to a mere twelve by six miles, and all without compensating the Turtle Mountain People for the additional acreage.¹⁷³ Pursuing a policy of containment to facilitate expansion, Settler governments sought to confine Anishinaabeg to reserves and reservations. In these bounded spaces, law and policy would restrict internal Anishinaabeg sovereignty—or so Settler officials assumed.

Through alliances and treaty making, Ojibweg shaped reserve and reservation policies. They claimed *ishkoniganan*, which comprised part of Anishinaabewaki before the treaties and executive orders, as spaces to maintain their peoplehood. As Mawedopenais, from the Rainy River region, proclaimed at the negotiations for Treaty 3 in 1873, “[T]he Great Spirit has planted us on this ground.”¹⁷⁴ The disparity comes from the impression of isolation and boundedness of official *ishkonigan* designations. But these limits remained clearer on Settler maps and in Settler minds than in Anishinaabeg experience. Seasonal movements continued for a range of reasons from ceremonial to economic pursuits. The Midewiwin retained its strength, and off-reservation hunting and gathering persisted.¹⁷⁵ Ojibweg experienced rapid change during the nineteenth century, and their peoplehood did not survive the experience untouched. However, at the Red

¹⁷³ Richotte, “We the Indians,” 74.

¹⁷⁴ Proceedings of Connection with the Treaty, Oct 1873, *The Canadian North-west*, 59.

¹⁷⁵ Larry Nesper, *The Walleye War: The Struggle for Ojibwe Spearfishing and Treaty Rights* (Lincoln: University of Nebraska Press, 2002).

River, Turtle Mountain, and Lac Courte Oreilles, treaty-making conversations about the meaning and expression of that peoplehood contributed to its persistence rather than its dissipation.

The Lac Courte Oreilles, St. Peter's, and Turtle Mountain People each requested and fought for their *ishkoniganan*. Treaty negotiations reveal that the Anishinaabe People recognized the dangers reservation policy posed to the various aspects of their peoplehood; as a result, they actively pursued treaties to guarantee their political, territorial, economic, and cultural sovereignty. We know the aftermath of these treaties. Allotment policies broke up reserved lands. State, provincial, and federal Settler governments denied the hunting, fishing, and gathering rights the Ojibwe People had preserved by making treaties. The treaties negotiated in the nineteenth century, however, remained testaments to the sovereignty of the Ojibwe People. They became enfolded into a sacred history that extended back through the *chibimoodaywin*. Again and again in the decades that followed, Ojibwe men and women throughout Anishinaabewaki returned to the relationships symbolized by the written documents to contest Settler encroachments. These relationships continued to provide a source of power for the Anishinaabe People. In the following decades, Anishinaabe men and women relied on treaties to thwart Settler goals to confine them on reserves and reservations and preserving the economic, social, and political relationships that comprised their sovereignty.

Chapter 3

Anishinaabewi: One of the People, 1875-1904

The aadizookananag of Anishinaabe expansion from the Great Salt Water in the East to the manoomin beds of Gichigami and the plains beyond tell a story of becoming Ojibwe.¹ Along the journey, the men and women following the Miigis fought their enemies, including the Haudenosaunee, to expand and protect their People. They also expanded their People by incorporating former enemies. For example, several days after defeating a village of meyaagizid, whose name Ojibweg no longer remember, the travelers came across a group of survivors who asked for protection. The Ojibweg absorbed these former strangers so completely that, according to some stories, these new relatives founded the Waabizheshi or Marten doodem, which provides warriors to protect the People.² Other inawemaagan—most notably, the Odawa and Potawatomi—remained at various stopping points. Still bound by kinship in a web of mutual obligation, the Odawa and Potawatomi emerged as distinct Peoples when they remained on the eastern shores of Lake Superior. The men and women who continued the journey and found the manoomin to fulfill the dream of the Seven Prophets were the Ojibwe People.³ The five hundred year chibimoodaywin marked the ethnogenesis of the Ojibwe People.

In a world of expansive movement and layered identities, Ojibwe men and women knew who was one of the People and who was not. They knew who was inawemaagan and who was

¹ Benton-Banai, *Mishomis Book*, 94.

² Later, the Waabizheshi doodem incorporated the doodem-less, primarily the children of Ojibwe women and non-Indian men, into the network of Anishinaabe kinship. Anton Treuer explains that the practice of adopting children with non-Native fathers into the patrilineal clan system—a birthright for these children, not a ceremonial or legal adoption—differed depending on where in Anishinaabewaki one lived. The Waabizheshi doodem seems to have fulfilled this role in the eastern territories, while the Migizi doodem (eagle clan) functioned as the adopting clan in many western communities, including Lac Courte Oreilles. Treuer, *Assassination of Hole in the Day* (St. Paul, MN: Borealis Books, 2011), 16-18.

³ Benton-Banai, *Mishomis Book*; Warren, *Ojibwe People*.

meyaagizid, who had access to Anishinabewaki's resources, who participated in community relationships, and whose voices had a right to speak about the future of the Ojibwe People. This knowledge involved the very heart of Ojibwe peoplehood. In the mid-nineteenth century, Ojibweg negotiated treaties with Settler governments to protect their People, claim expansive relationships with the land and resources of Anishinaabewaki, and enact their peoplehood. Ogimaag knew what they had surrendered in treaties, and they knew they had not relinquished their sovereign right to determine who belonged as one of the People.

As the United States and Canada expanded into Anishinaabewaki, Ojibweg communities faced questions of who belonged in the People. Anishinaabewi—being Anishinaabe—derived from the relationships that comprised peoplehood—not only kinship but also how an individual related to aki, Anishinaabemowin, aadizookaanag, and ceremonial cycles. Settler allotment policies targeted peoplehood by attacking the aki and also pressing to assimilate Anishinaabeg relationships. Land and the use of its resources cannot be separated from questions of belonging in the late nineteenth and early twentieth centuries. While Settler governments imposed reductive but easily legible categories of Indianness, Ojibweg utilized fluid identities and extensive kinship networks. At Lac Courte Oreilles, allotment rolls challenged kinship relationships as well as ties to land and resources. The Ojibwe People on St. Peter's Reserve encountered meyaagizid in their midst — Swampy Crees or Maškēkowak — recognized by the Settler government as equal members of the Reserve but outside Ojibwe social relationships and therefore lacking the inherent right to access land and resources. On the Turtle Mountain reservation, diminished territory and resources strained kinship networks that traversed Settler borders of nation-state and blood quantum. In all three cases, Ojibwe Peoples relied on distinctly Ojibwe relationships to

define the human contours of their peoplehood and defend their sovereignty against both external and internal encroachment, shaping in turn the Settler policies meant to confine them.

Anishinaabeg discussed who was one of the People in the context of a broader conversation about the citizenship of Indigenous people in Settler societies. At times, the Canadian and U.S. governments linked citizenship and behavior, extending citizenship to those deemed “civilized.” At the same time, they imposed blood quantum on Native Peoples when determining tribal membership.⁴ However, the Ojibwe considered identity relational, not biological. Relationships to kin (not always blood relatives), the aki, Ojibwemowin, sacred history and ceremonies differentiate Ojibweg People from others.⁵ In her novel *The Round House*, Turtle Mountain novelist Louise Erdrich reflects on what it means to be Ojibwe amidst competing Settler and Indigenous definitions of belonging. She writes, “Indians know other Indians without the need for a federal pedigree, and this knowledge—like love, sex, or having or

⁴ Scholars have shown the need for Indigenous understandings for Native People. Mark Rifkin applies Foucauldian biopolitics to explore how the Settler colonial state racialized Indian and Indian blood, where anthropological notions of kinship supersede Indigenous definitions of belonging and reduce peoplehood to “reproductively transmitted Indianness.” Rifkin, “Making Peoples into Populations: The Racial Limits of Tribal Sovereignty,” in *Theorizing Native Studies*, edited by Audra Simpson and Andrea Smith (Durham: Duke University Press, 2014), 149-187. Kathleen Pickering explains that culture, not biology, defines Lakota identity, although Lakota often phrase cultural behavior in terms of biology—calling those whose behavior deviates from Lakota norms “mixed-blood” and those who maintain closer connections to Lakota values and communities “full-blood” regardless of actual blood quantum. Behavior and relationships—both to kin and to land—define who belongs as one of the Lakota People. Pickering, *Lakota Culture, World Economy* (Lincoln: University of Nebraska Press, 2000). Circe Sturm describes a similar behavioral definition of bloodedness in *Blood Politics*. Anishinaabeg studies scholar Jill Doerfler (White Earth) demonstrates how the White Earth People have rejected pseudo-scientific definitions of race and blood quantum in favor of multifaceted identities. Doerfler, *Those Who Belong: Identity, Family, Blood, and Citizenship among the White Earth Anishinaabeg* (East Lansing: Michigan State University Press, 2015).

⁵ For example, drawing on Lakota scholar Ella Deloria, White Earth Ojibwe writer Gerald Vizenor equates being a good citizen with being a good relative. Vizenor and Doerfler, *White Earth Constitution*, 4. Likewise, according to Jill Doerfler, also from White Earth, “There was no single system for determining who was part of the community and who was not....Identity was flexible and depended on the choices of individuals. Ultimately, little was agreed upon except that rigid racial designations of ‘mixed blood’ and ‘full-blood’ pushed by the U.S. government investigators were unacceptable and in direct conflict with all Anishinaabeg understandings of identities.” Vizenor and Doerfler, *White Earth Constitution*, 44.

not having a baby—has nothing to do with government.”⁶ Like the intimate matters about which Erdrich writes, such as love, sex, and reproductive choice, being Ojibwe derives from living relationships rather than blood quantum and federal recognition. The Settler government’s membership rolls, drawn up to facilitate policies such as allotment that sought to confine Native Peoples in place and time, imposed rigid definitions of membership on fluid identities.⁷ Ojibweg, however, insisted on maintaining fluidity and emphasizing relationships more than biology.

Determining membership comprises one of the fundamental prerogatives of a sovereign People.⁸ For the Ojibwe, allotment and other policies designed to narrow Indigenous sovereignty were as much about this aspect of their peoplehood as land and resource rights. In fact, the Anishinaabe People could not separate land and resource rights and community membership. Resource access depended on the obligations between inawemaagan, which extended across borders.⁹ Kinship, both real and fictive, came with certain obligations—both to give and to receive. For instance, sharing food among families in times of abundance guaranteed generosity in times of scarcity, and these networks of exchange facilitated community connections as well as defined who could access what land and resources and under what circumstances.¹⁰ Ojibweg determined who belonged to the People through these lived relationships. Being one of the Anishinaabe People meant access to territory and material resources. It also meant access to

⁶ Louise Erdrich, *The Round House* (New York: Harper Perennial, 2012), 30.

⁷ For a discussion of how creating a legible populace facilitated the project of nation building, see James Scott, *Seeing Like a State*.

⁸ The U.S. Supreme Court agrees. In *Santa Clara Pueblo v. Martinez*, the Court ruled that American Indian nations retained the right to determine membership criteria.

⁹ Stark, “Marked by Fire”: 134.

¹⁰ For example, as Heidi Stark explains, Ojibweg and Menomonee established kinship ties that allowed each people to hunt in the other’s territory. In contrast, the lack of relationships with the Dakota People frequently led to conflict between Anishinaabeg and Dakota concerning land and resources. Stark, “Marked by Fire”: 127, 133. Stark notes that “the kinship and sociopolitical obligations that motivated some Native nations to allow access into their territories also served to prevent access into their lands and often led to warfare, most prevalently seen between the Anishinaabe and the Dakota.” Stark, “Marked by Fire,” 133.

place, to doodem, to the Creator-given language and ceremonies, and to shared aadizookananag that facilitated these relationships—and it meant the responsibility to maintain those resources for one’s kin in the past, present, and future.¹¹

Logging and Allotment on the Lac Courte Oreilles Reservation

During the period generally associated with allotment and land loss, the Lac Courte Oreilles Ojibweg continued to act as a sovereign People. They challenged Settler policies— allotment rolls, hunting and gathering restrictions, cultural suppression—that sought to undermine aspects of their autonomy. At Lac Courte Oreilles, Ojibweg men and women forced the Settler government to recognize their criteria for determining who was and was not Ojibwe, relying on kinship networks and behavior rather than blood quantum. Additionally, they resisted Settler efforts to divide and reduce their land base by asserting relational concepts of land usage and resource access rights.

The Lac Courte Oreilles People’s experiences with outsiders and logging before allotment shaped their concerns about belonging. During the fur trade, Ojibweg men and women frequently formed business relationships with non-Ansihinaabeg, taking advantage of resources for material and political purposes. Ojibweg men and women generally set the terms of these partnerships. Likewise, they negotiated with Settlers to allow logging on their land, leasing land to traders and other entrepreneurs incorporated into their alliance networks through marriage. The 1837 Pine Tree treaty was, from an Ojibwe perspective, a contract that allowed Settlers

¹¹ Johnson, *Ojibwe Stories*; Peacock, *Ojibwe Waasaa Inaabidaa*; Child, *Holding Our World Together*; Miller, *Ogimaag*.

access to “Shingwakwang” (pine timber) and protected Ojibweg rights to the waters, game, and ininaatig (maple trees).¹²

Following the creation of the reservation, logging remained an appealing means of diversifying their subsistence and strengthening their network of relationships. Ojibweg relied on their own understandings of land use to direct how they interacted with loggers. As an 1864 petition reminded the United States, Ojibwe timber contracts had long included strict and articulate limits: access to timber but not rice, restraints on what types of trees loggers could cut, and a finite time period in which the Ojibwe loaned the rivers and the land to Settler loggers.¹³ In 1872, Lac Courte Oreilles ogimaag negotiated a contract with William A. Rust “to cut and remove pine timber from said reservation for a period of five years.” This contract drew on a long history with non-Anishinaabeg. The Lac Courte Oreilles saw themselves as equal partners in the alliance with Rust. The 1872 contract allowed Rust to cut as much pine as he wanted each year for \$10,000 per year. After three years of logging, however, Rust paid a mere \$675, or 75 cents to each of the 900 reservation residents. Under the terms of the agreement, however, Rust owed the Ojibwe \$30,000. Rust failed to honor the reciprocal obligations that had opened access to the land, and the Lac Courte Oreilles cut off his access to resources in the future.¹⁴ Although many Ojibwe continued to view timber as a resource “to live upon,” as gifted by the Creator, the agreement with Rust taught Lac Courte Oreilles men and women the dangers of allowing non-relations access to resources.

¹² Satz, *Chippewa Treaty Rights*, 13-19; Ojibwe Treaty Statement, 4.

¹³ Ojibwe Treaty Statement, 1-16.

¹⁴ Commissioner of Indian Affairs, *Annual Report of the Commissioner of Indian Affairs for the Year 1887*, (Washington: Government Printing Office, 1887), 229; Anthony Godfrey, *A Forest History of Ten Wisconsin Indian Reservations Under The Great Lakes Agency: Precontact to the Present* (Salt Lake City: U.S. West Research, 1996).

In the context of United States and Canadian reservation policies, defining “belonging” in the Ojibwe People became a crucial site of the defense of sovereignty.¹⁵ Throughout the nineteenth century, both the Settler colonial governments of Canada and the United States pursued policies meant to dissolve Ojibwe peoplehood. Reservation policy in both the United States and Canada sought to reconfigure Native peoplehood into a legible, and therefore manageable, taxonomy.¹⁶ Treaties comprised one aspect of this process; containment and control on reservations represented another phase.¹⁷ Lumping neighboring Native Peoples together on a single reservation made sense to Settler bureaucrats seeking to reduce the number of entities with which they had deal, while at the same time they divided expansive nations such as the Ojibwe People into multiple reserves to dismantle the broad social relationships that sustained Aboriginal sovereignty.

Allotment was the ultimate fulfillment of reservation policy in the United States. In 1887, the United States Congress passed the Dawes Act, which carved reservations into individual plots of land. The legislation attacked communal landholding as another form of assimilation policy, and the promise of fee simple ownership and U.S. citizenship after twenty-five years once again demonstrated the government’s intent to dismantle Native peoples like the Ojibwe as both cultural and political entities. The Dawes Act also promised to reduce Native landholdings by opening up so-called surplus land to settlers and enterprises, such as logging. In terms of a

¹⁵ Fisher, *Shadow Tribe*, 12.

¹⁶ In *Seeing Like a State* James Scott demonstrates how modern states reorganized the peoples and societies they governed, imposing order to render them legible and thereby facilitating centralized state control. James C. Scott, *Seeing Like a State*, 2.

¹⁷ Historian Andrew Fisher notes that U.S. reservation boundaries “purported to divide kinship networks, reassign political loyalties, and restructure group rights”—in other words, to externally re-define the meaning of belonging to a People. Fisher, *Shadow Tribe*, 38. Similarly, historian Gray Whaley discusses how Westerners replaced Indigenous conceptions of place and human networks (*Illahee*) with Settler ones. Whaley, *Oregon and the Collapse of Illahee*.

land base, United States allotment came frighteningly close to achieving its goal of erasing Indians as a distinct people. Sales of surplus land turned reservations into checkerboards of Indian and white ownership, which in the late nineteenth century hindered the ability of Natives to exert sovereignty over their own territory and people.¹⁸

Allotment renewed the threat to the relationships that undergirded Ojibwe peoplehood. The 1854 treaty had initially laid the groundwork for allotment. Article III gave the Settler government the right to “assign to each head of a family or single person over twenty-one years of age, eighty acres of land for his or their separate use.” The parceled land would result in fee patents and U.S. citizenship “as fast as the occupants become capable of transacting their own affairs.”¹⁹ Ogimaag and federal officials finally fixed the ishkonigan’s borders in 1873, and in 1885, when lingering Settler hopes of clearing the Ojibwe from Wisconsin had faded, the U.S. government prepared Lac Courte Oreilles for the division of land. A group of Lac Courte Oreilles petitioned the Commissioner of Indian Affairs to reserve a tract of land near the village of Pahquahwong (Old Post) for a Catholic church and a school.²⁰ Commissioner John Atkins consented, “the NE/4 of the NE/4 of the said section (being the smallest legal subdivisions) will be withheld from allotment. This fact should be noted in your tract book.”²¹ Already officials had surveyed the reservation and prepared to distribute the land as individual plots. At the same time,

¹⁸ Emily Greenwald, *Reconfiguring the Reservation: The Nez Perce, Jicarilla Apaches, and the Dawes Act* (Albuquerque: University of New Mexico Press, 2002); C. Joseph Genetin-Pillawa, *Crooked Paths to Allotment: The Fight over Federal Indian Policy after the Civil War*; Stremlau, *Sustaining the Cherokee Family*; Hoxie, *A Final Promise*; Wilkinson, *Blood Struggle*.

¹⁹ Treaty of La Pointe, Article III.

²⁰ O-gah-pay-pe-nase, et al, to the Secretary of the Interior, Lac Courte Oreilles Reservation, 14 March 1885, Reports of the Inspection of the Field Jurisdictions, National Archives Microfilm Publications, Roll 24.

²¹ Jonathan Atkins to W. R. Durfee, Washington, D.C., 31 March 1885, Reports of the Inspection of the Field Jurisdictions, National Archives Microfilm Publications, Roll 25.

the Ojibwe of Lac Courte Oreilles demonstrated their determination to manage their territory by setting aside land for a church.

Allotment opened Ojibwe lands to increased timber extraction. By 1888, the Department of Interior investigated logging companies on four reservations: Fond du Lac, Bad River, Lac du Flambeau, and Lac Courte Oreilles. Loggers at Lac Courte Oreilles paid \$1.00 to \$1.50 per foot below market price, threatening allottees that if they did not enter into a contract quickly, they would lose their land. Within a year after allotment, logging companies removed 28.5 million feet of timber from the reservation. Nearly one third of the logs came from the allotments of those whom Lac Courte Oreilles Ojibweg considered meyaagizid.²²

Reservation policies revealed the complexities of defining what it meant to be one of the People. In order to distribute land and annuities, both the Canadian and U.S. governments created membership lists. These lists, often called rolls, imposed a legalistic, racialized, and static definition of membership.²³ In the United States, Settler officials relied on blood quantum, which had very little to do with Indigenous understandings of identity. Moreover, when Settlers registered membership, they targeted the flexibility of Native identities. Individuals could belong to only a single tribal entity and receive one allotment or annuity claim, although kinship networks often meant that an Indian person maintained connections to multiple Peoples and places.²⁴

Throughout this process, however, Indian people maintained an active role in defining belonging. Partially in response to Native people's fears that, according to sociologist Eva Marie

²² Testimony of William Rusler, LCO, April 10 1888, Reports of the Inspection of the Field Jurisdictions, National Archives Microfilm Publications, Roll 24: 12-13.

²³ Tiya Miles, *Ties that Bind: The Story of an AfroCherokee Family in Slavery and Freedom* (Berkeley: University of California Press, 2005), 179-189; Fisher, *Shadow Tribe*; Carter, *Aboriginal People and Colonizers*; 111.

²⁴ Fisher, *Shadow Tribe*, 103-106.

Garrouette (Cherokee), the government would “pack their rolls with unqualified applicants” as a way to dismantle Indigenous sovereignty, the United States Department of the Interior created enrollment councils of tribal people to review applications for enrollment.²⁵ Constrained by racialized federal definitions based on blood quantum, these councils negotiated internal understandings of ties to the People.²⁶ Thus, Ojibweg linked closely defining and defending membership or citizenship in the People with nationalism as a strategy for defending peoplehood.²⁷ The struggle to define tribal membership was a fight to “preserve their lands as distinctly Indian spaces.” It was a matter of sovereignty.²⁸

Ojibwe peoplehood excluded meyaagizid from the reciprocal systems that governed access to resources. Each April between 1885 and 1888, the people of Lac Courte Oreilles gathered in council to protect their reservation by asserting Anishinaabeg principles of identity and belonging. Relying on kinship and behavior as standards, the community voted to remove from allotment rolls those individuals who had disconnected themselves from Ojibweg relational networks. In the winter of 1885, in the middle of logging season, the Lac Courte Oreilles People sent a petition to Washington, stating their intent to begin “throwing out the half-breeds not living here.”²⁹ Anishinaabeg used the term “half-breed” not to refer to blood but to actions and

²⁵ Garrouette, *Real Indians*, 21.

²⁶ Harmon, “Tribal Enrollment Councils,” 183-193; Fisher, *Shadow Tribe*, 105; Miles, *Ties That Bind*, 199-203. Miles shows how, in the Cherokee case, official definitions of identity conflicted with Cherokee understandings. In the case of Shoe Boots’ grandchildren of African and Cherokee descent, for example, the Dawes Commission insisted that “black” and “Cherokee” could not overlap and saw no room for Shoe Boots’ mixed but free descendants. From a Cherokee perspective, however, kinship networks meant that his grandchildren were “deserving of Cherokee citizenship.” She concludes that the Cherokee enrollment council refused to make an official judgment under Settler rules that would have denied Shoe Boot’s grandson his citizenship rights as “an act of resistance” (199).

²⁷ Miles, *Ties That Bind*, 104-111.

²⁸ Fisher, *Shadow Tribe*, 105. See also Alexandra Harmon, “Tribal Enrollment Councils.”

²⁹ N.E. Pero to W.R. Durfee, 26 Mar 1885.

relationships.³⁰ A “half-breed,” a term that implies alienation, lived outside of Ojibwe communities and relationships. In Minnesota during the 1860s, for instance, Ojibweg and the mixed-descent people considered a person Ojibwe if they lived in an oodena, identified Bagone-giizhig (Hole in the Day) as their ogimaa, and referred to themselves as Ojibweg. In contrast, men and women whose behavior defined them as outsiders—living exclusively with non-Ojibwe, not associating themselves with Bagone-giizhig or the Ojibwe People—earned the “half-breed” or “mixed-blood” label.³¹ Political, social, and economic relationships, rather than blood, determined what made one mixed-descent person a “half-breed,” with its implication of being meyaagizid, rather than Ojibwe.

In response to the 1884 petition, United States officials appointed a Committee of Four from the Lac Courte Oreilles ogimaag, which later provided the basis for an elected council.³² Akiwenziii, an ogimaa who had represented the Lac Courte Oreilles People in the treaty negotiations of the previous fifty years, served on the committee. The Committee of Four reviewed individual cases and presented them to the general council for a final decision. At the first council in April 1885, the Committee of Four created a list of all men, women, and children entitled to allotments and matched individuals with selections of land.³³

In 1886 and 1887, the Lac Courte Oreilles People again met in council and reevaluated their lists. The original roll, they claimed, contained “outsiders and men of other tribes,” notably

³⁰ “Half-breed” has a long and complicated history in both treaties and colloquial use. Treuer writes, “Treaty terminology and government and tribal discourse has often made clarity about these assumptions in speech and writing impossible, rendering all labels problematic.” Treuer, *The Assassination of Hole in the Day*, 174.

³¹ Treuer, *The Assassination of Hole in the Day*, 174.

³² Danziger, *Chippewa of Lake Superior*, 125.

³³ Rusler to Gregory, 2 July 1887.

the nearby reservation-less St. Croix Ojibwe People.³⁴ They disenrolled at least thirty-five individuals in 1886, replacing the names on allotment selections with their Lac Courte Oreilles kin. Akiwenziii described these inserted names as “his relatives,” which may have meant immediate family but, given the nearly two dozen individuals with a variety of surnames, he may also have meant relatives in the more expansive sense of inawemaagan, which implied access to rights as one of the People.³⁵ When Agency workers refused to acknowledge the new lists, the Lac Courte Oreilles People visited the Farmer in Charge at Reserve and the Indian Agent at LaPointe. They sent petitions to the Commissioner and held additional councils.³⁶ Every spring for four years, they made decisions about the same people, observing their relationships over time. One woman, Mary Arbuckle, made it on the original 1885 list, but subsequent councils in 1886 and 1887 identified her as an outsider because she did not renew her ties to the ishkoniagan or the people who lived there. Meanwhile, John LaFave, a mixed-descent Ojibwe who lived at least part of the year in Superior, Wisconsin, had his claim to belonging recognized three consecutive years.³⁷ In 1887, Misigan (George Buck), a Lac Courte Oreilles ogimaa who disagreed with many of the disenrollments, told La Pointe Indian Agent J. T. Gregory, “the Indians have had these half-breeds scratched out for to save land for there [sic] children that are not of age yet and that are not born yet.”³⁸ Akiwenziii would likely have agreed, but he considered preserving the aki for future generations his duty to his People. The ogimaa believed the councils made necessary decisions “for the benefit of his people” and remained “opposed to

³⁴ Rusler to Gregory, 2 July 1887.

³⁵ W. Rusler to J.T. Gregory, 15 Oct 1886; Ah-ke-wain-zie to J.T. Gregory, 13 Oct 1886.

³⁶ Ah-ke-wain-zie, George Misigan Buck, et al, to J.T. Gregory, 26 Jan 1887; Joseph Gurnoe to J.T. Gregory, 2 July 1887; W. Rusler to J.T. Gregory, 15 Oct 1886; Ah-ke-wain-zie to J.T. Gregory, 13 Oct. 1886.

³⁷ W. Rusler to J.T. Gregory, 21 Oct 1887.

³⁸ George Misigan Buck to Gregory, 29 Sept 1886.

the outsiders coming upon this reserve and cutting the pine off of their lands and then leaving their allotments without improving them.”³⁹

Council records show the criteria for excluding men and women from the list. The Ogimaag denied land rights not only to non-resident “half-breeds” but also to “women married to white men,” seen as meyaagizid.⁴⁰ Because of patrilineal doodemag, the children of these relationships entered the world without a clan and therefore outside of Anishinaabe definitions of belonging. Those who lived within the community could create missing doodem ties through active relationships and incorporate themselves into the People. Children whose mothers lived separate from the reservation community had no way to integrate themselves. Lac Courte Oreilles residents feared that the lack of relationships would lead to the sale of land and resources, emphasizing that land usage and resource rights remained tied to relationships among the Ojibweg people. Their position as meyaagizid not only suggested that they lacked the relationships with land and resources that would prevent their sale to non-Anishinaabeg; it also meant that they did not have a right to that land or those resources in the first place.⁴¹

The Lac Courte Oreilles People defined meyaagizid through a lack of relationships. Ogimaag explained that their targets “consider themselves other than Indians when at their homes among white people, who have abandoned their tribal relations, and have adopted the

³⁹ Rusler to Gregory, 3 Jan 1887.

⁴⁰ LCO Chiefs to Commissioner of Indian Affairs, June 20 1888, Reports of the Inspection of the Field Jurisdictions, National Archives Microfilm Publications, Roll 25.

⁴¹ LCO Chiefs to Commissioner of Indian Affairs, 2. In *Ties That Bind*, historian Tiya Miles suggests that the Cherokee, who like the Ojibwe convened a committee to decide membership in the Cherokee nation, defined belonging along racial lines, at least in regards to black people. She discusses the example of William Shoeboots, descendant of a formerly-enslaved black woman and a Cherokee father, whom the Dawes Commission and the Cherokee Commission on Citizenship denied belonging. According to Miles, William Shoeboots was “evaluated in a vacuum of lists and paperwork, outside the context of his familial relationships,” and both the Cherokee Nation and Settler officials defined black and Cherokee as mutually exclusive. Miles, *Ties That Bind*, 198-203. In contrast, the Ojibwe at Lac Courte Oreilles privileged relationships over paperwork.

rights of suffrage and privileges of citizenship.”⁴² The ogimaag considered the disenrolled meyaagizid not because they had white husbands or fathers but rather because they no longer maintained relationships with Anishinaabe kin. These “outsiders” were people “who would never thought [sic] of coming on the reservation were it not for the pine timber.”⁴³ The emphasis on kinship emerges in even sharper relief when the ogimaag argued for the individuals whom the Ojibwe wanted to remain on the allotment lists. They distinguished between kinless “strangers” and “those who are away on good reasons.”⁴⁴ The leaders also wanted to require logging companies to hire Ojibwe workers. Here, they specifically mentioned “a number of mixed bloods who are efficient and competent scalers,” emphasizing again that kinship and not blood determined membership in the Ojibwe people, as well as their access to resources.⁴⁵

Privileging Settler notions of blood quantum and descent, the local Agent ignored the Ojibwe People’s sovereign right to determine their own membership. The names of the “strangers” remained on the rolls. The Lac Courte Oreilles council, however, secured a compromise. They stipulated that the identified meyaagizid must sign a contract promising to “build suitable dwellings on their allotments...and make such improvements as would show that they had come to the reservation in good faith to make it their future home.”⁴⁶ In other words, with kinship defined as an active relationship and not merely a passive similarity of blood, individuals with questionable connections to Anishinaabe land and community had to promise to develop these relationships in order to retain rights to the land. Joseph Gurnoe, the mixed-

⁴² LCO Chiefs to Commissioner of Indian Affairs, 2.

⁴³ LCO Chiefs to Commissioner of Indian Affairs, 5.

⁴⁴ LCO Chiefs to Commissioner of Indian Affairs, 6.

⁴⁵ LCO Chiefs to Commissioner of Indian Affairs, 7.

⁴⁶ Testimony of William Rusler, LCO, April 10, 1888, Reports of the Inspection of the Field Jurisdictions, National Archives Microfilm Publications, Roll 24, 12-13.

descent nephew and adopted son of Lac du Flambeau ogimaa Shingob, wrote the petition to fulfill his reciprocal obligations to Lac Courte Oreilles kin, relationships created by his marriage to one of the People. “To secure the good will of the Indians I must render service,” he explained.⁴⁷ This good will became particularly important in the context of the conversations about belonging and land rights that grew out of allotment. Without these ties, he knew that someone would tell him “that I do not belong to this reservation and have no business here, and that the land I hold for my children should be held vacant because they are not of age.” Failing to cultivate reciprocal bonds would make him an outsider and abrogate his rights to access lands and resources such as timber for himself and his children. On the other hand, writing to Washington to protest encroachment on Lac Courte Oreilles sovereignty demonstrated his commitment to the People.⁴⁸ The Ojibwe at Lac Courte Oreilles could not stop allotment, but they influenced it in a way that supported Ojibwe relationships and, by extension, Ojibwe sovereignty.

Although commercial loggers exploited the Lac Courte Oreilles before allotment, the new land policy made it easier for Settlers to acquire Anishinaabe resources. Allotment severed the aki from the People’s control and placed it in individual—increasingly non-Indian—hands. In particular, allotment disrupted Ojibwe *inaakonigewin* (law) regarding rights to aki. The ability to access resources derived from a person’s position within the network of relationships that defined Lac Courte Oreilles peoplehood, and paper lists in Settler archives could neither enact nor sustain those living relationships. Throughout the 1880s, Lac Courte Oreilles People

⁴⁷ Joseph Gurnoe to J.T. Gregory, October 1887.

⁴⁸ Joseph Gurnoe to J.T. Gregory, October 1887. Eric Redix discusses the occasional “cultural gap” between mixed-descent Ojibwe such as Gurnoe and other members of the community, but he also notes that Gurnoe and other mixed-descent people were part of Lac Courte Oreilles. Redix, *The Murder of Joe White*, 124.

expressed their concern about meyaagizid gaining access to lands and resources that belonged to inawemaagan, and Akiwenziii and other ogimaag struggled against Settler enrollment practices that erased essential relationships. By defining Anishinaabewi in zagaswe'idiwag and pushing back against Settler-generated rolls, the Lac Courte Oreilles People prevented allotment from radically redefining land use and resource access, maintaining the continuity of their sovereignty.

Kin and non-Kin at St. Peter's Ishkonigan

As at Lac Courte Oreilles, the St. Peter's People asserted their definitions of belonging within the context of contested power. Reservation policies extended into the internal workings of the People, threatening the ability to control access to land and resources. The St. Peter's People defined their peoplehood against that of the Maškēkowak, with whom they shared the ishkonigan. Settler intrusions such as mandated reserve-wide elections and administration of timber and annuities conflicted with Saulteaux understandings of who had rights to resources and power as one of the People.

As in the United States, Canadian officials wrote down rolls that racialized and immobilized membership in Indigenous Peoples. Similar to blood quantum, Canada's Indian Act of 1876 relied on rigidly-defined categories to constrain First Nation individuals' identities. The act narrowly defined "Indian" as individuals listed in the Indian Register. These men and women were "Status" Indians whose rights as members of a sovereign People the Canadian government protected. The act also differentiated between Métis and Status Indians and revoked status from women who married non-Indian men, the children of Settler or Métis men and Native mothers,

and men who renounced their membership in their People to gain enfranchisement as Canadian citizens.⁴⁹

During the 1820s, a group of Maškēkowak (northern, or Swampy, Cree) traveled from York Factory on Hudson Bay to the Red River settlement. They approached Peguis and asked to buy land so they could settle in the agriculturally rich trading center. The ogimaa agreed to allow these families to purchase settlement rights in his People's territory. Miskoopenais, one of Peguis's fellow ogimaag, remembered, "They bought land from Peguis, some three chains, some six chains, and lived there."⁵⁰ Their purchase of land, however, did not mean that the Saulteaux and Maškēkowak merged. The Saulteaux viewed their Cree neighbors in the same way as the French and other Settlers who increasingly moved to the area: potential allies within a broad network of relationships, but distinct.

Many Maškēkowak joined the Saulteaux in marriage, linking them through mutual obligations, but the Ojibwe People at St. Peter's Reserve did not absorb their new neighbors. At times, relationships grew contentious, indicating that the Swampies remained meyaagizid. The Ojibwe often saw the Cree as dangerous conjurers who used their power to threaten Anishinaabeg. The Swampies likewise distrusted Ojibwe manidoo.⁵¹ The two communities also pursued separate methods of sustaining their communities. The Maškēkowak quickly engaged in sedentary agriculture on their newly acquired land and cultivated close relationships with missionaries by converting to Christianity.⁵² In 1830, Peguis responded to Settler officials'

⁴⁹ *Indian Act*, RSC 1985, c I-5, <http://canlii.ca/t/52123> (accessed on Dec. 8, 2013).

⁵⁰ Petition to the Heads of the Indian Department, Ottawa Canada from Miskoopenais and others of Netley Creek St. Peters Reserve, Canadian National Archives, Indian Affairs (RG 10, Volume 3850, File 75,564), 1.

⁵¹ Peers, *Plains Ojibwe*, 139. See Cary Miller's *Ogimaag* for a discussion of the role of manidoo (power) and spiritual leaders in Ojibwe leadership.

⁵² Peers, *Plains Ojibwe*, 138-139.

requests that they follow the Maškēkowak's example by distinguishing himself and his people from the "half breeds and Swampies." He continued, "It would be contrary with us were we to adapt [sic] the same customs. This new mode of life is different from that of my ancestors. I have followed them I wish to follow them and I shall follow them as long as I can."⁵³ The Maškēkowak and Saulteaux remained so different, according to Peguis, that the same actions would yield opposite results. He preferred to rely on aadizookananag, ceremonies, and resource use that he could link to his ancestors, unshared by the Maškēkowak.

Most important, the Maškēkowak did not join the Ojibwe at St. Peter's in Treaty One. The Maškēkowak were recent arrivals to the area, and they lived on Ojibwe land—land that was therefore not theirs to cede. Only Ojibweg ogimaag, led by Mis-Koo-Kinew (or Henry Prince, Peguis's son), represented the community.⁵⁴ During the negotiations, Mis-Koo-Kinew and other Ojibweg representatives did not consider themselves beholden to the concerns of the Swampy Crees. They remained separate, and the ogimaag from St. Peter's derived their authority exclusively from the Ojibweg men and women.⁵⁵

After the treaty, the Settler government began to treat the Maškēkowak and Saulteaux as one cohesive entity. Since both groups lived within the same reserve boundaries, it made bureaucratic sense for the Canadian government, a new nation trying to extend its authority

⁵³ Reverend William Cockran diary, Oct. 28, 1831, University of Birmingham Library, Adam Matthew Digital, Series: Empire Online, Sec. 1 Cultural Contacts, 1492-1969, <http://empire.amdigital.co.uk/Documents/Details/Journal%10of%20Reverend%20W%20Cockran%2018391840> (accessed September 18, 2014).

⁵⁴ Treaty One, 1871, in Alexander Morris, *The Treaties of Canada with the Indians of Manitoba and the North-West Territories* (Toronto: Belfords, Clarke, & Co., 1880), 313.

⁵⁵ Petition to the Heads of the Indian Department Ottawa Canada from Miskoopenais and others of Netley Creek St. Peters Reserve, 2.

within its own expanding borders, to consider them a single unit.⁵⁶ The Ojibwe People at St. Peter's, however, objected to this assault on their sovereignty. At a time of increased pressure from local Settlers and the Canadian government, determining the human borders of their People took on increased importance, for such boundaries determined access to land and resources as well as to economic, political, and cultural power.

The conversation about who comprised the People took place in the context of external threats to Saulteaux sovereignty. The Saulteaux at St. Peter's soon realized that the Canadian government either misunderstood or misrepresented the terms of the treaty negotiated by both parties in 1871. Two years later, Ojibweg refused to accept their annuity payments because "the other promises that were made to them had not been fulfilled."⁵⁷ They remembered that the exchange for ceding their land included "two sets of clothing (summer and winter) every year" and an annuity of six dollars per person rather than three dollars.⁵⁸ Their protests, as well as the reminders of other Ojibweg and Cree signatories, forced the Canadian legislature to amend the treaty to reflect the "outside promises" that the Native Peoples saw as an essential part of the treaty process.⁵⁹

The unsanctioned sale of land threatened Saulteaux peoplehood. The alienation of land was possible in part because of Canadian allotment policies that allowed individual Indians and mixed-bloods to apply for fee patented allotments, exchanging citizenship in their Native nation

⁵⁶ Letter from Agent Muckle to Inspector McColl, 6 July 1891, Canadian National Archives, Indian Affairs (RG 10, Volume 3850, File 75,564), 2. Consolidating diverse Indian nations also reflected Settler ideas about race, which lumped Indigenous Peoples together as "Indian."

⁵⁷ Clandeboye Agency, Correspondence Regarding the St. Peter's Reserve's Refusal to Receive Annuity Because Other Promises Made to Them Have Not Been Kept, 16 July 1873, 1.

⁵⁸ Clandeboye Agency, Correspondence Regarding the St. Peter's Reserve's Refusal to Receive Annuity Because Other Promises Made to Them Have Not Been Kept, 16 July 1873, 1.

⁵⁹ Nichols, *Indians in the United States and Canada*, 203.

for Canadian citizenship.⁶⁰ Canada incorporated allotment into its treaties. While individual landownership was rarely enforced in the 1880s, Canadian allotment determined reserve size based on 160-acre plots per person, and the practice of granting fee simple to Métis men and women and others deemed “competent” accelerated the process of privatizing First Nations landholdings.⁶¹ The policy reduced the size of Native landholdings and opened reserves to non-Indian settlement, often contradicting what First Nations understood as the terms of their treaties.⁶² Throughout the 1870s and 1880s, the Peguis People challenged the sale of reserve lands. As a result, the Department of Indian Affairs informed dozens of frustrated settlers that the reserve lands they believed they had purchased “could not be sold to any white man or half-breed without the approval of the Government and consent of the band, and that the price paid by parties who had bought land from individual Indians would be lost to them.”⁶³

Meanwhile, on St. Peter’s Reserve, the fluid identities of Ojibweg men and women thwarted Canadian attempts to reduce Indian identity to bureaucratic categories. The Indian Act of 1876 offered mixed-descent families the option of withdrawing from treaty to obtain “half-breed scrip,” patent to a 160-acre plot of land and a rejection of Indian status. However, Ojibweg men and women continued to identify themselves in ways that crossed these categories. While the Settler legislature debated the act, Ojibweg at St. Peter’s expressed concern over their relationships that defied the act’s constraints.⁶⁴ For instance, the act sought to impose a single

⁶⁰ Again, Canadian Settler officials saw citizenship as singular, not layered.

⁶¹ Olive Patricia Dickason, *Canada’s First Nations: A History of Founding Peoples from Earliest Times* (New York: Oxford University Press, 2009), 285-286.

⁶² Nichols, *Indians in the United States and Canada*, 175-200; Carter, *Aboriginal People and Colonizers*, 109.

⁶³ Memorandum of a conference between the Honorable the Minister of the Interior and Henry Prince chief of the Indians residing on St. Peter’s Reserve, at Winnipeg, the 19th August 1874, 5.

⁶⁴ Provencher to the Minister of the Interior, 24 March 1875, General Correspondence Clandeboye Agency, NLAC, 1.

category of belonging on families by tying women's status to that of their husbands. One of the fears underlying the act was that unscrupulous non-Indian men would marry Indian women to access annuity payments and reserved resources. Yet, an Ojibwe woman from St. Peter's married to a Métis or Settler man did not automatically lose her ties with the Ojibwe community.

As at Lac Courte Oreilles, the Ojibweg of St. Peter's believed they could assess one's belonging for themselves. Questions from the St. Peter's community about the status of their individual relationships overwhelmed Commissioner Provencher. "Many applications have been made for information on each of these points, and the many difficulties that might arise with regards to them make me desire that I should soon be able to give to the interested parties a decisive and final answer," he wrote.⁶⁵ Often, a mixed-descent "husband alone has asked to have his name struck off, so as to have the right to vote at election and to dispose of his property, when his wife and children would continue to draw the annuity."⁶⁶ While the motives behind such mixed-status arrangements may have been exploitative, from an Anishinaabe perspective they allowed for intersecting layers of identity. Mixed-status marriages continued strategic ties to multiple communities, building on the networks of the fur trade.⁶⁷ Many mixed-blood families never withdrew from the treaty or took scrip. After the Stone Fort Treaty of 1871, Canadian officials noted, "A very few only decided upon taking their grants as half-breeds," instead following kinship ties to affirm their membership in the Ojibwe people.⁶⁸ In 1893, the St. Peter's

⁶⁵ Provencher to the Minister of the Interior, 24 March 1875, General Correspondence Clandeboye Agency, NLAC, 1.

⁶⁶ Provencher to the Minister of the Interior, 24 March 1875, General Correspondence Clandeboye Agency, NLAC, 5.

⁶⁷ Susan Sleeper-Smith, *Indian Women and French Men: Rethinking Cultural Encounter in the Western Great Lakes* (Amherst: University of Massachusetts Press, 2001).

⁶⁸ Alexander Morris, *The Treaties of Canada with the Indians Manitoba and the North-West Territories, and Kee-Wa-Tin* (Toronto: Belfords, Clarke, & Co., 1880), 41.

People welcomed home Reverend Baptiste Spence and his family, including his sons and widowed daughter-in-law. The Spence family sought an official transfer in their annuity registration from Islington Reserve where Reverend Spence was working to St. Peter's, "to which reserve they formerly belonged," and where they still had family. The transfer entitled them not only to the annuity payments of the St. Peter's band but also "all the rights enjoyed by said band."⁶⁹ Several years previously, son John Spence had withdrawn from the treaty in exchange for a Métis land grant, but he applied along with his relatives for membership at St. Peter's. Apparently, revoking his treaty status and obtaining the patent to his land failed to separate him from the Ojibwe People. The Saulteaux People at St. Peter's, less concerned with bureaucratic categories, consented to the transfer. Presumably, they understood John Spence in the context of his kin relationships rather than the delineations of the Indian Act, and these relationships made him one of the People. Ultimately, the Indian Department barred Spence's enrollment, demonstrating the gap between Saulteaux and Settler definitions of membership.⁷⁰ For the Saulteaux, honoring flexible kinship networks advanced their peoplehood against bureaucratic categories that sought to legislate the Saulteaux and their sovereignty out of existence.

Within this context of Settler encroachment and contested land and resources, the Saulteaux continued to differentiate themselves from the Maškēkowak. The Maškēkowak occupied an uncertain position between *inawemaagan* and *meyaagizid*. Before the treaty of 1871, the alliance between the Maškēkowak and Saulteaux served both Peoples. Now that the

⁶⁹ Rat Portage Agency, Islington Reserve, Rev. Bapt. Spence and Family transferred to St. Peter's Reserve, Clandeboye Agency, NLAC, 2.

⁷⁰ Rat Portage Agency, Islington Reserve, Rev. Bapt. Spence and Family transferred to St. Peter's Reserve, Clandeboye Agency, NLAC, 2.

ishkonigan placed limits on Saulteaux lands and resources, however, the contours of the alliance shifted. Peguis descendent and ogimaa Henry Prince chose a familiar Anishinaabe strategy; he formed an alliance with the Maškēkowak, in part through his and his sons' marriage to Maškēkowak women. Like other alliances that came before it, including his father Peguis' relationship with the Selkirk Settlers, this union had the potential to protect Saulteaux peoplehood by integrating Maškēkowak families into the People.⁷¹

The first request for the Canadian government to recognize the separation between the Saulteaux and Maškēkowak Peoples came in August of 1874. A group of Ojibweg living near Netley Creek in the northern half of reserve approached the Minister of the Interior when he visited St. Peter's to investigate contested land claims. Four Saulteaux men—Miskoopenais, Muskogoose, George Reysas, and Indegow—led the Netley Creek families. They insisted “that their Reserve was too small” and “the Band did not live harmoniously.” The only possible solution was “a Division of the Reserve.”⁷² Despite the connections of intermarriage and the shared threat of Settler intrusions, the land remained, from the perspective of many Ojibweg, part of Anshinaabewaki. Their relationships with the land—the land of their ancestors—intertwined with their understanding of sovereignty. They possessed the power and the right to decide how to allocate the land and its attendant resources. Since that was a primary function of authority, Ojibweg men and women should lead the government.

The Department of Indian Affairs failed to recognize the conflict as an international or inter-People dispute. Instead, local Agent Alexander Muckle, Commissioner Provencher, and

⁷¹ Memorandum of a conference between the Honorable the Minister of the Interior and Henry Prince chief of the Indians residing on St. Peter's Reserve, at Winnipeg, the 19th August 1874, 1.

⁷² Memorandum of a conference between the Honorable the Minister of the Interior and the Netley Creek Indians, the 18th August 1874, 1.

Inspector of Indian Agencies E. McColl relied on well worn explanations about “progressives” versus “traditionals.”⁷³ Indeed, as in the 1830s, an observable difference existed between Saulteaux and Maškēkowak relationships with the market economy. Inspector McColl described Ojibweg as “hunters and warriors” who “find it hard to settle down to farming (none of them grow wheat or oats),” while the Swampy Crees “all farm” and “[m]ost of them live at home.” The mixed, seasonally based economy of gardening, gathering, and gaming that McColl described fit with Ojibweg sacred understandings of resource use and ceremonial cycles.⁷⁴ In reality, the divide had little to do with religion or traditionalism. More than half of the Indians on St. Peter’s Reserve attended either Presbyterian or Catholic services. As Anishinaabeg scholars have repeatedly demonstrated, Christianity and Ojibweg sacred history and ceremonial cycles were compatible.⁷⁵ Ojibweg communities dealt with religious differences, not without conflict, but without threatening Ojibwe peoplehood.⁷⁶ Not every Ojibwe person at St. Peter’s supported dividing the ishkoniigan. For example, Peguis’ son Henry Prince, who signed the Stone Fort Treaty and under Settler-imposed reserve policies was later elected chief, strongly objected to any partition.⁷⁷ Nevertheless, the disagreement was not about religion or farming. At its core, the dispute about dividing the reserve concerned who belonged to the Ojibwe People.

Ojibweg at St. Peter’s asked the Canadian government to recognize a separation that already existed: the two distinct Peoples of the Ojibweg and the Maškēkowak. Agent Muckle,

⁷³ Clandeboye Agency, Correspondence Regarding Complaints from the Indians of St. Peter’s Reserve about Unfulfilled Treaty Obligations and Lack of Communications with the Commissioner, among others.

⁷⁴ Report for the Year Ending 30 June 1896, 196.

⁷⁵ Miller, *Ogimaag*; Child, *Holding Our World Together*; Witgen, *An Infinity of Nations*. Non-Ojibweg scholars have reached similar conclusions. See White, *Middle Ground*; Sleeper-Smith, *Indian Women and French Men*; Kugel, *To Be the Main Leaders of Our People*.

⁷⁶ Kugel, *To Be the Main Leaders of Our People*.

⁷⁷ Memorandum of a conference between the Honorable the Minister of the Interior and Henry Prince chief of the Indians residing on St. Peter’s Reserve, at Winnipeg, the 19th August 1874, 1-3.

who himself owned a lot adjacent to the reserve and had lived there for several years before applying to become agent, recognized that the divide extended beyond denominational squabbling. “The division of the Band between Christians and Heathen, cannot, I believe, be applied as a rule for the separation of the St. Peters Reserve,” he cautioned. He noted that both communities contained a mixture of converted and unconverted men and women. Muckle apparently remained unable to articulate the root of the difference, but he suggested that the people of the reserve were best qualified to decide their allegiance. Thus, “[t]he question of residence, as selected by the heads of family would afford the only practical way” of dividing the band.⁷⁸

In a letter to the Minister of the Interior, Henry Prince identified the underlying issue. The Saulteaux seeking the split objected when Prince “took two kinds, different tribes of Indians for my Councillors, that is Crees Swampies—and pure Indians [Anishinaabeg].”⁷⁹ From the perspective of the pro-separation Saulteaux, the inclusion of Maškēkowak leaders on the council usurped Saulteaux authority. Prince himself considered the Saulteaux and the Maškēkowak “different tribes,” and his use of “pure Indians” reveals his Anishinaabe perspective and defied colonial ideas regarding mixed-bloods and full-bloods.⁸⁰ While Prince found a sufficient network of reciprocal relationships to unite himself and his People with the Maškēkowak as members of the St. Peter’s Reserve, other Saulteaux, including Miskoopenais and Indegow, saw the

⁷⁸ Letter from Agent Muckle to the Minister of the Interior, 8 April 1875, NLAC, 5-6.

⁷⁹ Letter from Henry Prince to the Minister of the Interior, 26 September 1874, NLAC, 2-3.

⁸⁰ Like the White Earth Anishinaabeg, and many other Indigenous Peoples, the Saulteaux resisted racialized, reproductive notions of blood quantum, instead asserting multifaceted identities rooted in the relationships of peoplehood. Doerfler, *Those Who Belong*. For a historical breakdown of Settler notions of blood quantum, see Rifkin, “Making Peoples,” 149-187.

Maškēkowak as meyaagizid, unconnected to the Saulteaux People and therefore without right to serve as councilors.

One of the main contentions of the Saulteaux seeking formal separation concerned the distribution of resources. One petitioner objected “that they had not received their share of the agricultural implements and nets” from Chief Prince.⁸¹ Prince admitted to withholding these goods but argued that “he had been told [by Agent Muckle] that the implements for farming were only to be given to those who had made improvements, he did not consider those who were unsettled, had any claim on them.”⁸² From the Netley Creek Saulteaux’s perspective, which conceived of a People without the Maškēkowak, a council that contained Crees had no business allocating resources that by right belonged to Ojibweg men and women. Additionally, Miskoopenais, Indegow, and their followers protested “that the Indians on the south part of the Reserve were selling land and coming on his part.”⁸³ These Maškēkowak, concentrated on the southern portion of the reserve, violated relational conceptions of resource access and use. The petitioners’ goal was to preserve Ojibwe sovereignty by protecting land and resources and the boundaries of their People.

Likewise, ogimaa Henry Prince believed he acted in the best interests of the Ojibweg people.⁸⁴ At a meeting with the Minister of the Interior on August 19, 1874, Prince “said that if

⁸¹ Memorandum of a conference between the Honorable the Minister of the Interior and Netley Creek Indians on St. Peter’s Reserve, at Winnipeg, the 18th August 1874, 1.

⁸² Memorandum of a conference between the Honorable the Minister of the Interior and Henry Prince chief of the Indians residing on St. Peter’s Reserve, at Winnipeg, the 19th August 1874, 3.

⁸³ “Report of an interview between certain Indians residing at Netley Creek and the Honorable Minister of the Interior, Oct 1 1874. The principal men were Ingepow and Miscoopinai,” National Library and Archives of Canada, Ottawa, ON.

⁸⁴ Divisions and differences of opinion within Native Peoples are not necessarily a sign of weakness or disorder. As both David Chang and Miranda Lowery discuss, such divergences often developed out of the mutual desire to protect a People’s sovereignty. Chang, *Color of the Land*; Lowery, *Lumbee Indians*.

the Band should be divided those who were dissatisfied must receive their land *outside of the reserve*.⁸⁵ He objected to the redistribution of reserve lands under any terms. Prince had signed Treaty One, which created the reserve, only three years earlier. Dividing the reserve must have seemed like a dangerous precedent, a threat to the territorial protection he secured on behalf of his People. From his perspective, Settlers exploiting reserve resources proved the most pressing threat. Prince “complained that white men were cutting hay and wood on the Reserve, that he had sent two men to represent them to the Commissioner, and that nothing had been done.”⁸⁶ Prince, who had integrated Maškēkowak into Saulteaux kinship networks via marriage with himself and his sons, hoped to absorb the Maškēkowak into Saulteaux relationships and thereby avoid displacing Saulteaux sovereignty. He maintained a distinction between the Maškēkowak and “pure Indians,” but a unified ishkonigan served as a political strategy in the face of Settler encroachment.⁸⁷

Miskoopenais, Indegow, and the other pro-division Ojibweg seemed to convince the Canadian officials. In April of 1875, the Minister of Interior approved Muckle’s proposal to allow the reserve’s residents to choose their own membership by their residence in either the north or south sections of the reserve, which would then be apportioned according to the number of those who moved. The next month, he placed a surveyor “at [Provencher’s] disposal.”⁸⁸ The division, however, fell through and the question of who belonged to the Ojibwe People remained unresolved.

⁸⁵ Memorandum of a conference between the Honorable the Minister of the Interior and Henry Prince chief of the Indians residing on St. Peter’s Reserve, at Winnipeg, the 19th August 1874, 1.

⁸⁶ Memorandum of a conference between the Honorable the Minister of the Interior and Henry Prince chief of the Indians residing on St. Peter’s Reserve, at Winnipeg, the 19th August 1874, 1.

⁸⁷ Memorandum of a conference between the Honorable the Minister of the Interior and Henry Prince chief of the Indians residing on St. Peter’s Reserve, at Winnipeg, the 19th August 1874, 1.

⁸⁸ Laird to Provencher, 7 May 1875, NLAC, 1.

The Maškēkowak raised the issue of separation next. In 1888, a group of Swampy Cree filed a petition listing their grievances against the Ojibweg People and demanding autonomy. Their leaders included William Asham, the son of a Swampy Cree mother and British father who identified as Maškēkowak. “Our neighbors the Saulteause [sic] tell us that the government did not treat with us but with them and therefore that we have no right to claim here,” the Maškēkowak wrote.⁸⁹ For the same reason, Saulteaux leaders argued “that we are not entitled to elect a Swampy Cree as chief or councillor.” Asham and the other Maškēkowak objected to being treated as meyaagizid on their own reserve, although they, too, recognized a difference between themselves and the Saulteaux People. Appealing to the Minister of the Interior, they framed their request in terms of their desire to escape “the tyranny and dictation of the almost untutored and unreasoning savage”—the Saulteaux—and emphasized a Settler-friendly religious division between the Catholic Saulteaux and Protestant Cree. Their demands, however, were the same as the Ojibweg living near Netley Creek: a division of land, a separate chief and council “of our own people,” and the ability to determine their own access to resources in “the hay grounds and wood lands.”⁹⁰ In other words, the Maškēkowak wanted the Canadian government to recognize their autonomous peoplehood. Canadian officials dismissed the petition, and the Maškēkowak chose not to renew their request—most likely because the next election went in their favor.⁹¹

The 1891 election for chief and council shifted the balance of power on the reserve. William Asham, son of a Settler father and Maškēkowak mother fully integrated into the

⁸⁹ Petition March 6 1888 to Minister of Interior, Clandeboye Agency, Canadian National Archives, 1.

⁹⁰ Petition March 6 1888 to Minister of Interior, Clandeboye Agency, Canadian National Archives, 3.

⁹¹ Superintendent General to E McColl, 24 March 1888, 1.

Maškēkowak community, won the election for chief. For the first time, a Maškēkowak controlled the political leadership on St. Peter's Reserve. The council, too, contained two Maškēkowak and only one Ojibwe.⁹²

Threatened by meyaagizid dominance of Settler-sanctioned reserve leadership, Ojibweg renewed efforts to separate the two Peoples. Miskoopenais again led the fight for control of their peoplehood. When Asham and the other Swampies complained that the Saulteaux "have now gone as far as to say that we are a parcel of thieves," they did not exaggerate Saulteaux understandings of their relationship with the Maškēkowak. An 1891 petition from several dozen Ojibweg asserted that the Maškēkowak, as meyaagizid, had no claim to reserve lands and resources or to the annuities that derived from the cession thereof, "but only to the land they bought from Peguis. They had no land to sell here, and when treaties were made at York Factory, then, only then, had the Swampies a right to get up and talk to the Government about land."⁹³ Any appropriation of those resources without Ojibweg permission was, from an Anishinaabe perspective, a form of theft because the Maškēkowak did not belong to the Ojibwe People at St. Peter's. The reserve belonged to the Saulteaux, and they did not intend to allow meyaagizid to govern it.

Again, resource access and membership were closely related. In the petitions that followed during the next four years, the Ojibwe People linked the abuse of timber lands with their refusal to accept the Maškēkowak as part of their People. One petition signed by eighty-one

⁹² Clandeboye Agency, Saulteaux at Netley Creek Wish to be Paid Separately from Swampy Cree at St. Peter's Reserve, National Library and Archives of Canada, 1-2. The proportions of Saulteaux and Maškēkowak remain unclear. Because Settler officials lumped them together as Indians, they did not differentiate between Saulteaux and Maškēkowak in official records.

⁹³ Petition to the Heads of the Indian Department Ottawa Canada from Miskoopenais and others of Netley Creek St. Peters Reserve, NLAC, 1-2.

Ojibweg men claimed that “if there is no Division they [the Maškēkowak] will come down amongst us to cut and hall [sic] off the wood as they have done in the upper part we are looking for our Children’s interest and our selfs [sic] for time to come if our reserve is cleaned off [sic] the wood what is gone [sic] to become of our children[?]”⁹⁴ This concern matched the conversation among the Lac Courte Oreilles People. Outside the relational nexus of reciprocal obligations, the lack of ties between the Maškēkowak and the land—between the Maškēkowak and the Ojibwe People who shared this land with them—put Anishinaabewaki and its resources at risk.

The Indian Department dismissed the Saulteux’s request as they had the Maškēkowaks’.⁹⁵ Settler officials saw squabbling factions of Indians, not two distinct Peoples with legitimate claims.

Meanwhile, to consolidate their power, the Maškēkowak leadership tried a new tactic: moving the treaty grounds. The Indian residents of St. Peter’s Reserve received their annuity payments on the northern side of Netley Creek where a majority of Saulteaux families lived, while Swampy Cree families concentrated further south. Maškēkowak leaders phrased their proposed move to the East Protestant School in terms the Settler government would appreciate. “Our reason for this request is,” Chief Asham argued, “some of our Indians who have gardens poultry pigs and other things which require daily attendance cannot conveniently leave places of abode for to lay a time and to such a distance without loss to some of us.”⁹⁶ Nonetheless, it was a political move. Treaty days were significant annual events. In a community where people

⁹⁴ Letter from E. McColl to the Superintendent General, Feb 1891, NLAC, 1-2.

⁹⁵ Letter from Superintendent General to McColl, 18 Feb. 1891, NLAC.

⁹⁶ Petition from the Chief and Council of the St. Peters Band of Indians April 8 1891 to the Superintendent General of Indian Affairs, NLAC, 1.

remained mobile for much of the year, the camps on the treaty grounds every July were one of the few opportunities for the community to congregate. Treaty days fit into a pattern of seasonal gatherings and became a time for reaffirming kinship ties, for participating in ceremonies, for honoring their land through the recognition of their treaty, and for conducting politics. The democratic chieftainship and council continued to allow for dispersed authority, and any leaders including Asham needed widespread consent. Even a slightly greater distance to travel may have prevented some Ojibweg families from attending the gathering. More importantly, moving the treaty grounds into what had become essentially Maškēkowak territory served as a display of power and a claim to the land and resources of the reserve.

The Saulteaux seeking separation recognized the threat to their sovereignty. They offered a counterproposal: multiple camps.⁹⁷ For a People seeking independent recognition, securing their own treaty grounds may have seemed like acknowledgement of their independent authority. Additionally, because of the importance of treaty camps as gatherings that reaffirmed social relationships, a separate site would have allowed them to cultivate an authority outside the official chief and council. Not to mention, a second location in an Ojibwe-dominated region of the reserve would provide the opportunity to come together as a People, without the Maškēkowak—and, presumably, to gather support for the split.

Despite the Maškēkowak-aligned council's protests, the Department of Indian Affairs agreed to three annuity sites, one more than requested. Inspector McColl argued that large encampments “contribute to numerous disorders and scandals among those assembled.”⁹⁸ Similarly, the Deputy Superintendent of Indian Affairs approved the decision, commenting that

⁹⁷ Petition from the Chief and Council of the St. Peters Band of Indians April 8 1891 to the Superintendent General of Indian affairs, 1.

⁹⁸ From McCloll to Muckle, 29 March 1895, NLAC, 1.

“the nearer to their homes the payment is made, the less interruption there will be to their work, and the tendency will certainly be to avoid objectionable features connected with a large assemblage.”⁹⁹ Their reasons were paternalistic and ultimately intended to undermine both Saulteaux and Maškēkowak sovereignty, contributing to the progress of civilization programs that ultimately remove the need for treaty days and reserves. Nevertheless, the St. Peter’s People used the creative space generated by Settler policies to protect their sovereignty.

Because the Canadian government ignored Ojibweg claims to an independent sovereignty, many of the St. Peter’s People’s concerns remained unresolved. The Maškēkowak retained access to resources such as wood and land—access that Ojibweg could not control and could not rely on the ties of *inawemaagan* to protect. The reserve chief and council actively managed these resources, so as control of the leadership shifted between the two Peoples, so did the calls for separation. Rejecting the constraints of Settler administrative categories, Ojibwe *ogimaag* continued to speak “on behalf of the Saulteaux Indians of St Peters Band.”¹⁰⁰ If they could not achieve official separation, they could still differentiate themselves as a People distinct from the Maškēkowak. The conflict about belonging to the People never made its way to the St. Peter’s rolls. Instead, *ogimag* protected Saulteaux relationships through the elections that became a part of Settler reserve policy and by claiming autonomous spaces on their ancestral land.

Turtle Mountain People in Transition

In the first decades following the creation of their reservation, the Turtle Mountain Ojibwe were a People in transition. These changes arose not from Settler colonialism, although the pressures of encroachment intensified their significance, but rather from the centuries-long

⁹⁹ From Dept Supt Gen to McColl, May 20th 1895, NLAC, 1.

¹⁰⁰ Letter from “Your Treaty Indians” to Superintendent General, Mar 22 1892, NLAC, 2.

expansion of Anishinaabewaki and its People. The emerging community on the western edges of Ojibwe territory incorporated diverse demographics: Ojibweg families who had pursued buffalo and other economic opportunities onto the prairies, Métis or Michif relatives, and Cree, Assiniboine, Ottawa, and even Settler kin. They came together in the Turtle Mountains without regard for the colonial border between the United States and Canada, and increasingly they identified as a distinct Anishinaabe People with rights to a ten-million-acre swath of wooded hills, clear blue lakes, and fertile meadows. Divisions, however, existed within broader networks of kin, in part between those who identified as Michif and those who identified primarily as Ojibwe; it was not always clear who counted as *inawemaagan* and who as *meyaagizid*. When the United States treaty commissioners arrived in 1892 to negotiate reservation boundaries and compensation for millions of acres of unceded lands that had already been occupied by an expanding Settler population, the people of Turtle Mountain had to determine those distinctions. Amidst the heightened stakes of the illegal diminishment of their homeland, the Turtle Mountain People worked out who was one of the People.

As with the People of Lac Courte Oreilles and St. Peter's, Turtle Mountain Ojibwe expanded by relying on and forging alliances with neighbors. Integrating allies and relatives had enabled Ojibwe expansion since they left the Atlantic coast, and the move onto the prairies was no different. Cross-border buffalo hunts built relationships between Ojibwe and Métis or Michif kin.¹⁰¹ Cooperation facilitated access to increasingly scarce beaver and buffalo in a larger territory, and the mutual pursuit in turn reconfirmed kinship relationships. They relied on each other not only for hunting but also to fight the Dakota, into whose territory they expanded. The

¹⁰¹ Métis and Michif aren't the same—Michif includes a specific mixture of Ojibwe, Cree, maybe Assiniboine, and French, and there were both Métis and Michif people who came to the Turtle Mountains, although the Michif came to dominate, as demonstrated by the prominence of their distinct language.

combination of declining buffalo populations, U.S. refusal to recognize mixed-descent land rights, and two failed campaigns against the Canadian government by Métis led by Louis Riel encouraged many of the people living near the Red River to move to join their kin near the Turtle Mountain reservation or further west in Montana.¹⁰² Differences persisted. For instance, while some adopted the Michif language on the reservation as a common language that gave voice to their new identity, other Ojibweg interpreted speaking Michif as an attack on their autonomy.¹⁰³ Many Michif and Métis also had more experience with large-scale farming, leading to differing perspectives on land use. Despite disagreements, the shared experiences of buffalo and battles became embedded in Michif and Ojibwe oral history, binding relatives and allies through stories and lived relationships into the Turtle Mountain People.¹⁰⁴

Settler intrusions exacerbated the tensions between the coalescing groups. Intent on their own nation-building, the United States and Canada imposed their borders across Indigenous Peoples and insisted that men and women in this mobile borderland belonged either to Canada or the United States.¹⁰⁵ Moreover, the United States used reservation boundaries to further divide and reduce the number of Indigenous Peoples. In 1880, the federal government opened a land office in unceded Turtle Mountain territory in 1880. Two years later, when they secured their

¹⁰² Richotte, ““We the Indians,”” 56-67. In both 1869 and 1885, Red River Métis led by Louis Riel expressed their frustration with the lack of recognition for their peoplehood on the part of both The Dominion of Canada and the Hudson Bay Company. After the first conflict, Riel sought refuge among the Turtle Mountain People at Walhalla. Although the Dominion military defeated the armed attempts to protect Red River Métis sovereignty, the so-called rebellion led to the passage of the Manitoba Act, which set aside 1.4 million acres in the newly-created Province of Manitoba to settle the title of mixed-descent men and women. Many of Riel’s followers were born on the prairies in the borderlands of the Turtle Mountain region and maintained ties with their kin to the south. While many took scrip following the passage of the Manitoba Act, they sought refuge among their kin on the Turtle Mountain reservation. See D.N. Sprage, *Canada and the Métis, 1869-1885* (Waterloo, ON: Wilfrid Laurier University Press, 1988).

¹⁰³ Shaw, ““In Order that Justice May Be Done,”” 72; White Weasel, 284.

¹⁰⁴ Richotte, ““We the Indians,”” 56-57.

¹⁰⁵ Historian Michel Hogue demonstrates how the Cree experienced Settler efforts to establish the U.S.-Canadian border through their territory. Michel Hogue, “Disputing the Medicine Line: The Plains Cree and the Canadian-American Border, 1876-1885,” *Montana: The Magazine of Western History* (Winter 2002): 2-17.

executive order reservation, the Turtle Mountain People lived throughout an approximately 15.5 thousand square mile region south of the U.S.-Canada border, as well as on an unspecified extent of land in what had become Manitoba. The various communities remained connected by seasonal movements, with extended families gathering on the prairies to gather roots and pick buffalo bones during the summer and people traveling to visit relatives throughout the year.¹⁰⁶ In October 1882, the land office began accepting claims on homesteads for the thousands of settlers seeking land in the Dakotas.¹⁰⁷ The federal government supported these Settlers by further constricting Turtle Mountain land. In 1884, a second executive order unilaterally and without compensation reduced the reservation to two townships or twelve by six miles, a mere ten percent of the original reservation and utterly insufficient for the approximately two thousand men, women, and children who claimed affiliation with the Turtle Mountain People.¹⁰⁸ Between the executive order and the opening of the land to Settlers, Turtle Mountain families living at Walhalla (previously St. Joseph), Devil's Lake, Dunseith, and St. Johns suddenly became outsiders in their own homeland, at least from the perspective of the United States government. Farmer in Charge E. W. Brenner, once an officer in the U.S. army, repeatedly referred to those whose homes fell beyond the now-reduced reservation's boundaries as "outsiders."¹⁰⁹ "Outside," however, was a fiction created by Settler imaginations, furthering the goals of dispossession via confinement. United States officials instructed the men and women living beyond the reservation's townships to file claims to their unceded territory with the Devils Lake land office. Many Ojibweg refused to do so. They saw no reason to file claims on land that "belonged to

¹⁰⁶ Shaw, "In Order That Justice," 303.

¹⁰⁷ Shaw, "In Order That Justice," 266.

¹⁰⁸ Richotte, "We the Indians," 72-80.

¹⁰⁹ Brenner to Cramsie, Nov. 23, 1889, Letters Received, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

them anyhow.”¹¹⁰ Unable to physically contain the Turtle Mountain population, Settler policies sought to draw bureaucratic lines around who counted as Indian.

The Turtle Mountain People refused to allow federal officials to exclude mixed-descent and Canadian-born Ojibweg from their rights in the People. Led by a council under Little Shell, the People sought redress for unilaterally appropriated lands. When Special Indian Agent Cyrus Beede visited the reservation in 1883, he pressed the People to exchange their reservation for individual public domain allotments. When Beede told them that the U.S. government would never recognize “Canadian Indians” as part of the Turtle Mountain People, they insisted on the inclusion of “those members on the Canadian side of the line” in rights to the reservation and any payments or allotments from land ceded in the future.¹¹¹ This visit also revealed disagreements, in particular about land use. Many people who identified as Métis expressed a willingness for individual wheat farming, perhaps influenced by their success with wheat near Pembina, whereas other Ojibweg preferred to retain the land in common.¹¹²

While these differences persisted, as they had at both Lac Courte Oreilles and St. Peter’s, the Turtle Mountain People continued to define belonging for themselves. In the winter of 1890, Brenner limited the ration list to those he deemed “full-bloods.” The community responded immediately, insisting on the right of all the people to rations. At a general council meeting, the men and women of Turtle Mountain “decided that they wanted rations for *everybody* or they

¹¹⁰ Brenner to Cramsie, Aug. 23, 1889, Letters Received, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

¹¹¹ Richotte, ““We the Indians,”” 78-79.

¹¹² Richotte, ““We the Indians,”” 77.

would not let [Brenner] issue rations to *anybody*.”¹¹³ The decision reflected an understanding of belonging linked to reciprocal kinship obligations and asserted Anishinaabe peoplehood.

The issues of land and belonging remained linked. The Turtle Mountain People sent an almost constant stream of petitions and letters to officials in Washington reiterating that they had made no formal cessions.¹¹⁴ U.S. negotiators visited the reservation in 1890, suggesting removal to White Earth as solution. The Turtle Mountain People refused. The reality of Settler occupation of unceded territory and the uncertainty of the U.S. government’s response caused disagreement among the coalescing groups within the Turtle Mountain People. By 1884, a Grand Council led by Little Shell represented the People’s interests to the United States government. Little Shell, who himself lived between Manitoba, North Dakota, and Montana, continued to insist on incorporating all his kin, regardless of their previous residence. In keeping with his position, the council included a significant number of Michifs with ties to Canada, which some Turtle Mountain People worried would jeopardize their efforts to convince the United States to negotiate a treaty.¹¹⁵ U.S. officials unwaveringly stated that so-called Canadian Indians had no rights on the south side of the line, and they sent troubling signals about the position of mixed-descent men and women. Scrip promises for mixed-descent relatives after the Old Crossing Treaty in 1863 had fallen apart. Voicing the federal perspective, Brenner complained that the “half-breeds,” whom he did not consider real Indians, were “endeavoring to force on the government a claim for support, to which they are in no way entitled.”¹¹⁶ The question for the

¹¹³ Brenner to Cramsie, Jan. 8, 1890, Letters Received, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

¹¹⁴ Richotte, ““We the Indians,”” 80-85.

¹¹⁵ Richotte, ““We the Indians,”” 92.

¹¹⁶ Brenner to Waugh, Aug. 5 1890, Letters Received, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

People of Turtle Mountain, then, became who could present a case that the United States would hear.

Many of the mixed-descent populations throughout the Turtle Mountain region worried about protecting their rights against Settler violations. The United States had no official or consistent corollary to Métis status, which in Canada offered at least a form of sovereignty and acknowledgement of rights to the land. Southern mixed-descent Ojibwe therefore lacked legal protection of their rights, an increasingly precarious situation as Settler expansion transformed them into squatters in their own homelands. Many of the mixed-descent men and women, who may have crossed borders in their own lives but nonetheless met Settler definitions of American, wanted to reach an agreement with the United States that recognized and protected their Indigenous status. From their perspective, the best way to ensure they protected their relationships with their People and their land was by excluding their more newly-arrived neighbors from the North.¹¹⁷

Out of these questions of belonging emerged the Council of Thirty-Two. On September 17, 1890, shortly after the disagreements about “outsiders” receiving rations and cutting hay, a new entity called the Council of Thirty-Two approached Brenner in his Belcourt office. They asked Brenner to write to Washington about sending a commission so they could “know what their future might be.”¹¹⁸ With their concerns clearly focused on negotiating a treaty, this council formed without Little Shell or a single representative of the Canadian community. By the arrival

¹¹⁷ Richotte, ““We the Indians,”” 92.

¹¹⁸ Brenner to Waugh, Sept. 17, 1890, Letters Received, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO. In his unpublished Masters thesis, “A Reservation Is No Refuge: A Story of the Turtle Mountain Chippewa 1800-1900,” (University of North Dakota, August 2001), Roland Marmon argues that, contrary to previous scholarship, the Council of Thirty-Two originated from within the Turtle Mountain People rather than simply being externally appointed by the federal government in 1892.

of the McCumber Commission, the Council consisted of sixteen mixed-bloods and sixteen full-bloods.

Little Shell, meanwhile, maintained his separate council. Along with other ogimaa included Red Bear, recognized as a leader in the Old Crossing Treaty of 1863, Little Shell asserted that mixed-descent Ojibweg possessed full rights in the People. He brought his brother-in-law, recently arrived from Canada, to the agency at Belcourt and told Brenner to put his relative on the ration rolls.¹¹⁹ At a Grand Council in 1892, they appointed John Bottineau, who came from a mixed-descent family, as their official attorney, viewing him as someone capable of representing their interests. . He had received mixed-blood scrip as part of the Old Crossing Treaty and had continued to reside with the Turtle Mountain People. The Grand Council also voiced their intent to continue to recognize the rights of all mixed-descent relations with no reference to international boundary lines.¹²⁰ While the Council of Thirty-Two took action to exclude Canadian Ojibweg, John Bottineau, Little Shell, and others continued to articulate a vision of Turtle Mountain peoplehood that included “all Indians or mixed bloods,” regardless of which side of the Settler boundary line they came from and their blood quantum.¹²¹ From their perspective, the idea of a “foreign” Ojibweg made no sense. All of the Turtle Mountains were their homeland, and Settler borders had no impact on the relationships among kin.

In 1892, the Council of Thirty-Two, not Little Shell, succeeded in bringing the United States to negotiations for a new treaty. Their articulation of Indianness seemed more compatible with United States definitions, and Brenner had done his best to discredit “this idiot of a ‘Little

¹¹⁹ Brenner to Cramsie, July 14, 1890, Decimal Correspondence, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

¹²⁰ Richotte, ““We the Indians,”” 89.

¹²¹ Waugh to Commissioner of Indian Affairs, Jan. 28, 1892, Decimal Correspondence, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

Shell.”¹²² The ogimaa found himself essentially shut out of the McCumber Commission negotiations. In protest of the United States’ recognition of the Council of Thirty-Two, he and his followers pursued an old Ojibwe political strategy and abstained from McCumber Commission activities.¹²³ The Turtle Mountain People sought a new treaty for a variety of reasons, many of which contradicted American expansionist goals. The Michif population wanted to protect their relationships to the so-called “full-blood” kin, and with that relationship the right to the land.¹²⁴ All parties knew the reservation was too small to support even a reduced People, and they hoped to protect against removal or further encroachment. Specific objectives varied within the community, represented most dramatically by the split between Little Shell’s council and the Council of Thirty-Two, but all served the larger goal of protecting Anshinaabe sovereignty and its essential relationships.

In September 1892, the McCumber Commission arrived in Belcourt. North Dakota Senator Porter J. McCumber led the United States officials. While the Turtle Mountain People pursued their own goals, Congress directed the McCumber Commission to clear the reservation and the surrounding area for non-Indian settlement. In addition to the pressures of increasing Settler demands for land and conflicts stemming from the Turtle Mountain People’s refusal to file claims on their unceded territory, the United States officials expressed concern about the challenge to confinement posed by easy mobility across the international border. To facilitate these goals, Congress instructed the McCumber Commission to negotiate not only a land cession but also a removal agreement, the Fort Berthold reservation to the southwest as the proposed

¹²² Brenner to Waugh, Feb 1893, Decimal Correspondence, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

¹²³ Richotte, ““We the Indians,”” 90.

¹²⁴ Richotte, ““We the Indians,”” 87-88.

destination.¹²⁵ They hoped to obtain as low a price as possible for the ten-million-acre Turtle Mountain territory that the commissioners themselves described as “far superior” to all other land in North Dakota, and they wanted to reduce their obligations in terms of allotments and rations by shrinking the Turtle Mountain rolls.¹²⁶

The Turtle Mountain People remained unanimously opposed to removal. This was “the country the Great Spirit had given them,” referring to aadizookananag about the earth being built on the turtle’s back after the flood. The commissioners made it clear that, in their own words, “Congress could not be induced under any circumstances to increase the size of that reservation...or extend a single foot.” In response, the People declared, “They would rather accept a very small farm for the head of the family and remain where they are than take liberal allotments for themselves and their children elsewhere.”¹²⁷ The Turtle Mountain People likewise opposed allotment, the effects of which many had undoubtedly observed on visits to relations at White Earth and other reservations. Allotment was “so offensive to the leading Indians that to have inserted or retained such a clause in this agreement would have defeated it.”¹²⁸ They preferred to retain common rights, which they would continue to administrate among the People as they always had.

On October 22, 1892, the Turtle Mountain People signed the McCumber Agreement. The treaty, which then went to Congress for ratification, confirmed the two-township reservation and provided for \$1 million in compensation for ceded land—or, roughly ten cents an acre. Little

¹²⁵ Richotte, ““We the Indians,”” 86, 90; “Report,” 9.

¹²⁶ “Report,” 9.

¹²⁷ “Report,” 5, 12.

¹²⁸ “Report,” 18-19.

Shell never signed the document, nor did dozens of other adult men whose names no longer appeared on the rolls in the months leading up to the negotiations.¹²⁹

In January of 1892, the Council of Thirty-Two began the work of reducing the rolls, before the Commission arrived. Initially, they focused on “Indians or mixed-bloods of doubtful nationality,” using the Settler border as a criteria for belonging in the People. By May 2, the Council of Thirty-Two had created a list of all those individuals with “Chippewa blood, born in the United States or persons married to women of that kind, and have excluded all the rest.”¹³⁰ They identified 175 families comprised of 525 individuals as not possessing rights as one of the People. This number included a mixture of people living within the two townships of the recognized reservation and others living throughout the prairies and the Great Lakes region.¹³¹ The McCumber Commission reviewed this list and began its own census on September 20, reinforced by the presence of a deployment of U.S. troops. In the next phase, all those who did not make the Commission’s list found their names on a register of the disenrolled, posted “in conspicuous places throughout the reservation” and read in church. Disenrolled people had the opportunity to appeal and argue their entitlement to rights in the Turtle Mountain People before the McCumber Commission and Council of Thirty-Two with proof of their birthplace, history of residence, and any other information that might prove their affiliation—which, from the U.S.

¹²⁹ I choose to use ‘treaty’ to refer to the McCumber Agreement. The difference between ‘treaty’ and ‘agreement’ remains one of semantics, semantics that privilege Settler desires for power relationships between Indigenous Peoples and the United States. After 1871, so-called agreements such as the McCumber Agreement still required negotiation, and they implicitly acknowledged that Indigenous Peoples retained inherent rights that the U.S. had to negotiate in order to obtain land and resources. Richotte, “‘We the Indians,’” 91.

¹³⁰ Brenner to Waugh, May 31, 1892, Decimal Correspondence, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

¹³¹ Brenner to Waugh, May 2, 1892, Decimal Correspondence, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

officials' perspective, meant Americanness and, often, blood quantum.¹³² The Commission and Council of Thirty-Two rejected nearly all of the 525 petitions.¹³³ The McCumber Commission's census was only the start of a process that reveals how the Turtle Mountain People shaped federal policy and their own definitions of belonging. They recognized the connection between membership and land claims. Appeals continued into the twentieth century, and the men and women of Turtle Mountain continuously pushed back against U.S. attempts to impose Western, bureaucratic definitions of membership on their People.

Several criteria emerged as the baseline for understanding Turtle Mountain definitions of belonging. The primary measure was affiliation with the People, which had to be strong enough that the community recognized an individual as a member. Related to his baseline of affiliation, an individual had to prove residence in the Turtle Mountain homeland, defined by the Department of Interior as a nine-million-acre tract that ended three miles short of Walhalla, at the time of the McCumber Commission in 1892. Finally, men and women defending their enrollment had to demonstrate that they had established no "other statuses than that of members of the Band," meaning that they did not belong to another reservation's rolls, had not tried to claim the status of an enfranchised American, and were not Canadian.¹³⁴ In the deliberations over individual enrollments, both by the Council of Thirty-Two and a later twelve-person council that included seven of the original members, Turtle Mountain ogimaag frequently disagreed with U.S. officials about what these requirements actually meant. For instance, the Council of Thirty-Two considered marriage to one of the People sufficient relationship to entitle a man or woman

¹³² "Report," 10.

¹³³ Brenner to Waugh, Sept. 1, 1892, Decimal Correspondence, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

¹³⁴ Secretary of the Interior to the Commissioner of Indian Affairs, Oct. 25, 1905; Decimal Correspondence, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

to rights, giving kinship precedence over blood.¹³⁵ Throughout the process, the Turtle Mountain People continued to rely on a matrix for belonging rooted in the relational aspects of peoplehood.

The more contested cases highlight Turtle Mountain understandings of the above criteria. The application of Manitoba-born Alexander Charette raised a range of debated definitions. The Department of Indian Affairs recommended that the Council reject his and his daughter's petition, "[n]otwithstanding the fact that the Council is willing to recognize these persons."¹³⁶ The McCumber Commission had enrolled his brothers, father, and other relatives but not Charette, who lived near Walhalla. United States officials considered Walhalla and its surrounding towns to lie beyond the nine-million-acre tract they used to determine residence in the Turtle Mountain homeland, while the Council argued, "he lives and did live at the time of the meeting of the McCumber Commission on the nine-million-acre tract at Olga, N.D." Moreover, he maintained a clear affiliation with the People, evidenced by his frequent "visits [to] the reservation" and his relationships "among the mixed-bloods around Olga." Of his daughter Lisa Ducharme's recognition, the Council explained, "We have known her from childhood." U.S. officials, however, saw the mixed-descent communities near Walhalla as illegitimate, whatever their relationship with the rest of the Turtle Mountain People.¹³⁷ From the United States' point of view Charette and Ducharme's relationships with members of the Turtle Mountain People could not overcome their location on a clearly-delineated map. Affiliation, Canadian, Turtle Mountain homelands—these terms remained up for debate. As in the case of Charette, the Council insisted

¹³⁵ Brenner to Waugh, May 2, 1892, Decimal Correspondence, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

¹³⁶ Special Indian Agent E.A. Allen, "Report on Enrollment Applications," 20 Aug 1906, 34.

¹³⁷ Allen, "Report on Enrollment Applications," 34.

on Anishinaabe definitions and significance of the relationships of belonging that contradicted Settler categories.

Like the People of Lac Courte Oreilles and St. Peter's, the Turtle Mountain People defined affiliation in terms of living relationships with people, places, and stories rather than blood quantum. As at Lac Courte Oreilles, the council maintained their right to reject those women whose marriage to Settler men moved them out of the relational nexus of the People and thereby jeopardized their ties of obligation and belonging.¹³⁸ Similarly, as in the case of brothers Moise and Joseph Gardepay, the relationships of one brother did not guarantee those of the other. The council rejected Moise Gardepay because he was "dead, and would not be recognized if he were living." His brother Joseph and family, meanwhile, "are recognized by the Council because he has lived and now lives inside the nine million-acre tract at Olga, N.D., and his father belonged to the Turtle Mountain band and affiliated with it."¹³⁹ The only difference between these two brothers was in their individual relationships with the People. The Council recognized Andrew LaRoque, whose family history spanned the U.S.-Canadian border, because he "affiliated with this band at Olga and on the prairie," where he joined buffalo hunts and later root gathering expeditions. This labor reaffirmed his connections with kin, place, ceremonies, and the stories that had forged the Turtle Mountain People.¹⁴⁰ Special Indian Agent Allen, who reviewed enrollment applications for the U.S. government, denied LaRoque's application on the basis of what he saw as weak and intermittent affiliation, but the Ojibwe men on the council knew the strength of relationships cultivated by seasonal movements throughout their homeland.

¹³⁸ Allen, "Report on Enrollment Applications," 18-21.

¹³⁹ Allen, "Report on Enrollment Applications," 77-78.

¹⁴⁰ Allen, "Report on Enrollment Applications," 127. See previous chapter for a discussion of how labor maintained these relationships.

Residence became an important factor in determining affiliation, but affiliation also helped to define residence. United States officials sought to confine belonging in the Turtle Mountain People to a rigidly defined nine-million-acre tract, although the Turtle Mountain's newly ceded territory comprised up to ten million acres. The nine million number, however, conveniently cut off immediately west of Walhalla and its surrounding towns, where lived several long-established Michif communities. The United States government automatically disqualified any individual living near Walhalla and complained that Ojibweg "used the tract of country covered by what is known as the Turtle Mountains synonymous with the Turtle Mountain Reservation." Indeed, the men and women of Turtle Mountain frequently relied upon that definition, for that was how they understood their homeland. When discussing Charles Cloutier and his daughter Rosalie, the council and federal officials asserted opposing views of Turtle Mountain territory. Rosalie was born in Elkwood, just west of Walhalla, where her father lived. Special Agent Allen concluded that "in view of this mixed-blood's continued residence at Elkwood among the Canadian and other mixed-bloods who were uniformly refused enrollment by the McCumber Commission," the Cloutiers' applications were invalid. The council, however, insisted on recognizing both father and daughter, not only because of their regular visits to the reservation but also because they "lived on the nine million-acre tract, about three miles northwest of Walhalla, N.D."¹⁴¹ The council used their relationships with towns like Elkwood, Olga, and Walhalla to determine inclusion in the Turtle Mountain homeland rather than a fixed location on a map.

¹⁴¹ Allen, "Report on Enrollment Applications," 42-45.

The council similarly employed fluid, relational definitions of Canadianness, which would have excluded a person from rights as one of the Turtle Mountain People. The council rejected the application of Ka-ki-ka-yash, a “hunter and trapper” who worked on both sides of the border, due to his enrollment with the Swan Lake Reserve. Pe-wa-pi-koo-kwa-na (Iron Feather) likewise lived between Swan Lake and Turtle Mountain. Married to the daughter of Little Shell, he received recognition from the council “on account of being the son of a recognized member of the Band” and, undoubtedly, because of his relationship by marriage with prominent Turtle Mountain families. Special Agent Allen dismissed their acceptance of Pe-wa-pi-koo-kwa-na as “merely out of compliment to Little Shell,” but he and other U.S. officials often could not understand how relationships bound together Anishinaabeg Peoples via ties that did not recognize Settler borders.¹⁴² Angelic Villeneuve, the widow of a French-Canadian Settler, visited her children on the Turtle Mountain reservation but lost her bid for recognition because she received a pension from the Canadian government for her husband’s military service. Her daughter, however, lived on the reservation, was known to the People, and retained her official enrollment.¹⁴³ Differentiating between mother and daughter, the council presented a definition of Canadianness based on relationships—or, rather, a lack thereof.

Through the McCumber Commission enrollment process, Canadian became synonymous with meyaagizid. Men and women such as Renville and Pe-wa-pi-koo-kwa-na who maintained the necessary connections with place, people, and other relationships remained Turtle Mountain, not Canadian. Those whom the council designated as Canadian, and therefore meyaagizid,

¹⁴² Allen, “Report on Enrollment Applications,” 108, 179.

¹⁴³ Secretary of Interior to Commissioner of Indian Affairs, Oct. 25, 1905, Decimal Correspondence, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.. Her husband’s military service is a bit confusing. The letter mentions that he was a member of “Hatches Battalion.” Hatch’s Battalion was a Civil War battalion out of Fort Snelling and St. Paul, MN.

lacked those relationships. As with non-resided mixed-descent relatives at Lac Courte Oreilles and the Maškēkowak at St. Peter's, for the Turtle Mountain People Canadianness involved resource access and reciprocal obligations. The council used selling scrip as a measure of Canadianness, despite Bureau of Indian Affairs rulings stating that scrip did not automatically disbar enrollment.¹⁴⁴ Although the council "knew" Dunseith resident Rosalie Belgarde Allery, for instance, they declared her ineligible due to her choice to receive Canadian scrip near Moose Jaw, Saskatchewan, several years after the signing of the McCumber Agreement.¹⁴⁵ Norbert St. Pierre, meanwhile, had sold Canadian scrip following the Red River Resistance, but the council decided that he maintained his rights as one of the People. St. Pierre and Allery differed in their relationships with the land and its resources. St. Pierre, who lived on the reservation during the winter and left during the warmer months to find work, maintained the necessary relationships that not only granted him access to Turtle Mountain resources but also, in return, required obligations to protect those resources.¹⁴⁶ In the context of Settler encroachment on Turtle Mountain territory and impending allotment, the council may have interpreted Allery's decision to sell her rights to the land in Canada as a sign of weak or nonexistent relationships. The Council may have known her, but they did not know her well enough.

The Turtle Mountain People continued to define belonging flexibly, helping them to defend their sovereignty against both geographic and bureaucratic encroachment. They protected their lands, woods, and other resources and their decision-making power from meyaagizid, as the People of Lac Courte Oreilles protected their timber and St. Peter's their autonomy, while also

¹⁴⁴ Attorney General's opinion, 10 Aug., 1906, in "Report on Enrollment Applications," 7.

¹⁴⁵ Allen, "Report on Enrollment Applications," 8.

¹⁴⁶ Allen, "Report on Enrollment Applications," 206.

honoring the bonds of inawemaagan. The office of Indian Affairs tried officially to overrule the Turtle Mountain council's decisions. They declared Renville, Pe-wa-pi-koo-kwa-na, Cloutier, Gardepay, LaRoque, and others to be outsiders. For those who possessed the relationships of inawemaagan, even without recognition by the United States, exile occurred less in reality than on paper. On October 15, 1892, the Farmer in Charge at Turtle Mountain posted a notice throughout the reservation ordering, "[A]ll parties who are not enrolled as members of the Turtle Mountain Band and accepted by the Commission now present as entitled to participate in any proceedings with the said Commissioners are directed to withdraw from within the limits of the Turtle Mountain reservation at once or be arrested."¹⁴⁷ Belonging, and with it the rights as one of the Turtle Mountain People, proved to be more complicated than bureaucratic categories, and despite U.S. interference, the Turtle Mountain People remained determined to define these relationships for themselves. As of August 1896, at least 185 non-recognized individuals comprising between twenty and thirty families continued to reside on the reservation, and Turtle Mountain ogimaag ignored the Agents' directives about denying access to lands and resources.¹⁴⁸

Many of the People became dissatisfied with the Council of Thirty-Two in the aftermath of the derisively-nicknamed Ten-Cent Treaty. In January of 1894, several Turtle Mountain men rejected their nominations to the "Executive Committee," a new name for the reduced Council of Thirty-Two, now about twelve seats. In addition to non-enrolled individuals receiving nominations, several people refused to associate with the Executive Committee. For instance,

¹⁴⁷ Notice signed by Waugh and Brenner, 15 October 1892, Decimal Correspondence, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

¹⁴⁸ Brenner to Hall, 17 Aug 1896; Hall to Commissioner of Indian Affairs, May 1895, Decimal Correspondence, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

Wa-ge-m-wish-king, Ayak-bi-kh-tring, and Be-me-metung all reported that they did “not wish to appear in this connection” and refused their nominations.¹⁴⁹ Although their reasons went unrecorded, their desire to distance themselves from the Committee suggests that they disapproved of its decision regarding the treaty and accompanying census. Meanwhile, ogimaa Little Shell and the general council continued to meet and advocate for the Turtle Mountain People.¹⁵⁰ A group known as the “Chief’s Council” presented itself as the People’s ogimaag. Despite the complaints of Brenner and other Settler officials, this council went about the business of “administer[ing] the affairs on the reservation.” They granted or withheld permission for non-enrolled to cut hay or timber and build on the reservation, and they prevented non-Indian Settlers from crossing reserved lands to cut wood on land claimed by the United States government.¹⁵¹

Settler colonialism shaped but did not determine Ojibweg discussions about who was one of the People. In both Canada and the United States, the reserve and reservation, respectively, provided a space to isolate and ultimately erase Indigenous peoples. In order to accomplish this goal, both governments first had to dissolve community ties and deny the inherent sovereignty that facilitated Native peoples’ defiance. Particularly in the Great Lakes region, where the United States, Great Britain, and Canada struggled to assert their own visions of themselves as nation-states, Indian autonomy threatened colonial interests. As a result, Settler policies often targeted the foundations of Anishinaabe peoplehood. Through containment, allotment, and assimilation

¹⁴⁹ Brenner to Hall, 11 Jan 1894, Decimal Correspondence, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

¹⁵⁰ Brenner to Waugh, Feb. 9 1893, Decimal Correspondence, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

¹⁵¹ Brenner to Henry Poitras, Nov. 9, 1894; Brenner to Hall, Jan. 2, 1895; Brenner to Hall, Feb. 2, 1895.

policies, Settler governments sought to undermine Anishinaabe sovereignty. The Ojibwe People did not simply react, however; they consistently asserted their peoplehood, shaping the formation of policies such as allotment.

The Ojibweg at Lac Courte Oreilles faced allotment—another in a series of challenges to Ojibwe sovereignty—as an autonomous People, unified by relationships with kin, land, language, ceremonial cycle, and sacred history. These relationships shaped their engagement with Settler policies, including allotment. Ojibweg efforts in the 1880s raised important questions about membership and citizenship—questions that persisted in the twentieth century and continue to arise today. If relationships with kin and land were intertwined, how could estranged blood descendants be one of the People? What obligations would they feel to fellow Ojibwe and to resources that they could sell? Ojibweg at Lac Courte Oreilles and other reservations throughout the Great Lakes region sought to answer these questions as a sovereign people. The men and women of Lac Courte Oreilles maintained an active role in the allotment process, articulating their peoplehood by reaffirming their relationship with their homeland.

At St. Peter's, the Peguis People demonstrated both the fluidity and the boundaries of access to belonging in the People as they fought to protect their newly-established reserve. The lack of reciprocal relationships and the Maškēkowaks' position outside of Ojibwe social relationships meant that, from the perspective of Ojibweg at St. Peter's, their Maškēkowak neighbors did not share the same rights to their reserve. They were not part of the Ojibwe People, the forced inclusion of Maškēkowaks with competing interests challenged Ojibwe sovereignty. Within this context, however, the Peguis People continued to assert their own definitions of being Anishinaabe, unofficially when Maškēkowaks held the council and chieftainship and from a position of authority when Ojibwe men won elections.

The Ojibwe People of Turtle Mountain likewise negotiated the boundaries of inawemaagan and meyaagizid. The issues remained unresolved by 1896—and, indeed, well into the twentieth century—but they nevertheless highlight the contested, dynamic nature of Ojibwe peoplehood, which never formed a static category. The Ten-Cent Treaty met with immediate criticism from various sections of the Turtle Mountain People. In fact, the agreement never represented a consensus about the community’s composition. Bureaucratic lines drawn before the McCumber Commission’s negotiations began excluded significant Ojibwe voices from the treaty-making process. Arbitrary distinctions between reservation and non-reservation, American and Canadian, mixed-blood and full-blood—divisions that belied the continued relationships that bound people and territory in the western reaches of Anishinaabewaki—meant that dissenters became “outsiders” with no right to an opinion on their People’s future. Attacks on “that idiot of a ‘Little Shell’” and the previous council delegitimized their role as representatives of the People, at least from the perspective of the United States, and by extension their belonging as one of the People. These divisions served Settler goals of expansion, confinement, and erasure. Beyond bureaucratic maneuvering, however, the silences refused to last. Many of the disenrolled remained on the reservation with their kin and continued to access shared land and resources. The Turtle Mountain People, along with the People of Lac Courte Oreilles and St. Peter’s, continued to define belonging based on Anishinaabe relationships.

Facing the threat of Settler policies designed to confine Anishinaabe sovereignty, Anishinaabe Peoples turned to the relationships that governed access to land and resources—relationships with kin, land, language, sacred history, and ceremonial cycle that defined who was one of the People. At St. Peter’s, Turtle Mountain, and Lac Courte Oreilles, they reaffirmed ties with those whose status as one of the People obligated them to protect the land and resources and

excluded the meyaagizid who did not share in those rights or reciprocal responsibilities. These relationships continued to sustain Anishinaabe peoplehood as Settler goals of expansion led to even more encroachment on Anishinaabewaki during the twentieth century.

Chapter 4

Anokii Giiwitaashkaa:¹ Adapting Labor, 1880-1920

When they left their homes on the eastern edge of Turtle Island, the Anishinaabe People knew their destination: the land where the food grows on water. They stopped at many places along the way to camp, perform ceremonies, mark sacred places, and work to provide for their people. At each site, women constructed wiigiwaman and planted gitigaanan (gardens) while they waited for the next phase of the chibimoodaywin. Fishermen caught adikamegad (whitefish) with nets from the back of their canoes. Men also hunted, while women tended gitigaanan and gathered the first manoomin. At last, after many years, they reached Mooningwanekaaning-minis (Madeline Island) and the end of their journey. In this place, they found not only manoomin in abundance but also waters that teemed with fish and forests filled with maple trees for sugar and deer, bears, and elk for meat. Gitchi Manitou had put this land for the People and, with Ojibwe men and women's labor, the aki would support the People.

Anishinaabeg anokiiwin or labor sustained the People along their migration and forged their connection to their homeland once they arrived. Facing Settler encroachment on their lands and resources, Anishinaabeg Peoples negotiated treaties throughout the nineteenth century, protecting their rights to the place the Creator had made for them and the resources within that place. On ishkoniganan, Anishinaabeg mobilized flexible kinship networks that challenged Settler policies meant to confine and erase, again protecting rights to aki and resources. Between the 1880s and 1920s, labor provided a physical means for Anishinaabe men and women to maintain the relationships of peoplehood, unbroken by the crush of Settler reservation policies

¹ Work goes around in a circle.

designed to spatially and politically confine Indigenous Peoples.² The treaties that Anishinaabeg negotiated during the nineteenth century reflected the relationship between labor and sovereignty and empowered Anishinaabeg peoplehood through the next century. The Anishinaabeg at St. Peter's, Turtle Mountain, and Lac Courte Oreilles followed seasonal patterns of labor that connected them to their homeland and each other, enacting a form of belonging. Anomie, to work, was Anishinaabewi. Ojibwe men and women moved in pursuit of resources, such as wild rice and game, to renew relationships with places beyond ishkonigan borders, for the People had also reserved these rights. Further, when Ojibwe people accessed resources within ishkonigan boundaries, they claimed ishkoniganan as part of Anishinaabewaki against Settler attempts to redefine those spaces. In addition to gender and seasonal patterns, Ojibwe men and women organized anokiiwin by environment. They worked noopiming (in the woods), agamiing (at the water), and mashkodeng (on the prairie). Anishinaabe scholar and storyteller Basil Johnston (Nawash First Nation) describes the "meadows, forests, and shorelines" that sustained the Anishinaabe People. The relationship with aki and its resources went beyond physical sustenance. Aki, which Johnston personifies as Mother Earth, "whispers and chants to the downhearted and dispirited through the treetops, over the meadows, in cascades and rapids."³

² I do not mean to suggest that Ojibwe men and women did not also engage in seasonal labor for so-called rational or financially motivated purposes. See Bruce Trigger, "Early Native North American Responses to European Contact: Romantic versus Rationalistic Interpretations," *Journal of American History* 77 (March 1991): 1195-1215. Of course they did. However, these decisions took place within the context of Settler colonial policies that targeted Ojibwe peoplehood, a struggle in which Indigenous labor became a central battleground for Indigenous sovereignty and Settler nation-building. Additionally, from an Ojibwe perspective, the social relationships of peoplehood cannot be separated from economic and political relationships. See Norrgard, *Seasons of Change*.

³ Basil Johnston, *Honour Mother Earth* (Cape Crocker, ON: Kegedoke Press, 2003), viii.

Anishianabeg used seasonal labor to connect with these places and receive “Mashi-aki” or “the strength of the earth.”⁴

This chapter uses woods, waters, and prairies to organize the discussion of anokiiwin, demonstrating how Anishinaabeg continued to define Anishinaabewaki through their actions.⁵ Ojibweg engaged in seasonal anokiiwin, including working for wages, in woods, waters, and prairies to maintain reciprocal relationships to kin, lived out the relationships established by aadizookaanag, and provided the context for ceremonies. In a period most frequently associated with decline and dependency, the St. Peter’s, Turtle Mountain, and Lac Courte Oreilles Peoples engaged in seasonal anokiiwin to reinforce their sovereignty.

Yet, late nineteenth and early twentieth century Setter policies attempted to reconfigure Anishinaabeg anokiiwin. Reservation and reserve policies including allotment confined Indigenous Peoples to limited land bases and attempted to teach them agriculture. At the turn of the twentieth century, federal Indian policy shifted from promoting self-sufficiency through agriculture to transforming Indigenous people into a docile and compliant workforce.⁶ Simultaneously, Gilded Age economic change directed Settler interest toward extracting the natural resources in Anishinaabewaki’s woods, waters and prairies.⁷ In the twentieth century,

⁴ Johnston, *Honour Mother Earth*, viii.

⁵ Andrews uses the term workscape in his discussion of labor in the Colorado coal mine to capture the mutually constitutive process by which labor shaped the landscape and the landscape shaped the social relationships among workers. Andrews, *Killing for Coal: America’s Deadliest Labor War* (Cambridge: Harvard University Press, 2010).

⁶ Hoxie argues that Progressive Era reformers in the United States shifted to racialized views of Native Americans, which contributed to a shift in Indian land policy from the goal of self-sufficiency to marginalized laborers. In Canada, federal and provincial officials consistently prioritized Settler economic expansion and undermined their supposed goals of First Nations agricultural self-sufficiency. The policy to locate reserves away from the planned path of the Canadian Pacific Railway, for instance, meant that reserves lost access to both farmland and markets. Hoxie, *A Final Promise*, 173; Carter, *Lost Harvests*, 59-60.

⁷ Hoxie, *A Final Promise*, 43-44. Historian Joshua L. Reid provides an example of how national conservation laws, solidifying nation-states, and expanding commercial industries at the end of the nineteenth century marginalized Makah whalers and sealers. *The Sea Is My Country*, 17, 164-209. During the Gilded Age, U.S. and Canadian Settler

Progressive Era boosters in Wisconsin, Manitoba, and North Dakota promoted tourism to bolster state and provincial economies. While Anishinaabeg viewed treaties as protecting the woods, waters, and prairies that comprised their homelands, the United States, Britain, and Canada saw them as tools of confinement.⁸ Reserves, reservations, and the policies that built them placed limits on Indigenous Peoples, rendering them legible to—and therefore controllable by—the Settler state and clearing room for spatial, social, political, and economic expansion.⁹ Once treaties laid the spatial groundwork for confinement, reservation policies erected additional barriers. Both Canada and the United States imposed limits on Indians' freedom to leave their newly-bounded homes.¹⁰ In the aftermath of the Métis resistance in 1885, the Dominion government required Indians to obtain passes from their local agent before leaving, despite possessing no legal authority to impose those restrictions that remained in place through 1935. In

colonial systems increasingly sought to facilitate the efficient development of tribal lands, often under a logic of conservation. Both Louis S. Warren and Karl Jacoby trace how territories used in common by Indigenous people and sometimes rural Settlers transformed into public resources and criminalized subsistence hunting, fishing, and gathering. Warren accounts for the "reification of wild animals as public goods" and the shift of local commons to a national commons under pressure from recreational sportsmen and the tourist industry. Warren, *The Hunter's Game: Poachers and Conservationists in Twentieth-Century America* (New Haven: Yale University Press, 1997), 12-19. Jacoby gives the example of the Havasupai in the Grand Canyon. Anglo grazing and logging threatened game and firewood, and Settler conservation efforts enclosed the Havasupai in a multi-layered bureaucracy that threatened their ability to access essential resources.; Karl Jacoby, *Crimes Against Nature: Squatters, Poachers, Thieves, and the Hidden History of American Conservation* (Berkeley: University of California Press, 2001), 149-170. Scholars around the world have traced similar patterns during this era. For instance, Indian historian Ramachandra Guha links the grassroots struggle against commercial forestry in the Himalaya mountains to the process of colonial state formation. Ramachandra Guha, *The Unquiet Woods: Ecological Change and Peasant Resistance in the Himalaya* (Berkeley: University of California Press, 1990). See also David Arnold and Ramachandra Guha, eds., *Nature, Culture, Imperialism: Essays on the Environmental History of South Asia* (Delhi: Oxford University Press, 1996); Zoe Laidlaw and Alan Lester, eds., *Indigenous Communities and Settler Colonialism: Land Holding, Loss and Survival in an Interconnected World* (New York: Palgrave Macmillan, 2015). These studies link settler colonial state formation, economic expansion, and conservationism in the late nineteenth and early twentieth centuries. Restricting access to resources for conservation or commercial purposes reinforced racial and class inequality and bolstered settler colonial systems of power.

⁸ Genetin-Pilawa, *Crooked Paths*, 21; Unrau, *Rise and Fall of Indian Country*, xii; Norrgard, *Seasons of Change*, 7.

⁹ Genetin-Pilawa, *Crooked Paths*, 21-28; Scott, *Seeing Like a State*.

¹⁰ Paige Raibmon discusses mobility as a form of resistance in "Meanings of Mobility on the Northwest Coast," in *New Histories for Old: Changing Perspectives on Canada's Native Pasts*, ed. Ted Binnema and Susan Neylan (Vancouver: University of British Columbia Press, 2007), 175-195.

1890, the Canadian Department of Indian Affairs (DIA) granted agents the authority to act as justices of the peace and arrest Indians for violating vagrancy laws, targeting those who moved away from the reserve in pursuit of seasonally-available resources.¹¹

In addition to policies aimed at mobility, Settler states passed measures that interfered with the internal relationships of Native peoplehood. Laws and administrative procedures prohibited the sale of alcohol, allowed departments of Indian Affairs to intervene in tribal governance by requiring and sometimes deciding elections of chiefs and councils, and criminalized religious and ceremonial activities.¹² Beginning with potlatches in 1880, Canada placed increasingly restrictive prohibitions on “Indian dances.” By 1904, both Settler nations banned the Sun Dance, a central part of the ceremonial cycle for Anishinaabe Peoples who had incorporated the dance as they moved west.¹³ Anishinaabeg Peoples pressed against additional layers of confinement. States and provinces asserting their own borders imposed themselves upon Indigenous sovereignty, enforcing gathering and game regulations and denying Native

¹¹ Dickason, *Canada's First Nations*, 314-315, 326; S. Bennet, *Passes for Indians to Leave Reserve* (Ottawa: Treaties and Historical Research Center, 1980); F. Laurie Barron, “The Indian Pass System in the Canadian West, 1882-1935,” *Prairie Forum* 13:1 (1988): 25-42.; Sarah Carter, “Controlling Indian Movement: The Pass System,” *NeWest Review* (May 1985): 8-9; West, *Last Indian War*. The massacre at Wounded Knee, close enough to Turtle Mountain that federal agents accused Turtle Mountain people of aiding the Lakota “hostiles,” was in part a terrible culmination of policies intended to confine, targeting Lakota men and women who refused to acknowledge reservation boundaries or prohibitions against the Ghost Dance. The threat of violence accompanied the push for expansion at any cost.

¹² Chief Joe Mathias and Gary R. Yalsky, “Conspiracy of Legislation: The Suppression of Indian Rights in Canada,” *British Columbia Studies* (Spring 1991): 34-47; Diane Newell, *Tangled Webs of History: Indians and the Law in Canada's Pacific Coast Fisheries* (Toronto: University of Toronto Press, 1993), 96; Genetin-Pilawa, *Crooked Paths*; Hoxie, *Final Promise*; Wilkinson, *Blood Struggle*. For a transnational perspective of confinement by law, see Amanda Nettleback and Russel Smandych, “Policing Indigenous Peoples on Two Colonial Frontiers: Australia's Mounted Policy and Canada's North-West Mounted Police,” *Australia and New Zealand Journal of Criminology* 43:2 (Aug 2010): 356-375.

¹³ Dickason, *Canada's First Nations*, 315, 327; Katherine Pettipas, *Severing the Ties that Bind: Government Repression of Indigenous Religious Ceremonies on the Prairies* (Winnipeg: University of Manitoba Press, 1994); Raibmon, *Authentic Indians*,

American jurisdiction in the courts.¹⁴ Although federal Indian policy and regional economic changes undermined Ojibwe work and labor, Ojibwe people engaged in “purposeful modernization” to take advantage of the changing economic landscape of the United States-Canadian borderlands.¹⁵

Anishinaabeg Views of Anokiiwin

While Settler reservation policies aimed to confine and erase, Anishinaabeg intended ishkoniganan to last. The treaties that the People of St. Peter’s, Lac Courte Oreilles, and Turtle Mountain negotiated protected Anishinaabewaki for future generations. These agreements reserved the right to hunt, fish, and gather, ensuring access to the woods, waters, and prairies that provided essential resources and making labor central to Anishinaabe efforts to protect and express sovereignty in the late nineteenth and early twentieth century.¹⁶ Ojibweg Peoples knew that their treaties had transferred land but not resources. For instance, in the negotiations leading up to the Stone Fort Treaty or Treaty 1, Dominion representatives assured the representatives from the Peguis or St. Peter’s People that they could continue to hunt and fish as before, and reserve boundaries would not apply to those access rights.¹⁷ In their 1864 petition, ogimaag from the Lake Superior area likewise knew that the treaties and ishkoniganan had not affected the

¹⁴ Satz, *Chippewa Treaty Rights*.

¹⁵ Building off of Latin American scholars, Eric Meeks refers to this process as “resistant adaptation.” Richard White and Brian Hosmer used the term “purposeful modernization,” and Steven High employed “selective adaptation.” All three emphasize that Indigenous Peoples actively and purposefully integrated transforming economic forces for their own economic, as well as social and political, ends, and they did so without abandoning their Indianness. Meeks, “The Tohono O’odham, Wage Labor, and Resistant Adaptation, 1900-1930,” *Western Historical Quarterly* 34:4 (Winter 2003): 469-489; Hosmer, *American Indians in the Marketplace*; White, *Roots of Dependency*; High, “Native Wage Labor and Independent Production during the ‘Era of Irrelevance’” *Labor/LeTrevail* 37 (Spring 1996): 243-64.

¹⁶ Chantal Norrgard explores the relationship between labor, treaties, and Anishinaabe resistance to Settler colonialism in *Seasons of Change*.

¹⁷ Friesen, “Grant Me Wherewith to Make My Living,” 143. Chantal Norrgard discusses Ojibwe understandings of reserved rights in Minnesota, Michigan, and Wisconsin throughout *Seasons of Change*.

People's rights to Anishinaabeawki's resources. In addition to listing their United States allies' unfulfilled obligations, the ogimaag drew the federal government's attention to what the Anishinaabeg had exchanged in the treaties: "From the usual height of cutting a tree down and upwards to lop is what I sell you, I reserve the root of the tree. Again this I hold in my hand the Maple Timber, also the Oak Timber, also this Straw which I hold in my hand. Wild Rice is what we call this. These I do not sell."¹⁸ Ojibwe ogimaag recognized that resources and rights to anokiiwin within their homeland grounded their sovereignty. Anokiiwin intertwined with sovereignty and the relationships of peoplehood that supported it.¹⁹ Anokiiwin became a central axis of Anishinaabeg resistance to Settler encroachment and confinement, not only because it enabled survival but also because labor connected the Anishinaabe People to the essential relationships of their peoplehood.

The connection between sovereignty and anokiiwin has deep roots in Ojibwe peoplehood. The Anishinaabe People accessed the Creator's gifts through anokiiwin. A sacred relationship existed between anokii, the Anishinaabe People, and aki. Spiritual power permeated the physical world. Through work, labor, and resource use, human beings reaffirmed relationships with their

¹⁸ "Statement made by the Indians, a bilingual petition of the Chippewas of Lake Superior, 1864," 4.

¹⁹ Deconstructing perceived barriers between modernity and traditionality, scholars of Indigenous labor history have demonstrated the agency of Indian communities to participate in market capitalism without degenerating or sacrificing their autonomy. Richard White's *Roots of Dependency* is perhaps the best known work that argues for the collapse of subsistence economies into dependency. More recently, scholars have challenged this perspective. In their collection of essays entitled *Native Pathways*, Brian Hosmer, Colleen O'Neill, and various contributors challenge the notion of binary constructions of modernity and traditionality and discuss the ways in which Native Peoples in the twentieth century forged "alternative pathways of development" within the market economy (2). See also Hosmer, *Indians in the Marketplace*; O'Neill, *Working the Navajo Way*; Raibmon, *Authentic Indians*; Bauer, *We Were All Like Migrant Workers Here*"; Cattelino, *High Stakes. Indians in Unexpected Places* by Philip Deloria also helps to deconstruct the modern/traditional binary, as does Frederick Hoxie's "From Prison to Homeland." Wage labor and other expanding economic strategies often served as tools of survival and sovereignty. For instance, William Bauer argued that work and labor—tied to creation narratives, social networks, and the land—supported the survival of California Indian communities. Bauer, *We Were All Like Migrant Workers Here*. Native Peoples persevered in part because of, not in spite of, labor. Anishinaabe scholars such as Brenda Child and Chantal Norrgard link labor and reservation practices to Anishinaabe survival in the reservation era. Child, *Holding Our World Together*; Norrgard, *Seasons of Change*, 2.

human and non-human relatives in a reciprocal cycle, part of a labor ethic that valued reciprocity and honored life-giving powers.²⁰ Melvin Eagle, an elder from Misizaaga’igan (Mille Lacs), explains this relationship. Gitchi Manitou lowered the Anishinaabe to this place

to look after this here, to take care of this earth and look after these creatures, so that we can take good care of these animals, and these birds, and the fish, and the lake, the trees, all of these things.’ He said that we’ve been told to be caretakers. (Gizhi-manidoo gigii-izhi-igoonaan ji-ganawendamang o’ow, ji-ganawendamang o’ow aki ji-ganawenimangwaa ongow, weweni ji-ganawaabamangwaa ongow awesiinyag, miinawaa ingiw binesiwag, miinawaa giigoonyag, miinawaa zaaga’igan, mitigoog, akina sa ingiw.’ Mii gaa-izhid a’aw ani-igooyang ji-ganawendamang.)

To be a caretaker implied an active relationship, enacted through both thought or intention and the physical actions. Throughout the treaty process, according to Eagle, “[g]aawish wiin i’iw giimiigiwesiiwag i’iw, mitigoon, giigoonyan, waawaashkeshiwan, miinawaa i’iw manoomin. (But they never ceded this here, or the trees, fish, deer, and that rice. The Indians took care of those things.)”²¹ Taking care of the resources—the manoomin, waawaashkeshi (deer), ziinzibaakwadwaatigoog (sugar maples)—formed part of a web of reciprocity that bound together and defined the Ojibwe People.

Anokiiwin conformed to a seasonal, cyclical pattern that emerged from aadizookaanag.

According to Lac Courte Oreilles elder and scholar Edward Benton-Banai,

While Original Man was carrying out the instructions given to him by the Creator, he noticed that the Earth had four seasons. All life was part of a never-ending cycle. The plants were given new life in the spring. With the coming of summer, they blossomed and bore seeds for the next generation. Some of the plants produced fruits. In the fall season, the leaves of many of the plants turned from green to many spectacular colors. The leaves gradually fell to the ground as the gee-zhi-gad-doon’ (days) got shorter and the dee-bee-kad-doon’ (nights) got colder.

²⁰ Child, *Holding Our World Together*, 64.

²¹ Eagle interview, *Living Our Language*, 116-117.

In winter, the cold winds of the Gee-way'-din (North) brought the purifying snows that cleansed Mother Earth. Some of the plants died and returned their bodies to their mother. Other plants fell into a deep sleep and awoke only when Grandfather Sun and the warm winds of the Zha-wa-noong' (South) announced the coming of spring.²²

Seasonal patterns directed Anishinaabe labor, which had an intimate connection with aki, and ensured access to a diverse array of natural resources. The seasonal round also moved Anishinaabeg through their homelands and tied families to certain places as they camped noopiming (in the woods) to hunt or collect sugar maple, agamiing (at the lake) for fishing or harvesting wild rice, on the mashkoden (prairies) to cut hay or follow buffalo, and to oodenawan (towns) to trade.

Anokiiwin both depended upon and reinforced kinship networks. Gendered divisions defined anokiiwin, which in turn reinforced men's and women's roles within larger Anishinaabeg reciprocal networks. Men's primary anokiiwin consisted of hunting and fishing, while women gathered maple sugar, wild rice, berries and other resources; cared for and moved camps; and processed meat and fish. These gendered divisions functioned as complementary or balanced duties in a web of relationships built on reciprocity, and they remained relatively flexible to maintain that balance. Activities such as sugaring, ricing, farming, and fishing were often family affairs. Families camped and worked together, and movements for labor connected kin over long distances and Settler boundaries. Additionally, within the reciprocal context of kinship, extended families often relied on various members for support.²³

²² Benton-Banai, *Mishomis Book*, 16-17. John Borrows describes seasonal movements similarly. He goes on to connect seasonal anokiiwin, aadizookanag, and inawemaagan, as new generations of Ojibweg replicate the patterns of their ancestors. *Drawing out the Law*, 149.

²³ Child, *Holding Our World Together*, 24-28; Redix, *The Murder of Joe White: Ojibwe Leadership and Colonialism in Wisconsin* (East Lansing: Michigan State University Press, 2014).

For the Ojibweg, various forms of anokiiwin possessed meaning beyond simple economic value. Ojibweg conceived of labor as part of maintaining good relations, meaning that Ojibweg ideas about work included activities generally left out of Settler understandings. For instance, Baadwewidaang of Leech Lake worked as “a messenger in the medicine dance.” His son, Porky White, explained:

Gii-oshkaabewisiwi dibishkoo mii go gaye niin noongom ezhi-anokiiyaan. Indooshkaabewisiw....Aanishinaa, o’ow niibing, nixing azhigwa indizhichige o’ow isa izhichigeyaan, wiidookawag saw niijanishinaabe gagwejimid gegoo akeyaa waa-gikendan o’ow isa akeyaa midewiwin. (He was a messenger just like I am today in my work. I’m a messenger....Well now, this summer, in the summer I do this, doing things, helping my fellow Indian in what he asks me of what he wants to know about the *mide* way of doing things.)

White refers to being an oshkaabewis or messenger in the Midewiwin as anokiiwin.²⁴ Drumming and singing qualified as work or labor because they contributed to keeping the balance, and that gave anokiiwin its meaning.

In the late nineteenth century, Settler industries, fueled by Indigenous People’s resources, penetrated Anishianabewaki as they accelerated westward in the late nineteenth century and transformed the labor landscape of the North American West.²⁵ Mining, logging, and commercial fishing and agriculture companies colluded with federal, state, and provincial authorities to enact policies that favored their development while placing limits on Indian Peoples.

Turtle Mountain, St. Peter’s, and Lac Courte Oreilles Peoples all experienced land loss within their ishkoniganan because of intersecting state and commercial interests. In 1884, an

²⁴ White interview, *Living Our Language*, 234-235.

²⁵ White, *Railroaded*; Andrew C. Isenberg, *Mining California: An Ecological History* (New York: Hill and Wang, 2005); Cronon, *Nature’s Metropolis: Chicago and the Great West* (New York: W.W. Norton, 1991); West, *Last Indian War*.

executive order reduced the Turtle Mountain Reservation to a mere tenth of its original size to open surrounding lands to agriculture and mining, and the Ten Cent Treaty targeted the ishkonigan for allotment. Federal officials and the state of Wisconsin chipped away at Lac Courte Oreilles land in small pieces. In 1909, Billy Boy, a respected ogimaa, told Congressional representatives that the Indians understood that this land inside the boundary lines of the Lac Courte Oreilles reservation belonged to them and they possessed inalienable rights to everything within that ishkonigan. However, Billy Boy discovered that the state of Wisconsin had appropriated ishkonigan land for schools and drainage programs, and

We find that there are up at the head of the lake here twelve forties that are inside of the boundary line of the reservation that we do not own, belonging to the someone else. Here across the way, where our government farmer is living on a piece of land; and we hear that piece of land belongs to the Government, but as we understood it years ago, that land was tribal land belonging to the tribe.²⁶

The Crown similarly constricted the size of the St. Peter's ishkonigan. Although the Treaty One reserved the ishkonigan for Saulteaux use, the federal government frequently sided with Settlers who lived within the ishkonigan's boundaries.²⁷ As a result, Settlers claimed 17,331 of 55,246 acres within the reserve.²⁸ Policies through the 1920s often had an economic edge: residential boarding schools' manual labor practices, agency workers seeking to control women by reconfiguring gendered divisions of labor and household economies, allotment and other land-use and agricultural policies that promoted farming. Labor comprised a critical axis of state- and

²⁶ *Condition of Indian Affairs in Wisconsin: Hearings before the Committee on Indian Affairs, United States Senate, on Senate Resolution no. 263* (Washington : The Committee, 1910), 191-193.

²⁷ Treaty One, 1871, in Alexander Morris, *The Treaties of Canada with the Indians of Manitoba and the North-West Territories* (Toronto: Belfords, Clarke, &Co., 1880), 313.

²⁸ H.M. Howell to His Excellency the Governor General of Canada, 1906, Clandeboye Agency - Two Copies of a Forty-Three Page report by H.M. Howell on Land Claims on the St. Peter's Reserve, RG 10, Volume 3618, File 4645 part 2, Library and Archives Canada.

empire-building.²⁹ Incorporating Indigenous individuals via assimilation furthered the goal of eliminating Indigenous Peoples. Neither the United States nor Canada intended ishkoniganan to last. Settler officials conceived of reserves and reservations as temporary, transitional spaces that dismantled Indigenous peoplehood at its core and transposed Settler relationships and power in its place.³⁰ Reservation policies of confinement were, at their root, policies of erasure.³¹

Rather than disappearing or falling into a cycle of dependency, the Ojibwe People dealt with economic transformations on their own terms. Like other Indigenous peoples throughout North America, Ojibweg have a long history of creative adaptation.³² As the Ojibwe People adapted their multisource sustenance economy to changing circumstances, the seasonal round diversified and grew more complex rather than disintegrating. Ojibwe men and women perhaps first engaged with global markets through the fur trade, which they incorporated into their seasonal round. The fur trade provided an early market not only for animal pelts but also for products such as manoomin, berries, and garden produce, which Ojibwe women sold to traders

²⁹ Pamela Margaret White, “Restructuring the Domestic Sphere: Prairie Indian Women on Reserves: Image, Ideology and State Policy, 1880-1930,” (PhD Thesis, McGill University, 1987), 1; Jane E. Simonson, *Making the Home Work: Domesticity and Native American Assimilation in the American West, 1860-1919* (Alexandria, VA: Alexander Street Press, 2009). On the link between labor and empire, see Usner, *Indian Work*; Mae Ngai, *Impossible Subjects*; Glenn, *Unequal Freedom*; Meeks, *Border Citizens*; De Genova, *Working the Boundaries*; Colby, *The Business of Empire*; Evan Lampe, *Work, Class, and Power in the Borderlands of the Early American Pacific: The Labors of Empire* (Lanham, MD: Lexington Books, 2014).

³⁰ Between 1880 and 1920, policies that constrained Indian Peoples on reservations existed simultaneously with the drive to dismantle reservations and replace them with Settler people, places, and economies. By 1920, the push toward assimilation meant not incorporation but marginalization or confinement to their “place” within a rigid social hierarchy. Hoxie, *Final Promise*, 242-244.

³¹ Patrick Wolfe discusses the “logic of elimination” that accompanied Settler colonialism in “Settler Colonialism and the Elimination of the Native”: 387-409.

³² The Cherokee People in northeastern Oklahoma shared similar experiences with the Ojibwe. Allotment policy aimed to assimilate—to rupture Cherokee relationships—but Cherokee families managed the disruptions of Settler land policies by continuing to draw upon a wide range of resources including gardening, gathering, hunting, and wage labor, which they used to sustain kinship ties. Stremlau, *Sustaining Cherokee Families*, 223-224.

and early lumbermen.³³ The fur trade declined, in part because of Settler encroachment and environmental factors, but the Ojibwe People did not. Anthropologist Laura Peers demonstrates this resiliency among the Saulteaux in Canada. The decrease in moose, deer, elk, and other large game in northwestern Anishinaabewaki did not, as scholars once asserted, drive the Saulteaux People into dependency. They developed sophisticated, successful strategies to maintain the seasonal food-harvesting round, including sustainable pursuit of smaller game and accepting handouts of pemmican at the trading posts where they had long done their business.³⁴ As industry and tourism expanded in the late nineteenth and early twentieth centuries, the Ojibwe people again adapted their sustenance activities. Ojibweg directed these transformations to sustain their identity, preserving cultural and political meanings.³⁵ Anokiiwin formed a conduit within the matrix of Anishinaabe peoplehood, not only connecting Anishinaabe men and women to resources but also embedding Anishinaabeg in relationships with aki, Anishinaabemowin, aadizookanag, manidookewin, and doodemag.

Noopiming: Lac Courte Oreilles Anokiiwin in the Woods

Mitigoog (trees) covered much of Anishinaabewaki. Dense forests blanketed the rolling hills south of Gichigami, particularly rich in wiigwaasaatig (birch), okikaandag (jack pine), zhingwaak (pine or white pine), giizhik (cedar), and ziinzibaakwadwaatig (maple).³⁶ Mitig

³³ Child, *Holding Our World Together*, 21-23. Hosmer argues that wage labor was often not Native men and women's first encounter with wages or the market economy. Rather, a long history of economic adaptations, like the fur trade, supported the Ojibweg as they engaged the marketplace. Hosmer, *American Indians in the Marketplace*.

³⁴ Laura Peers, "Changing Resource-Use Patterns of Saulteaux Trading at Fort Pelly, 1821-1870," *Aboriginal Resource Use in Canada: Historical Aspects*, edited by Kerry Abel and Jean Friesan (Winnipeg: University of Manitoba Press, 1991), 107-118.

³⁵ Chantal Norrgard establishes this perspective in "From Berries to Orchards." See also Child, *Holding Our World Together* and Rohde, "Labor and Leisure in the 'Enchanted Summer Land': Anishinaabe Women's Work and the Growth of Wisconsin Tourism, 1900-1940," *Indigenous Women and Work*.

³⁶ Although ziinzibaakwadwaatig were scarce in the mashkode, or prairie region on Anishinaabewaki's westernmost edges, the Turtle Mountains rose out of the prairie with a thick growth of azaadi (poplar and aspen), aniib (elm),

means “stick” or “piece of wood” when inanimate, but when paired with animate noun endings or verbs it indicates a tree, signifying the living relationship between the Ojibwe People and their forests. Anishinaabeg men and women enacted this relationship in part through the reciprocal ethics of anokiiwin. Mitigoog provided shelter from wind, rain, and cold. Deer, partridges, and other animals lived and gave birth to their young amongst the trees, and berries, roots, and other food and medicine that grew in the rich soil between the trunks.³⁷ The mitigoog and the other plants and animals in the woods sustained the Ojibwe men and women who accessed these gifts through their anokiiwin, and the reciprocal relationships of anokiiwin fused the Anishinaabeg People with the woods of Anishinaabewaki even as Settlers redefined these spaces in their attempts to erase Indigenous sovereignty.

Around the time that the ice on the rivers and lakes starts to melt in the early ziiigwan (spring), the sap of the ziiinzibaakwadwaatigoog (sugar maple trees) loosens and begins to flow within the trunks. This usually happens in iskgamizige-giizis (April), which means maple sap moon. Often while snow still covered the ground, Lac Courte Oreilles men, women, and children moved into the woods to their families’ sugar maple groves. Women, who directed labor in the iskgamizigan (sugar bush or camp), held usufruct rights to groves where they returned each year, setting aside a store of dried berries and wild rice to feed the families when they arrived to tap the trees after a long winter.³⁸

Sap from the ziiinzibaakwadwaatigoog provided more than physical sustenance for the People. In Ojibwemowin, maple sugar translates into either ziiinzibaakwad or anishinaabe-

baapaagimaak (black ash), and some wiigwaasaatig and zhingwaak, and sturdy but scattered stands of azaadi and gaawaandag (spruce) grew in the St. Peter’s People’s homelands between Lake Winnipeg and the Red River.

³⁷ Johnston, *Honour Earth Mother*, viii.

³⁸ Child, *Holding Our World Together*, 76.

ziinzibaakwad. The latter emphasizes that the Creator gave the ziinzibaakwadwaatig to the Anishinaabe People as a gift, along with the sap they harvested. Ziinzibaakwadwaatig is an animate noun, and one aadizookaanan recounts how a tree gave its sap to save an Ojibwe man's life. Many years ago, during early ziiigwan, the man collapsed from hunger in the woods. He offered tobacco and asked the Creator to save his life, and then a misaabe—a large, hairy being—appeared, a large knife in his hand. The giant used his knife to open a gash in his leg, transforming into a ziinzibaakwadwaatig as his blood poured out. The starving man ate the blood, which transformed into ziinzibakwadaaboo (unprocessed maple sap), and he felt the strength return to his body. The ziinzibaakwadwaatig saved the Ojibwe man's life, as anishinaabe-ziinzibaakwad sustained the Ojibwe People for generations to come.³⁹

Collecting the gift of ziinzibakwadaaboo and transforming it into sugar or syrup required intensive effort. Every day, the buckets had to be checked and their contents hauled back to camp, where Ojibweg boiled liquid down into one of two forms: a thick syrup or a granulated sugar. In order to produce one gallon of syrup, a family had to collect thirty to forty gallons of ziinzibakwadaaboo. A single tap yielded between five to fifteen gallons of sap, depending on the season and the size of the tree. An average maple grove included approximately forty trees with as many as one hundred taps in all, although before logging reduced the number of ziinzibaakwadwaatigoog in the region the largest groves could host up to one thousand taps.⁴⁰ The unprocessed liquid sugar also provided a syrup in which to boil medicine. After the processing, sugar had to be preserved, generally by placing it in birch bark containers. By the twentieth century, men and women shared in the work of sugaring, although it had once been

³⁹ Anton Treuer, "Ojibwe Lifeways," *Minnesota Conservation Volunteer* (Sept. 2012): 40.

⁴⁰ GLIFWC, "Mazina'igan Supplement," 1996; Child, *Holding Our World Together*, 20-22; Densmore, *Chippewa Customs*.

primarily a woman's activity.⁴¹ Despite the process of Settler colonialism, with access to resources like ziinzibaakwadwaatigoog threatened because of logging and the criminalization of Ojibwe seasonal labor, Ojibweg adapted patterns of anokiiwin and continued to access the anishinaabe-ziinzibaakwad that they protected in their treaties.

Women returned to the woods in niibin, when the low bushes and creepers grew heavy with ode'iminan (strawberries) and miinan (blueberries). Ojibweg traveled throughout Anishinaabewaki to pick these berries. The several ways of saying in Ojibwemowin that she picked berries emphasize place and movement. Mawinzino means simply she picks berries, but nanaandawinzo means she goes to look for berries to pick, and danawinzo means she picks berries in a certain place. She might also want to conceal the source of berries being picked, or aawinzo.⁴² The act of picking berries helped to connect Ojibwe women to these places, many of which lay beyond reservation borders.⁴³

In the deep snows and bitter cold of biboon (winter), the forests filled with the sounds of falling mitigoog. Although logging occurred in all seasons, biboon saw the most activity. Ojibweg cut mitigoog near their homes for personal use and for sale to U.S. agencies and local Settlers. Many lived in the camps for the entire season, while others logged for a few weeks and moved on to other biboon anokiiwin such as hunting and trapping.⁴⁴

Although Ojibweg worked in the woods in similar ways as they had in the past, the woods changed between 1880 and 1930. Federal Indian policies and Gilded Age-era industrialization threatened the relationship between the Ojibwe and their forests. After the 1837

⁴¹ Child, *Holding Our World Together* 20-22.

⁴² Ojibwe People's Dictionary.

⁴³ Norrgard, "From Berries to Orchards," 33-61; Child, *Holding Our World Together*, 83-86.

⁴⁴ *Condition of Indian Affairs in Wisconsin (1909-1910)*, 79.

Treaty, the Settler logging industry deforested vast swaths of Anishinaabewaki. Wisconsin's lumber industry grew rapidly, propelled by Ojibwe land cessions throughout the nineteenth century. The 1837 treaty, for instance, received the nickname "the White Pine Treaty" because Settlers pursued the agreement to obtain access to Anishinaabewaki's white pine forests. Allotment, initiated on Lac Courte Oreilles in the 1870s, removed considerable timber from Ojibwe control. In 1875, the Lac Courte Oreilles People received their final annuity payment from the 1854 treaty, which combined with the onset of allotment policies pressuring Ojibwe men to clear individually-owned land for farming to strain Ojibwe mitigoog resources. Government officials encouraged Ojibweg to cut and sell timber to supplement their decreased income in both cash and goods. By 1888, about a decade after federal officials implemented allotment at Lac Courte Oreilles and other Ojibwe reserves near Lake Superior, the U.S. Senate Committee on Indian Traders found that logging companies had extracted one half of all commercial timber in the La Pointe district, which included Lac Courte Oreilles.⁴⁵ Between 1890 and 1910, commercial logging peaked. By the 1920s, most of the valuable timber near Lac Courte Oreilles had floated down rivers or had ridden the railroads to Settler towns, fueling further expansion.⁴⁶ Unlike their Menominee neighbors, Anishinaabe Peoples in the United States and Canada lacked a buffer against exploitative commercial interests.⁴⁷ Nevertheless, as

⁴⁵ Norrgard, *Seasons of Change*, 87.

⁴⁶ Norrgard, *Seasons of Change*, 87, 105; Satz, *Chippewa Treaty Rights*, 13-14.

⁴⁷ Norrgard, *Seasons of Change*, 88. Anishinaabeg control of their timber resources was made even more precarious in the United States by *United States v. Cook* (1873). In *United States v. Cook*, the United States Supreme Court held that because Indian Peoples supposedly maintained only a right of occupancy on their lands, they lacked the authority to cut and sell timber on their own lands for profit—unless they could prove the logging was “for the purpose of *improving* the land that is to say, better adapting it to convenient occupation.” *United States v. Cook* 86 U.S. 19 Wall. 591 591 (1873).

the woods changed around them, Anishinaabeg continued to access these places through their labor, reaffirming the relationships of their peoplehood.

Exploitative logging nearly disrupted the relationship with the *ziinzibaakwadwaatig*. Indian Department agents and farmers pushed Lac Courte Oreilles people toward farming on their allotments, but woods covered the reservation so thickly that farming could not proceed before clearing the timber.⁴⁸ The federal government's allotment process, tied to individual property rights, ignored traditional Ojibwe land usage and resource rights. In the 1910s, William Wolf, son of hereditary *ogimaa* Peter Wolf, discovered a man "making sugar on my eighty." Presumably recognizing that his allotment overlapped with this man's preexisting claim, Wolf directed his complaint not against the unnamed man but rather at the Signor, Crisler, and Company logging operation, which he accused of cutting *ziinzibaakwadwaatig* without his authorization. Wolf relied on customary usufruct rights, criticizing encroaching Settlers while protecting his fellow Indians' access to resources and, by extension, his People's sovereign right to control the *aki*.⁴⁹

Lac Courte Oreilles men and women continued to sugar on reduced lands. In essential ways—in terms of the relationships cultivated by tapping trees and boiling sap each spring—everything about how they collected sugar remained the same, except that they now had larger kettles.⁵⁰ *Wamazleigafogwiakogijig*, a middle-aged man who had lived all of his life in the woods near Lac Courte Oreilles, protected the maple groves on his allotment, certainly not conforming to the assimilative vision of a farmer. He cleared some of his land for planting

⁴⁸ Danziger, *Lake Superior Chippewa*, 64.

⁴⁹ *Conditions of Indian Affairs in Wisconsin, 1909-1910*, 136.

⁵⁰ "Maple Sugar Industry" by Peter Halfday, WPA interviews.

during the first decade of the twentieth century but “reserved some big trees, nice trees, standing there which are maple,” ensuring the continuance of a sacred and life-sustaining resource.⁵¹ The Coons family of Lac Courte Oreilles resisted the arbitrary divisions imposed by allotment, continuing to access maple groves according to kinship-based, shared usage rights. Ruth Carley, who belonged to the makwa doodem, traced her birth in the ziigwan of 1921 to a sugar camp on a hill above the town of Reserve, “where Uncle Henry Coons had a maple sugar camp.”⁵² The Coons family used an eighty-acre allotment to make sugar.⁵³ From a practical standpoint, the numerous tasks that went into extracting sap and processing it into sugar necessitated family labor, and parents pulled their children from school for several weeks to join them in the bush.⁵⁴ By uniting families, including children in government-run schools, sugaring reinforced the bonds of kinship that the individual landownership implemented by allotment threatened to divide. Ojibweg men and women made choices that maintained kin-based economies, preserved their role in aadizookanag as the aki’s caretakers, and also provided for their sustenance.⁵⁵

As the woods changed, Anishinaabe men and women adjusted anokiiwin without losing Anishinaabe perspectives and practices. The Settler tourist industry expanded into cutover

⁵¹ *Conditions of Indian Affairs in Wisconsin, 1909-1910*, 149. It is unlikely that this name is spelled correctly in the recorded testimony, but I have been unable to connect it to anyone else.

⁵² Quoted in Sara Balbin, James R. Bailey, and Thelma Nayquonabe, “Ruth Carley,” *Spirit of the Ojibwe: Images of Lac Courte Oreilles Elders* (Duluth: Holy Cow! Press, 2012), 64. Many Lac Courte Oreilles elders today trace their births by season to sugar camps or rice beds rather than specific dates. Nearly all of the people included in *Spirit of the Ojibwe*, born between 1880 and 1930, remember seasonal labor as an essential part of their lives since childhood, emphasizing in particular sugar making along with gathering wild rice, hunting, and fishing. In the 1920s when rising waters from the construction of a dam flooded Lac Courte Oreilles member Frances Denasha’s family out of their homes when she was a young girl, they reestablished sugar camps “in the hills south of New Post” (72).

⁵³ Balbin, Bailey, and Nayquonabe, “Ruth Carley,” *Spirit of the Ojibwe: Images of Lac Courte Oreilles Elders* (Duluth: Holy Cow! Press, 2012), 64.

⁵⁴ Balbin, Bailey, and Nayquonabe, *Spirit of the Ojibwe*, 50, 64.

⁵⁵ In 1916, Superintendent H. J. McQuigg noted that the Lac Courte Oreilles produced several tons of sugar each spring. Although he estimated its value at several thousand dollars, he noted that Ojibweg consumed most of it for themselves. McQuigg to Commissioner of Indian Affairs, 6 Jun. 1916, Letters Sent, NARA at Chicago.

woods, aided by new rail lines in the north woods and on the plains. Wealthy locals and vacationers from nearby cities built homes and resorts on lands opened by allotment and subsequent land loss.⁵⁶ The promise of economic development encouraged state and provincial officials to seize increased control of local resources while relegating Indigenous Peoples to quaint, “authentic” scenery.⁵⁷ In this context, working like an Indigenous person constituted a political act.⁵⁸ Ojibweg reshaped anokiiwin to accommodate changing political, economic, and environmental circumstances within their forests, including the tourism industry.⁵⁹

Ojibwe women blended wage work in the tourism industry with seasonal labor patterns among the mitigoog. Historically, Ojibwe women constructed the bark lodges where Ojibwe families lived. According to St. Croix elder Archie Mosay, a spiritual leader whose mother came from Lac Courte Oreilles and who lived west of the ishkonigan in the St. Croix River valley,

Gaye know wiigiwaaman, gabe-niibin ongow ikwewag gii-ozhitoowaad onow,
onow isa gas-apishimowaajin anaakaning, gaa-izhi-wiindamawaajin. Minnawaa

⁵⁶ Norrgard, *Seasons of Change*, 110. Manitoba experienced similar tourist growth during this time period. Berry Potyandi, *Selkirk: The First Hundred Years* (Winnipeg: Josten’s, 1981), 27-35.

⁵⁷ Norrgard, *Seasons of Change*, 112; Raibmon, *Authentic Indians*, 1-14; Patricia C. Albers, “From Legend to Land to Labor: Changing Perspectives on Native American Work,” *Native Americans and Wage Labor: Ethnohistorical Perspectives*, edited by Alice Littlefield and Martha C. Knack (Norman: University of Oklahoma Press, 1996).

⁵⁸ Linda Tuhiwai Smith and many other Indigenous scholars since have argued that acting and being Indigenous is a form of resistance. Smith discusses how Indigenous systems of knowledge, embedded in the land or genealogies or objects such as weavings, contest the colonial system of control that subordinated Indigenous Peoples throughout the world. More generally, James C. Scott’s “weapons of the weak” includes accommodations and mundane acts of resistance within exploitative labor systems. The everyday acts of Indigenous labor, and anokiiwin more specifically, defied the corrosive, eliminating impulses of Settler colonialism by keeping Indigenous knowledge and peoplehood alive. Smith, *Decolonizing Methodologies*, 33-34; Scott, *Weapons of the Weak*, 33-35. See also Elizabeth Cook-Lynn, *Why I Can’t Read Wallace Stegner and Other Essays*; Devon Mihesuah and Angela Cavender Wilson, *Indigenizing the Academy*, Gerald Vizenor, *Survivance*.

⁵⁹ Scholars such as Chantal Norrgard, Larry Nesper, Clyde Ellis and John Troutman have demonstrated how Native Americans used Indian pageants and performances, put on for Settler audiences, to reimagine Indigenous identities and preserve cultural autonomy. Norrgard, *Seasons of Change*, 110-1135; Nesper, “Simulating Culture”; Ellis, “Five Dollars a Week,” 184-208; Troutman, *Indian Blues*. Similarly, Jessica Cattelino links Seminole alligator wrestling and craft production to Seminole sovereignty, and Paige Raibmon shows how Peoples from the Pacific Northwest found ways to use the tourist industry and events such as the Chicago World’s Fair to support their own goals. Cattelino, *High Stakes Sovereignty*; Raibmon, *Authentic Indians*.

onow megwaa abakwang iniw wiigwaasan, mii apii gaa-mamoowaad gii-ozhitoowaad iniw, iniw isa wiigwaasi-abakwayan. Miinawaa ingiw aya'aa apakweshkweyag gii-iniibinaawaad ingoji ayi'ii wiigiwaaming. Mii imaa gii-aabaji'aawaad iniw agidigamish iniw wiigwaasan wiigwaasi-abakwayan. Mii akeyaa gaa-ozhitoowaad iniw, iniw isa gii-abiwaad. (And these bark lodges, every spring these women made them, they laid the beds for them on the mats, the ones that have been talked about. And while the birch bark was being hung, at this time they took it and made them, those birch bark shingles. And they lined up those birch bark roofing rolls in a certain way on the lodges. That's how they made the places they lived in.)⁶⁰

As wigwams became less common, many women redirected their labor. They worked at tourist resorts doing “spring cleaning” in preparation for the summer season.⁶¹ Lucy Mizhakwad Mustache Begay (name or sturgeon doodem), a Midewiwin member raised on the life-sustaining resources of fish, manoomin, and deer and rabbit meat, worked as a housekeeper at local resorts near Lac Courte Oreilles until 1927, when at nineteen she moved to Chicago to work as an industrial seamstress.⁶² This work for wages provided flexible schedules that could fit into the seasonal patterns of women's responsibilities such as sugaring and processing pelts and food.⁶³

Tourism provided a market for women's manidoominensikaan (beadwork). In the 1910s, beadwork brought in \$800 to \$1,000 a year at Lac Courte Oreilles.⁶⁴ Women could easily craft

⁶⁰ Mosay interview, *Living Our Language*, 28-29.

⁶¹ “Untitled Report,” A. Irving Hallowell Papers, APS. At the resorts near Lac du Flambeau, women earned around \$3.50 per day in the 1940s cleaning hotels rooms and sprucing up common areas.

⁶² Balbin, Bailey, and Nayquonabe, *Spirit of the Ojibwe*, 52.

⁶³ Women also performed daily household tasks including laundry and cooking. Laundry was constant and unchanging, but cooking varied according to seasonal factors, as women preserved or prepared the results of their own and their male kin's labor. Overlooking women's work reflects a Settler mindset rooted in capitalism that devalues women's work. Ojibwe gender relations included binary but balanced gender practices—views that capitalism encroached upon but never full eroded (see Child, *Holding Our World Together*). Taking a holistic view of Anishinaabe labor, laundry and changing diapers contributed to a family's sustenance as much as a muskrat pelt or a gallon of sugar. Women's work at home and in the realm of wage work also enabled men to hunt and fish by providing a broader base of support.

⁶⁴ At Lac du Flambeau, beadwork brought in \$2,000 per year. Tourists regarded both Lac Courte Oreilles and Lac du Flambeau as the best sites to obtain Native women's work. 1916 Narrative Report, *Annual Reports, 1906-1916*, Lac du Flambeau Agency; 1911 Statistical Report, *Annual Reports 1906-1916*, Lac du Flambeau Agency. Men occasionally participated in the tourist craft trade. At Walpole Island in Anishinaabewaki's eastern waters between

beadwork in between other tasks such as gardening, berrying, and changing diapers. For women such as Lucy Mizhakwad Mustache Begay and Mary Mandaamin Homesky who traveled throughout Anishinaabewaki during various seasons, the work was also relatively portable. Women generally chose to sell their work individually. They took advantage of the local souvenir shops and tourist traffic, but they also traveled to larger towns such as Minocqua, where they received better prices. In Minocqua, a billfold that represented about five days of labor, performed intermittently with other tasks, sold for approximately eight dollars. Additionally, women occasionally contracted directly with prospective buyers staying at resorts.⁶⁵ Although many of the patterns were commercialized and even simplified for tourist tastes, manidoominensikaan helped some women maintain their relationship to the interconnectedness of all things. Susan Peterson used pre-fabricated moccasins rather than making them herself, but she also noted, “Patterns still come in dreams.”⁶⁶ Manidoominensikaan remained rooted in ceremony, which connected Anishinaabe women to their peoplehood.

Several Ojibweg families at Lac Courte Oreilles sought more direct control of the land and its resources in the northwoods tourist industry. William Debrot, forty-five years old in 1922, reported to federal officials that he leased another allottee’s land in Pahquahwong or Post, a prominent village within the ishkonigan, “on which he conducts a summer resort” with at least two log cabins for guests.⁶⁷ The mixed-descent LaRonge family owned a hotel in Reserve.

Charlie Coons or Esiban, an athletic man of the makwa doodem (bear clan) known as much for

Ontario and Michigan, Ojibwe men and women made “fancy baskets, mats out of splints and sweetgrass; also canes, bows and arrows and small bark canoes, which they sell to the summer visitors and excursionists” from the United States. *Sessional Papers*, 1910 vol. 11, number 27, p. 42.

⁶⁵ “Josephine Poupart,” Hallowell Collection, APS.

⁶⁶ “Susan Peterson (Informal),” Hallowell Collection, APS.

⁶⁷ Lac Courte Oreilles Industrial Survey, Hayward File, Reports of Industrial Surveys, 1922-1929, RG 75, National Archives Washington, D.C., Box 17.

his strength of character as his physical strength, took advantage of the tourist industry and his neighbors' increasing cash income and opened a general store next to the LaRonge hotel.⁶⁸

Esiban stocked the store with everything from groceries and tobacco to clothing, tools, and toys. As Indigenous owners and operators, Debrot and Esiban refused to allow Settler colonialism to dislodge them from the economy of their homeland.

Esiban attracted tourists to his store and earned additional income by meeting the growing Settler demand for Indian performances. Dances and pageants where Ojibwe men and women performed for tourists supplement the seasonal round for many Ojibwe and reaffirmed connections with their peoplehood. Lac Courte Oreilles men and women also traveled to the Apostle Islands (including Mooningwakauning-manis) in the mid-1920s to participate in the Apostle Islands Indian Pageant. In 1924, performers earned only eight dollars for three weeks work. Nevertheless, about 225 traveled from Lac Courte Oreilles to the pageant grounds the following summer. As scholar Melissa Rohde argues, monetary compensation was most likely not the primary motivation for the Ojibwe men and women who participated in the pageant. Rather, community—the opportunity to reaffirm social relationships by congregating with friends and relatives, dancing, and participating in games and celebrations—in the familiar context of labor would have been the greater inducement.⁶⁹ Moreover, the three-week event, fitting comfortably within seasonal labor patterns, allowed Ojibwe men and women to travel and reconnect with Anishinaabe places beyond the reservation. The Lac Courte Oreilles People held smaller performances in Reserve on Sundays throughout the summer, charging fifty cents for

⁶⁸ Balbin, Bailey, and Nayquonabe, *Spirit of the Ojibwe*, 68-70.

⁶⁹ Melissa Rohde, "Labor and Leisure in the 'Enchanted Summer Land': Anishinaabe Women's Work and the Growth of Wisconsin Tourism, 1900-1940," *Indigenous Women and Work: From Labor to Activism*, edited by Carol Williams, 144.

each tourist. In a creative appeal to Settler tourists, Esiban sponsored these “Indian dances” beginning in the 1920s as a way “to increase his business of selling groceries, etc.”⁷⁰ Performers shared equally in the proceeds, and the casual, temporary nature of the work fit in between other seasonal activities such as berry picking, gardening, and logging.⁷¹

The performances involved more than just work or a commodification of Ojibwe culture. Ojibwe Wanda Brown Hunt explained that summer dances at Lac du Flambeau similar to the performances at Esiban’s store had a dual significance for her People. She recalled, “It was for both [the community and the tourists]....Those were big powwows, all kinds of activities out there, not just dancing. Races and things like that, games.”⁷² Susan Peterson, who belonged to the Midewiwin, reflected shortly after a dance in the summer of 1946 that it was “the real old thing.”⁷³ Dancing, singing, and drumming for tourists demonstrates the creative ways in which Lac Courte Oreilles Ojibweg incorporated new forms of anokiiwin into their seasonal round. They used these dances to live out relationships with their peoplehood, visiting friends, relatives, and places, passing skills and stories on to their children, and relying on inawemaagan-based resource networks.⁷⁴

Indian policy and economic changes produced other changes in the woods. The same sportsmen who found their way in the woods with the help of Ojibwe guides reshaped the labor

⁷⁰ *Survey of Conditions of the Indians in the U.S. (1929)*, 2029.

⁷¹ Rohde, “Labor and Leisure,” 144.

⁷² Elizabeth Tornes, ed. *Memories of the Lac du Flambeau Elders* (Madison: Center for the Study of Upper Midwestern Cultures, 2004), 232.

⁷³ “Susan Peterson (Informal),” Hallowell Collection, APS.

⁷⁴ Rohde, “Labor and Leisure,” 144.

landscape by encouraging shifts from local to national control of resources.⁷⁵ At Lac Courte Oreilles, hunting remained an essential activity, despite harassment both on and off the reservation from state officials. When the weather turned colder in dagwaagin (fall), sending both humans and animals in search of shelter from chilling winds and the first snow, Anishinaabe men hunted (giiyose) and trapped (wanii'ige) amongst the mitigoog. In 1921, Esiban, who owned the store where Anishianabeg danced for tourists, returned to Lac Courte Oreilles to hunt, fish, harvest maple sugar, and work in logging camps as part of a seasonal round after several years working in Detroit, Michigan, and Hartland, Wisconsin, in automobile factories.⁷⁶ During dagwaagin, his hunting trips lasted several days, and he stayed in the woods “building a lean-to for shelter and sleeping on a bed of pine boughs” while he hunted waawaashkeshi.⁷⁷

Some of the most contentious, violent attempts to impede Ojibwe treaty rights took place in the woods around Lac Courte Oreilles. In 1894, a Wisconsin game warden murdered Joe White or Gishkitawag (Lac Courte Oreilles), shooting him in the back while attempting to arrest him for hunting out of season and off the reservation.⁷⁸ Despite the evidence against him, an all-white jury cleared the Settler game warden of all charges, and the state of Wisconsin continued to violate Ojibwe treaty rights.⁷⁹ Lac Courte Oreilles historian Eric Redix uses Gishkitawag's

⁷⁵ Warren, *Hunter's Game*. See footnote 6. Although states often chafed at federal control, in states such as Wisconsin where the federal government owned less public land, the state seems to have fulfilled a similar role in in shifting definition of public resources that marginalized Indigenous Peoples.

⁷⁶ Balbin, Bailey, and Nayquonabe, *Spirit of the Ojibwe*, 68-70.

⁷⁷ Balbin, Bailey, and Nayquonabe, *Spirit of the Ojibwe*, 70.

⁷⁸ The murder happened in Washburn County, the county immediately to the west of Sawyer County, which surrounded the Lac Courte Oreilles Reservation. See Erik Redix, “The Murder of Joe White: Ojibwe Leadership and Colonialism in Wisconsin,” Ph.D. Dissertation, 2012.

⁷⁹ The Killing of Chief Joe White, 1894: articles & court documents; Wisconsin Historical Society. For more information about Wisconsin's attempted abrogation of Ojibwe treaty rights, see Larry Nesper's *Walleye War*.

violent death to mark the decline of Ojibwe autonomy among the mitigoog.⁸⁰ However, Gishkitawag also signifies the continuation of anokiiwin in the woods of Anishinaabewaki and the beginning of a century-long struggle to claim the sovereign rights to the land and its resources as protected in nineteenth-century treaties. Like Joe White, Lac Courte Oreilles hunters continued to act on their rights. The frequency with which state game wardens arrested Lac Courte Oreilles men throughout the next several decades suggests that hunting remained a common activity. In 1929, state game wardens entered Moses Cloud's home and "confiscated several hides and furs."⁸¹ They arrested Cloud, who spent several months in jail. Although Cloud's arrest seems to have happened on an allotment, Settler officials crossed reservation boundaries to arrest him. The same year that the police arrested Cloud, for example, "Chicken" Martell was "arrested with furs on 'reservation' lands." State game wardens also seized furs from the government warehouse on the Hayward Indian School grounds.⁸² In 1929, when a Congressional committee stopped in Hayward while investigating conditions on reservations following the Merriam Report, the Lac Courte Oreilles People included these treaty violations in their formal list of complaints.⁸³ Charles Smith, a representative of the federal government, visited the ishkonigan the following year, and the Ojibweg asserted their right to hunt in the woods surrounding the ishkonigan. Anakwad or Pete Cloud, an ogimaa from the influential Akwawewining community, stood up at the meeting with Smith and declared, "That wild game is mine, it doesn't belong to you. Ever since I have been able to remember and been able to hunt, we have always killed deer and wild game after the reservation was established and no one had

⁸⁰ Redix, *The Murder of Joe White*.

⁸¹ *Survey of Conditions of the Indians in the U.S. (1929)*, 2029.

⁸² *Survey of Conditions of the Indians in the U.S. (1929)*, 2029.

⁸³ *Survey of Conditions of the Indians in the U.S. (1929)*, 2029.

any objections. That was the source of our living. There are agreements with the Indians that the Indian reserves the right to hunt fish and game.”⁸⁴ Seventy-five years after the ink on the 1854 treaty had dried, Anakwad repeated its words, the same words that his kin had penned both in Ojibwemowin and English and sent to Washington, D.C., with Akiwenziii in 1864. Repeatedly, the Lac Courte Ojibwe emphasized not only sovereign control of their own reservation but also treaty rights that granted them access to off-reservation sites.⁸⁵

Protected by treaties, Anishinaabeg Peoples continued to rely on the relationships of peoplehood when Settlers attempted to redefine the woods. They adjusted to commercialized, constrained contexts and defined confining Settler policies. Hunting maintained essential relationships with the aki and its resources. The Anishinaabeg People’s claim to the land came in part because Gitchi Manitou had created these woods for them. To honor his gift and maintain that claim, Anishinaabeg acted as stewards. Hunting comprised an integral part of that relationship, and therefore intimately connected to sovereignty. Many Ojibwe linked consuming the forests’ products to their identity. Lucy Mizhakwad Mustache Begay, a member of the name doodem born in 1907 in the Round Lake village of Lac Courte Oreilles, linked “[b]eing a traditional Ojibwe woman” to her preferred diet of “traditional foods such as wild rice, berries, fish, and venison.”⁸⁶ A 1916 report noted that Ojibwe consumed the majority of the ziinzibaakwad they produced—several tons per year.⁸⁷ Ojibwe hunters not only fed their families through their anokiiwin but also lived out the relationships that made them the Anishinaabe

⁸⁴ “Council Meeting of Lac Courte Oreilles Chippewa Indians Held at Reserve, Wisconsin, February 1, 1930,” Feb. 1, 1930, 064, General Correspondence, Great Lakes Agency Subgroup, RG 75, NARA Chicago, IL.

⁸⁵ *Survey of Conditions of the Indians in the U.S. (1929)*, 2029.

⁸⁶ Lucille “Lucy” Mustache Begay, *Spirit of the Ojibwe*, 53.

⁸⁷ McQuigg to Commissioner of Indian Affairs, La Pointe Agency, Decimal Correspondence, Replies to Circulars, RG 75, NARA Chicago.

People, a sovereign community in this particular place. In Anishinaabemowin, hunting is often referred to as “nandawenjigewin gechitwaawendaagwak,” or the sacred art of hunting.⁸⁸ Like manoomin, aadizookanaag and an associated set of ceremonies established this sacred relationship. Hunting started with tobacco offerings. According to Archie Mosay,

Miinawaa o’ow isa menwinzha go anishinaabeg vii kiiyosewaad gaye, wa’aw oshki-inini oshki-nisaad awesiinyan, awegwen igo awesiinyan weshki-nisaajin, mii iniw ogii-sagaswe’aan manidoon. Asemaan ogii-pagidinaawaan o’ow isa gii-oshki-nisaad onow awesiinyan .Miinawa asemaan ogii-pagidinamawaan manidoon wii-izhi-miijid i’iw isa, o’ow isa gaa-nisaajin. Akawe manidoon ogii-wiindamawaan.” (“And when the Indian went hunting long ago as well, when a young man first killed an animal, whatever kind of animal was first killed, he smoked to the spirit. He offered tobacco for killing this animal first. Again tobacco was offered to the spirit when he ate that which he killed. He talked to the spirit first.”)⁸⁹

Hunting took place in the context of ceremonies that established proper relationships between an Ojibwe person and the natural world. Hunting invoked additional ceremonies, such as a celebration in honor of a young man’s first kill.⁹⁰ By continuing to hunt, Ojibwe men ensured that these ceremonies and the relationships they invoked would continue.

Hunting and processing the animals relied on familial networks of labor, including the work of women as well as men. Ruth Carley processed waawaashkeshi (deer) meat and hides alongside her aunt. “It is hard work, and you have to have a lot of muscle,” she remembered, but she also drew strength from the work.⁹¹ Anishinaabe ethics of reciprocity and kinship grounded hunting. When the men went deer hunting in the fall, “[a]aningodinong go bezhig eta onisaawan waawashkeshiwan. Mii sa askina da-daashkonomidiwaad i’iw ([s]ometimes they would only kill

⁸⁸ Eagle interview, *Living Our Language*, 79.

⁸⁹ Mosay Interview, *Living Our Language*, 42-43.

⁹⁰ Doud autobiography, APS.

⁹¹ *Spirit of the Ojibwe*, 165.

one a day. So they all shared in that).”⁹² Maintaining good relationships with the world mandated reciprocity, and Ojibwe used seasonal hunting to strengthen the bonds of reciprocity among kin—and, by extension, Lac Courte Oreilles peoplehood.

Although federal Indian policy and industrialization attempted to enclose the commons, these changes also created opportunities for Indigenous People to modernize their economies. Anokiiwin in the woods enabled Ojibweg to engage with the market while maintaining control of their labor. Income from mitigoog resources such as berries and furs physically supported families in a changing economic landscape. Between 1880 and 1930, miinan (blueberries) were perhaps the most common quarry. In the early twentieth century, forest fires stimulated rapid miinan growth south of Lake Superior.⁹³ Ojibwe people throughout Anishinaabewaki “have always looked forward to the blueberry season as a considerable source of income,” according to Florina Denomie of Bad River. At Lac Courte Oreilles, Ojibwe families picked blueberries, blackberries, and raspberries for personal consumption and for sale in local towns.⁹⁴ Ruth Carley and her aunts followed sugaring with berry picking. Through the month of Abitaa-niibini-giizis (mid-summer moon or July), they “would take a lunch out in the woods and pick berries all day.”⁹⁵ Settler towns near the reservation and more distant berry patches sustained demand for a

⁹² Eagle interview, *Living Our Language*, 122-123.

⁹³ Norrgard, “From Berries to Orchards,” 33-61; Child, *Holding Our World Together*, 83-86.

⁹⁴ H.G. McQuigg to Commissioner of Indian Affairs, Jun. 6, 1916, Hayward Letters Sent, RG 75, NARA Chicago.

⁹⁵ Balbin, Bailey, and Nayquonabe, “Ruth Carley,” *Spirit of the Ojibwe*, 64. Berry picking attracted those Ojibweg living in cities such as Winnipeg as well as those on reserves and reservations. Mary Sinclair interview. Kate Dennis, a member of the makwa doodem who lived in Reserve on the Lac Courte Oreilles reservation, preserved miinan as a young girl at the turn of the century by putting them in “pails sealed with pine pitch” as an alternative to canning. Catherine “Kate” Dennis, *Spirit of the Ojibwe*, 80.

variety of berries. In 1916, for instance, blackberries, raspberries, and blueberries sold for between ten and twelve cents per quart.⁹⁶

Berrying provided a significant source of income, but the anokiiwan also enacted peoplehood.⁹⁷ Although picking berries fell within women's realm of anokiiwin, in the early twentieth century entire families traveled and worked together. Often, the men checked the blueberries first, and then they sent word that the fruit was ready and their families should follow. When the men confirmed that the berries had ripened, entire villages moved to the woods, packing up several wagons or a couple of cars with camping gear and other essentials.⁹⁸ Ojibweg gathered berries in one place and then moved on to new sites and other work.⁹⁹ Families traveled and worked together. Joseph Larson, born during sugaring season in 1892, moved with his mother Mary Mandaamin Homesky and sister Olivia to Madeline Island each niibin to harvest miinan, traveling from their homes at Lac Courte Oreilles.¹⁰⁰ Picking berries integrated Ojibwe men and women into the relational networks that supported their peoplehood.

Anishinaabeg naturalized wage labor in terms of Ojibwe relationships as they incorporated it into the seasonal round that brought them to the woods. Sawmills, for instance, attracted many Anishinabeg men, especially during dagwaagin. In 1916, the Indian agent at Lac Courte Oreilles reported, "All the Indians, however, that are able to work leave for the woods or

⁹⁶ McQuigg to Commissioner of Indian Affairs, Jun. 6, 1916, Hayward Letters Sent, RG 75, NARA Chicago.

⁹⁷ Historian Chantal Norrgard demonstrates that, in defiance of Settler colonial policies designed to erase the Ojibwe People, anokiiwin by Ojibwe families in berry patches and berry camps sustained the relationships that made them Ojibwe. Norrgard mentions that berrying continues today, and she quotes Ojibwe scholar Thomas Peacock, who explained the connection, "Our relationship with all of these things goes back many thousands of years. Our ancestors saw bears eating blueberries. Our grandchildren will do the same. We are part of a story that goes on forever." Norrgard, *Seasons of Change*, 42.

⁹⁸ Nawigiizis, *Naawigiizis*, 68.

⁹⁹ Florina Denomie, *Blueberry Picking among the Chippewa*, WPA interviews.

¹⁰⁰ Joseph Larson, *Spirit of the Ojibwe*, 108.

mills in the fall.”¹⁰¹ The primary employer near the reservation was Signor, Crisler and Company, and the camps offered more than only timber-related jobs. Elder and respected interpreter Ira Isham’s son “was cooking and his wife was helping him in one of the skidding camps, and Billy Boy, who lived on the allotment where the mill had built their dam, occasionally worked for Signor as an interpreter.”¹⁰² My grandfather's uncle Art “Sonny” Cornelia and other men in my grandfather's family also logged during the winter. That work initially motivated them to move from Lac Courte Oreilles to Bad River, and then from Bad River to a small town in northern Michigan. “They were always in the woods, it didn’t matter how deep the snow was,” my grandfather remembered.¹⁰³ This anokiiwin in logging camps connected new generations of Ojibweg, who continued to range beyond ishkonigan borders, to the aki.

As with sugaring, hunting, and berrying, wage labor in sawmills remained embedded in Ojibwe peoplehood. Melvin Eagle, an elder from Misizaaga’igan (Mille Lacs) in Minnesota who worked at one of the Great Lakes area mills with other Ojibweg, reminded a young Ojibwe man, “O’ow dash gegoo ezhi-maniddowaadiziwaad gidewe’iganag imaa ko gii-anokiiyeg daashkiboojiganing imaa awas akeyaa agaaming gemaa gaye ankiyaan, miish i’iw.” (“And your Drums are sacred things even there in the sawmill where you used to work or where I worked myself on the other side of the lake.”) Eagle worked at a sawmill when he hurt his back lifting a wooden beam. His injury prevented him from working and affected his overall health. “Barely, I’m able to walk, as there are all kinds of things messed up in my back,” he recalled. He attended

¹⁰¹ McQuigg to Commissioner of Indian Affairs, Jun. 6, 1916, Hayward Letters Sent, RG 75, NARA Chicago.

¹⁰² *Condition of Indian Affairs in Wisconsin (1909-1910)*, 79.

¹⁰³ Conversations with the author.

a Big Drum Ceremony. Eagle doubted that he would be able to dance. “Now at this time I had circled [the Drum] twice, and again there things changed for me, as I was able to dance again. I had now circled around three times here as I was dancing.”¹⁰⁴ Ceremony helped to mitigate the negative effects of wage work in places like saw mills and logging camps, thereby preserving and even strengthening Ojibwe peoplehood.

Anokiiwin connected Anishinaabe Peoples with the woods and with relationships of their peoplehood, thereby entrenching the link between anokiiwin and sovereignty. The example of commercial logging at Lac Courte Oreilles demonstrates the connection. The Lac Courte Oreilles People struggled for control of their woods with the Signor logging company. As part of their contract to log on Lac Courte Oreilles allotments, which from an Ojibwe perspective seems to parallel earlier alliances founded on reciprocity, Signor agreed to hire Indian labor.¹⁰⁵ In practice, however, Ojibwe workers believed that Signor showed preference to Settler workers. He hired Indian workers last and fired them first when business slowed. Moreover, Signor paid Ojibwe workers in time checks or vouchers for the company store. The time checks proved nearly impossible to cash. Henry La Rush and both of his parents received time checks for “working in the woods,” and La Rush discovered, “I could not cash them up here any place. I tried it at Court d’Oreilles [sic], and at Reserve, and I could not get the money, and I had only \$1 in my own pocket of my own money. I earned that in the reservation. I went down to Rice Lake and tried to cash the checks. I went in every saloon and every bank and store and could not get the checks cashed.”¹⁰⁶ When he finally found a person who could cash it—a local businessman associated

¹⁰⁴ Eagle Interview, *Living Our Language*, 101-103.

¹⁰⁵ *Condition of Indian Affairs in Wisconsin* (1909-1910), 79.

¹⁰⁶ *Condition of Indian Affairs in Wisconsin* (1909-1910), 121-122.

with Signor—the man charged a ten percent fee. La Rush “quit working for them after I found out the way they were using us. I would not work for them by the day.”¹⁰⁷

The company vouchers, only redeemable at Signor’s store, likewise frustrated Ojibwe workers. The Ojibwe who had no choice but to buy from Signor knew that he charged unfair prices compared to the two merchants on the reservation. Signor’s store charged \$.40 or \$.45 for tea. On the reservation, tea cost \$.25. Tobacco—Adam’s Standard brand—cost \$.30 on the reservation, but Signor charged \$.35. Ojibwe workers also objected when Signor reduced their pay if they did not stay in the camps from the fall through the spring. The long-term expectations, enforced through contracts that white workers did not have to sign, sometimes conflicted with Ojibwe seasonal labor patterns, especially if spring came early and warmed the sap before the lumber camps’ contract period ended. Lewis Dennis, an experienced lumberjack, pointed out that there were other options, saying, “We go up to Winters and Wolf Lake operations here. Why do we do it? If we work a day and quit to-morrow, we get cash. That is the only reason.”¹⁰⁸ They preferred the camps that fit more flexibly within the seasonal round.

Ultimately, the conflict over labor with Signor was a matter of sovereignty. The problems with coupons and contracts demonstrated that Signor’s company suffered from corruption and intended to take advantage of the people of Lac Courte Oreilles. The core complaint concerned the unfair treatment of Ojibwe workers compared to Settler employees. Signor operated in woods that belonged to the Lac Courte Oreilles People, a relationship they maintained despite allotment’s parceling of the land. Signor logged in Lac Courte Oreilles territory. Those were Lac Courte Oreilles mitigoog he cut and sent down the river. Because of the relationship of these

¹⁰⁷ *Condition of Indian Affairs in Wisconsin* (1909-1910), 121.

¹⁰⁸ *Condition of Indian Affairs in Wisconsin* (1909-1910), 126.

resources to the Lac Courte Oreilles People, they retained a claim on the right to labor in those woods.

As Settlers attempted to redefine the woods, the Lac Courte Oreilles People continued to enact the relationships of their peoplehood through anokiiwin. Anishinaabeg had always performed anokiiwin amongst the mitigoog, and they continued to harvest maple sugar, gather berries, and hunt game in ways that connected them to aki, Anishinaabemowin, manidookewin, aadizookanag, and reciprocal doodem networks. Moreover, anokiiwin in the tourism and logging industry likewise engaged peoplehood while asserting Ojibweg control in spaces increasingly dominated by Setler interests. Determining access to resources remained, as the conflict with Signor demonstrates, the purview of the People. Anokiiwin in the woods performed the work of sovereignty. By carrying forward the relationships with aki, Anishinaabemowin, manidookewin, aadizookanag, and kin, Anishinaabeg peoplehood continued to thrive.

Zaaga'iganan and Ziibiwan: St. Peter's Anokiiwin on the Water

Zaaga'iganan (lakes) and ziibiwan (rivers) bind together Anishinaabewaki. Bibi (water) gives and sustains life, and zaaga'iganan and ziibiwan bring that nibs to Ojibweg. Gitchi Manitou created nibs, along with ishkwaday (fire), ashen (rock), and noodinan (winds) out of nothing, and into all four he blew the breath of life.¹⁰⁹ During the chibimoodaywin, Anishinaabe ancestors traveled along waterways to reach their home in the western Great Lakes region. Countless zaaga'iganan dot the forests and prairies, from Gichigami and the other Great Lakes to smaller but equally important bodies of water such as Lake Winnipeg, Odawasagaegun (Lac Courte Oreilles Lake), and Rainy Lake. Shallow zaaga'iganan, ponds, and sloughs comprised

¹⁰⁹ Johnston, *Ojibwe Heritage*, 12.

much of the landscape around the St. Peter's ishkoniigan. Anishinaabeg compared the ziibiwan that threaded Anishinaabewaki to veins or arteries, bearing nibs that nurtured and cleansed the aki.¹¹⁰ The water provided medicine, nourished manoomin, and teemed with a variety of fish that kept Anishinaabeg well-fed.

Amidst land loss and pressure from state and commercial interests, Ojibweg continued to enact essential relationships with zaaga'iganan and ziibiwan by accessing resources such as manoomin. Dagwaagin (fall) began with the manoomin harvest, which took place during Manoominike-Giizis (Rice moon, approximately August or September). The food that grows on water, put there for the Anishinaabeg, signaled to the ancestors that they had reached their home after their long migration. According to Saulteaux elder Gilbert Abraham, "Anishinaabe-manoomin would be what they call the wild rice today, and it has always been wild rice since white men came. But there is no such thing as wild rice in Indian vocabulary."¹¹¹ Although usually shortened to manoomin, the word in Anishinaabemowin is anishinaabe-manoomin—Anishinaabe or Indian rice, indicating their inherent relationship with the plant. The Creator bestowed manoomin as a sacred gift for the benefit of the entire community. Manoomin was the Ojibweg's heritage; it connected the People to the land and to each other. Their labor every dagwaagin in the wild rice beds, however dwindling, kept those relationships alive.¹¹²

¹¹⁰ Johnston, *Honour Earth Mother*, 8.

¹¹¹ Gilbert Abraham Interviews, Tape 283, Side A, Archives of Manitoba.

¹¹² Manoominike (ricing) remained an essential economic activity following reservation policy. Pro-assimilation, anti-sovereignty Settler efforts at the state and federal level influenced Ojibwe labor practices on the water, but the Ojibwe People successfully adapted. Historian Brenda Child, for instance, demonstrates that despite transforming gender relationships surrounding the traditionally-female realm of ricing, Ojibwe women adapted and retained their influence over and relationship with rice. Child, *Holding Our World Together*, 97-120; Child, *My Grandfather's Knocking Sticks*, 161-191. Many families from Lac Courte Oreilles riced at off-reservation sites. The Mike family, for instance, initially joined the Bakers at Lake Pakweiwong, but after a dam disturbed the manoomin on parts of the lake in the early twentieth century, they moved their camp to Nelson Lake, north of Hayward up the Chippewa River. Louis Thomas Barber, a member of the awaazisii doodem (fish clan) from Lac Courte Oreilles born in a

Due to westward expansion, the St. Peter's People did not live near manoomin. Although manoomin remained an essential part of their identity as Ansihinaabeg, and although at least some people from St. Peter's traveled to harvest rice, the expanding Saulteaux reconfigured anokiiwin on the water to adapt to their new, manoomin-less environment.¹¹³ Between 1880 and 1920, a period when many Ojibwe children spent their formative years in boarding schools intended to purge their Indianness, and federal officials in the United States and Canada pressured Ojibwe parents to abandon the mobile seasonal round for a stagnant agrarian existence while coveting the People's land and resources for Settler benefit, the Saulteaux of St. Peter's continued to adapt and find new ways for anokiiwin to sustain the relationships of their peoplehood. Throughout the first half of the twentieth century, the Saulteaux continued to labor on the waters of their homeland as generations of ancestors had done before them.

Zaaga'iganan and ziibiwan offered an abundance of resources. In addition to manoomin, the St. Peter's People trapped on frozen lakes. Trapping provided income and also mobilized relationships with the aki and its resources, including the Saulteaux People's sovereign right to determine who could access those resources. In 1901, St. Peter's hunters and trappers sold

wiigiwam in 1902, harvested manoomin on Fish Trap Lake. Barber's family traveled approximately one hundred miles to Fish Trap Lake, located northeast of Lac du Flambeau. Balbin, Bailey, and Nayquonabe, *Spirit of the Ojibwe*, 48. His younger brother Edward Barber, born in 1917, noted that manoomin "played a significant role" throughout his life, and that he and his brother Louis riced together as long as their bodies let them. Balbin, Bailey, and Nayquonabe, *Spirit of the Ojibwe*, 40. Barber remembered journeying by canoe with his father, who died in the 1918 influenza pandemic, up the Chippewa River to see if the rice were ready. Babe Trepania, taken from her family by government officials in 1901 after she turned five to attend the Flandreau boarding school, riced with her family at Tranus Lake and other lakes in her People's homeland. She associated the manoomin harvest with her mother, who imparted a respect for the manoomin harvest in the young girl. Additionally, the Corbine family, including Louis V. Corbine, occasionally riced at both Tranus Lake and Rocky Ridge Lake to the west. Balbin, Bailey, and Nayquonabe, *Spirit of the Ojibwe*, 184-186. Reservation borders did not limit the mobility of the Lac Courte Oreilles People, nor did the Settler-imposed lines stop the Ojibwe from accessing manoomin and enacting their sovereignty. The Lac Courte Oreilles People reclaimed settled spaces through their labor on the zaaga'iganan of their expansive homeland.

¹¹³ In a 1981 interview, Peguis member Ernest Clifford McCorrister stated, "I enjoy playing pool and picking rice." Nancy Thompson (Peguis) similarly noted that her adopted father, John Arkinson, went rice picking. "Manitoba Elders," Manitoba Indian Culture Education Center, 1981, 4, 18.

\$1,082.46 worth of furs at the Hudson's Bay Company trading post at Fort Alexander, which remained open until 1940. A single black fox skin brought \$140, and that same year a bear pelt in excellent condition earned its hunter \$40.¹¹⁴ Between the 1880s and 1920s, Adam Big Mouth, Saulteaux from Little Grand Rapids near the St. Peter's People's homeland, trapped across the frozen lakes east of Lake Winnipeg. He and his father brought in rabbits at the beginning of biboon (winter), and they "used to freeze them and smoke them" to last through the spring.¹¹⁵ They sold some of the rabbits to the trading post at Grand Rapids, and most winters the post sent a team of dogs to collect the rabbits from the winter camps. Occasionally, he encountered other Anishinaabeg's fox traps. Each time, he assured that the prey found its way back to whoever had set the trap. He and his fellow Anishinaabeg respected each other's claims to hunting territory that underwrote the Settler landscape between reserves. Additionally, they treated Settlers differently from how they interacted with other Anishinaabeg. While checking his traps, he "found again in a trap a fox in a trap on a lake. I took back the fox but set the trap. It was a red one. Tried to find out who it belonged to. It seems to me the fox belonged to Co. man. He gave me half of the value. I found a mink once that belonged to an Indian—[ktcibgawa] from here. That one I did not expect pay."¹¹⁶ He acknowledged his fellow Indian's claims, delivering the mink without compensation. The Settler, however, did not have the same claim to the land or its resources. Within a Settler colonial landscape that privileged Settler definitions of space and resource rights, Saulteaux continued to rely on Anishinaabe understandings of resource use and

¹¹⁴ *Annual Report*, 1901, 76.

¹¹⁵ "Adam Big Mouth and Windigo" Field Notes, 1938, APS, Box 24 Folder 1

¹¹⁶ "Adam Big Mouth and Windigo" Field Notes, 1938, APS, Box 24 Folder 1

access rights in their everyday anokiiwin, demonstrating the unbroken arc of the People's sovereignty.

The St. Peter's People maintained relationships with the water through the anokiiwin of fishing, an economic activity that occurred year-round. Fishing provided a significant food source and marketable commodity. Spring fishing was primarily net or spearfishing, while during summer the main activity was open-water fishing and in the winter Ojibweg spearfished on frozen waters. Each of these types of fishing have their own verb in Anishinaabemowin. To fish with a net is bagida'waa. Akwa'waa is to fish through the ice with a spear, and wewabanaabii is to fish with a hook and line.¹¹⁷ The language distinguishes between the various types of fishing that fall within different seasons.

Fish comprised an important part of Ojibweg diets. They cleaned the fish and laid them on racks to smoke and preserve them, consuming most and selling surplus fish for cash. Melvin Eagle (Mille Lacs) said of fish, "Miieta gaa-izhi-wiisiniyaang miinawaa niibing. (That's all we ate in the summer)."¹¹⁸ Up north, in the many lakes scattered around Lake Winnipeg and the Red River, Ojibweg caught adikamegwag and name (sturgeon) during the spring spawning season. They extracted oil for pemmican and smoked the fish to last through the summer. In 1891, Inspector Ebenezer McColl lamented that despite "advancement in agriculture," Saulteaux men preferred to leave St. Peter's Reserve to fish on Lake Winnipeg.¹¹⁹

Fishing, much like many of the Lac Courte Oreilles anokiiwin in the woods, required cooperative effort. Joe Stoddard, a fisherman from Bad River who netted fish on Anishinaabe-

¹¹⁷ Ojibwe People's Dictionary, <http://ojibwe.lib.umn.edu>.

¹¹⁸ Eagle interview, *Living Our Language*, 120-121.

¹¹⁹ *Sessional Papers* (No. 18) 1891, 54.

gichigami (Lake Superior), described the process that many St. Peter's men followed on Lake Winnipeg:

The Indian would go along slowly in his canoe until he selected a school of fish of the size desired, and those along the shore would assemble the net or nets, which were often spliced together. Then they would get into a canoe with the net, which they would lay out as the boat encircled the school. After the net was set the fish were in an enclosure of nets, bound on one side by the each. The fishermen then hauled in the net from the beach, drawing the fish within reach of others who threw them upon the sands.¹²⁰

The depth of cooperative labor stretched back even further, for although fishing was a man's activity, women made the nets.¹²¹ Such cooperative labor allowed the Ojibwe to fulfill kinship obligations and other reciprocal relationships that bound inawemaagan.

Fishing continued into the twentieth century in off-reservation waters. The St. Peter's People and other Anishinaabeg in Manitoba and Ontario began to trade fish with Settlers during the fur trade. Fish, especially adikameg or whitefish, fed hungry traders. Adikameg also provided oil that the Saulteaux used in making pemmican and as a lubricant.¹²² Fish also supported the dog teams that Saulteaux trappers used to carry furs to trading centers.¹²³ The declining buffalo population in the late nineteenth century increased the importance of fish in supplying Settler

¹²⁰ Joe Stoddard, Chippewa Nonagenarian, Informs Jerome on Early Fishing" by Jerome Arbuckle (WI Research)

¹²¹ Women occasionally fished as well. Maggie Christensen (Lac du Flambeau) jokingly described herself as a "great sportsman" and boasted of the time she caught a fifty-five pound muskie—a feat that surpassed even the celebrated forty-six pound muskie that fought against Ben Poupart, Sr., for three hours in July of 1946 before he finally brought it in. Christensen's brothers taught her to hunt and fish, and she used her skills to supplement the family income. Hollowell, "Notes on the Material Culture of the Island Lake Saulteaux," Hollowell Collection, APS, Folder: Saulteaux Indians - Island Lake; "Christensen, Maggie," Hollowell Collection, APS.

¹²² Karen Nicholson, "A History of Manitoba's Commercial Fishery" (Historic Resources Branch, 2007), 19-21; available from https://www.gov.mb.ca/chc/hrb/internal_reports/pdfs/Fishery_MB_Commercial.pdf; accessed Oct. 10, 2015; Tough, *As Their Natural Resources Fail: Native Peoples and the Economic History of Manitoba, 1870-1930* (Vancouver: University of British Columbia Press, 1996), 177, 236.

¹²³ Thomas Andrew Judson, "The Freshwater Commercial Fishing Industry of Western Canada," Thesis, University of Toronto, 1961, 12.

traders and Saulteaux families.¹²⁴ Additionally, the European market valued namewag or sturgeon, particularly abundant in the waters of Lake Winnipeg and its tributaries near the St. Peter's People's home, for their air bladders, used to produce isinglass.¹²⁵ As reserve policy closed in around them, fishing allowed the St. Peter's People to actively participate in Atlantic economic systems and also to maintain relationships with the zaaga'iganan of their homeland.

In the 1880s, the nearby town of Selkirk became a central, convenient trading center. Selkirk, bordered by the Red River to the east and miles of marsh on the other sides, lacked farmland.¹²⁶ The river town redirected its resources into becoming a fishing port.¹²⁷ In the 1880s, Settler commercial fishing enterprises increasingly entered Lake Winnipeg. In 1886, C.W. Gauthier launched C.W. Gauthier and Company and built a fish refrigerator in Selkirk, one of the largest in the region.¹²⁸ William Robinson, a former steamboat captain, owned several fish companies that operated from Selkirk.¹²⁹ Saulteaux fishermen competed for increasingly scarce resources with Settler corporations with bigger boats and greater capital.

The new Dominion government passed laws that supported commercial interests over their treaty-enshrined obligations to Indigenous Peoples.¹³⁰ In 1874, the Dominion government extended the Dominion Fisheries Act, which brought all fishing under the federal government's

¹²⁴ Nicholson, "A History of Manitoba's Commercial Fishery," 21; Tough, *As Their Natural Resources Fail*, 14-62.

¹²⁵ Nicholson, "A History of Manitoba's Commercial Fishery," 21.

¹²⁶ Barry Potyondi, *Selkirk: The First Hundred Years* (Winnipeg: Josten's/National School Services, 1981), 31. The lack of farmland in Selkirk caused friction with the St. Peter's People. The ishkonigan contained some of the best farmland in the region.

¹²⁷ Potyondi, *Selkirk*, 49.

¹²⁸ Potyondi, *Selkirk*, 49.

¹²⁹ Potyondi, *Selkirk*, 49.

¹³⁰ In *Landing Native Fisheries: Reserves and Fishing Rights in British Columbia, 1849-1925*, legal historian Douglas C. Harris argues that ambivalent Indian policies that only superficially sought to secure Indigenous People's rights to treaty-protected resources buckled under a colonial land policy designed to provide Settlers with access to resources.

control and required licenses for commercial and subsistence fishing, to Manitoba.¹³¹ In 1887, the Department of Justice ruled that their distinct status did not exempt First Nations people from fishing regulations. Native people had to by fishing regulations, but they could apply for special licenses for subsistence fishing—and only subsistence fishing. Local agents controlled access to fishing licenses and, in practice, granted few.¹³² American capital financed many of the commercial fisheries on and around Lake Winnipeg, and, for the Dominion government, American capital trumped treaty promises.¹³³ Ignoring treaties and promoting Settler colonial interests, the Dominion of Canada effectively criminalized the seasonal round.¹³⁴ If St. Peter’s People and other Anishinaabe communities wanted to keep their treaties and their peoplehood alive, they had to work for them.

The People of St. Peter’s continued to fish, asserting their right to resources and, by extension, their sovereignty. Frank Tough argues that Native fisheries near Lake Winnipeg “reached crisis proportions in the late 1880s” because of the effects of overfishing.¹³⁵ While subsistence undeniably became increasingly difficult in the 1880s and may have contributed to

¹³¹ *An Act Respecting the Extension and Application of “The Fisheries Act,” to and in the Provinces of British Columbia, Prince Edward Island and Manitoba*, S.C. 1874, Chapter 28.

¹³² Brownlie describes agents’ involvement this process in Ontario. She also demonstrates how Anishinaabe Peoples fought back to protect their treaty-protected rights. For instance, the Parry Island People used band funds to pay the fines of members caught fishing without a license. Brownlie, *A Fatherly Lie*, 80-95.

¹³³ Historian Frank Tough points out that workers of all races experienced exploitation in commercial fisheries. Frank Tough, *‘As Their Natural Resources Fail’: Native Peoples and the Economic History of Northern Manitoba, 1870-1930*, 248.

¹³⁴ Reminiscent of Bruce White’s “criminalizing the seasonal round” and Warren’s national commons, Frank Tough calls this process the “privatization of common property.” Tough, *‘As Their Natural Resources Fail’*, 186. However, few scholars fully consider the connection between Settler colonialism and the criminalization of the seasonal round or creation of a national commons. In *Landing Native Fisheries: Reserves and Fishing Rights in British Columbia, 1849-1925*, legal historian Douglas C. Harris argues that ambivalent Indian policies that only superficially sought to secure Indigenous People’s rights to treaty-protected resources buckled under a colonial land policy designed to provide Settlers with access to resources. Douglas C. Harris, *Landing Native Fisheries: Reserves and Fishing Rights in British Columbia* (Vancouver: University of British Columbia Press, 2008).

¹³⁵ Tough, *‘As Their Natural Resources Fail’*, 180.

starvation in several communities, the Saulteaux adapted to the changing economic landscape of their waters. The government record does not preserve any statements from the St. Peter's People, but neighboring Saulteaux spoke out against Settlers who encroached on their sovereign right to their resources. In 1885, for instance, the Berens River People, who lived on Lake Winnipeg's eastern shores, told their agent "that their fisheries are encroached upon by parties from Winnipeg, who, if allowed to continue the destruction of the whitefish and sturgeon at the present rate, will eventually exhaust the supply and deprive them of their principal source of sustenance."¹³⁶ Saulteaux such as those at Berens River recognized the connection between their ability to fish and the sovereignty that they had protected by consenting to treaties and *ishkonigan*.

Fishing remained an essential component of the St. Peter's People's economy. In 1889, Inspector Ebenezer McColl lamented the supposedly negative effects of Anishinaabeg engaging in commercial fishing. He wrote that fisheries deteriorated conditions on reserves rather than improving them, for "[s]ince the commencement of those fisheries their reserves are not properly cultivated, their gardens are frequently neglected, and their houses often deserted."¹³⁷ McColl complained of Indians who "wander about" instead of settling down to become government-approved farmers. Blinded by Settler assimilative goals and reserve policies, McColl failed to recognize the continued vitality of the seasonal round. Hungry Saulteaux chose to expend their labor in fisheries, a choice they made for the next several decades. Gauthier's workforce consisted primarily of Indigenous people and their Métis kin. Out of one hundred seventy

¹³⁶ Sessional Papers, 1885, Indian Affairs, no. 3, 129. Frank Tough provides numerous examples of Indigenous Peoples around Lake Winnipeg protesting Settler overfishing. Tough, *As Their Natural Resources Fail*, 181-183.

¹³⁷ Sessional Papers, 1890, Indian Affairs, no. 12, 53.

workers, one hundred were Indians and an additional thirty were Métis.¹³⁸ Companies often paid Ojibwe fishermen in goods rather than cash. In 1889, Missionary J. Butler from Berens River noted that men bringing in name or sturgeon for the C.W. Gauthier company earned \$1.25, but the value of the goods they received instead only totaled about fifty cents.¹³⁹ World War I improved wages. During the war, fishers earned one dollar cash or two dollars in goods per one hundred whitefish. The American-financed fishing companies resold the fish in the United States for up to fifty times as much.¹⁴⁰ In 1921, officials described commercial fishing for the Berens River People as “a more and more important factor during the past four or five years, and considerable income has been derived from it.”¹⁴¹ Saulteaux determination to continue fishing and the physical act of fishing demonstrates the commitment to maintain their peoplehood. Despite everything, they continued to fish.

While Settler colonial policies and commercial development changed the physical and economic landscape of the zaaga’iganan and ziibiwan, Saulteaux adapted. Anishinaabemowin expanded to incorporate changing legal contexts of Settler colonialism. The word for “fishing license” is “noojigiigoonyiwe-mazina’igaans,” which combines “s/he goes fishing” with “mazina’igaans,” which means a small book or document, a ticket, or a license. Although it is unclear when this word developed, the way that Anishinaabemowin integrated concepts such as licenses indicates the continued importance of fishing as an economic and cultural activity and reflects the way adaptations occurred without displacing peoplehood. Between 1914 and 1915 at

¹³⁸ Potyondi, *Selkirk*, 52.

¹³⁹ Tough, ‘*As Their Natural Resources Fail*’, 181.

¹⁴⁰ Nicholson, “A History of Manitoba’s Commercial Fishery,” 32. As Brenda Child notes in her discussion of commercial fishing at Red Lake, WWI also expanded commercial fishing in the United States. Child, *My Grandfather’s Knocking Sticks*, 39.

¹⁴¹ Nicholson, “A History of Manitoba’s Commercial Fishery,” 32.

Fort Alexander near St. Peter's, Saulteaux fished all year with one-hundred-yard nets. Out of a population of seven hundred, only nine had licenses in September of 1915. That month, however, the Fort Alexander People brought in 24,671 pounds of pickerel, 1,127 pounds of jackfish, and 318 pounds of catfish.¹⁴² The same pattern occurred in November 1915. The DIA issued twelve licenses, and the Fort Alexander People caught 11,000 pounds of pickerel and 10,125 tullibee.¹⁴³ The absence of whitefish reflects the selective decline of overfishing. More importantly, however, the numbers suggest that the Fort Alexander People integrated noojigiigoonyiwe-mazina'igaans into their kinship networks. The men who held the noojigiigoonyiwe-mazina'igaans most likely relied on kinship networks to carry out the anokiiwin that yielded so many pounds of fish.¹⁴⁴

Anokiiwin in the commercial fishing industry intertwined with ceremony and kinship networks. Fishing occurred during two main fishing seasons, the dagwaagin and ziigwan spawning seasons. Many Saulteaux men worked out of fishing stations, and their families joined them to camp on the shore for the season. Setting out from the temporary camps, many Saulteaux men took their jiimaan (canoes), often wiigwaasi-jiimaan (birchbark canoes), and dropped their generally homemade nets in the water. After eight to twelve hours of fishing, they returned to camp with their catch. Women's anokiiwin remained essential to their success, not only in the work of maintaining camp but also in processing the fish. At one of Robinson's fishing stations

¹⁴² Annual Report, Indian Affairs, 1915.

¹⁴³ Annual Report, Indian Affairs, 1915.

¹⁴⁴ In *My Grandfather's Knocking Sticks*, Brenda Child suggests that the Red Lake People relied on a similar strategy of family labor to support commercial fishing. She notes that although 240 Ojibwe worked for the Red Lake Tribal Fisheries Association, but estimates that closer to 1,000 men and women actually participated in the anokiiwin. Child, *My Grandfather's Knocking Sticks*, 41.

on Horse (Selkirk) Island, Saulteaux women boiled whitefish guts to extract the oil.¹⁴⁵ Tug boats periodically traveled to the various fishing stations, where they picked up partially-processed fish.¹⁴⁶ At larger operations, steamers or sailboats came in from the deep waters that Saulteaux canoes could not access. The workers on the boat, mainly non-Indian, slid the fish to waiting Native workers via long sluices. The Native workers then cleaned the fish and boxed them up with ice before storing them in a freezing chamber, which kept the fish from spoiling on the trip to Selkirk.¹⁴⁷ In the camps, the Saulteaux families socialized and danced. At Horse Island, which sprouted “quite a village” during the fishing season according to Lieutenant Governor J.C. Patterson, the Saulteaux from Grand Rapids and other reserves such as St. Peter’s held dances nearly every night. Federal officials complained that children missed school, and camp may have been away to avoid government surveillance, as well as to enact relationships with aki beyond limited reserves. Anokiiwin on the water fed not only bellies but also sustained ceremony and kinship ties.

Albert Edward Thompson, great-great-grandson of Peguis born at St. Peter’s in 1900, demonstrates how many Saulteaux integrated wage work in the commercial fishing industry without dislodging the relationships that underwrote St. Peter’s peoplehood. In 1919, after returning from the Armed Forces, Thompson signed on with the Northern Fish Company. He worked at Big Black River, along the northeastern side of Lake Winnipeg, in a variety of tasks. Thompson described little about the work in his autobiography, but he mentioned that his brother brother William, stationed in Siberia during WWI, joined him at Big Black River. “It was a

¹⁴⁵ Nicholson, “A History of Manitoba’s Commercial Fishery,” 27.

¹⁴⁶ Annual Report, Indian Affairs, 1900, 30, 27-28.

¹⁴⁷ *Selkirk Herald*, Nov. 17, 1882; Potyondi, *Selkirk*, 52.

happy reunion,” Thompson noted.¹⁴⁸ The Thompson brothers returned to their home at the new Peguis Reserve after the fishing season, where they “started to put up hay, for our own livestock and for sale.”¹⁴⁹ During the next several decades, Thompson engaged seasonally in fishing in Anishinaabeg zaaga’iganan and ziibiwan.¹⁵⁰ Strengthened by anokiiwin in the waters of their homeland, Anishinaabeg continued to work within their homelands. Their labor, and the fact that it remained motivated by Anishinaabeg perspectives, presented a continuous challenge to the economic and legal systems that comprised Settler colonialism.

Across the zaaga’iganan and ziibiwan of the St. Peter’s People’s homeland, the stories were the same. The Canadian and Manitoba governments imposed Settler regulations over inherent Saulteaux usufruct rights while industry boomed. As provincial and federal officials sought to extend jurisdiction over Indian land and resources, the Saulteaux continued to trap and to fish, altering the context of the anokiiwin to preserve its underlying relationships.

Mashkodeng: Turtle Mountain Anokiiwin on the Prairie

The western edges of Anishinaabewaki spread out into mashkode (prairie). One day, before the Anishinaabeg migrated beyond the Great Lakes, Nanaboozhoo decided to travel west to see the flat prairie country, where he had heard he could see for miles and miles with no mitigoog blocking the view. Nanaboozhoo packed his few belongings, and to his Anishinaabe and animal friends he said, “I’ll be back in a few months. The northland is my home, and I will

¹⁴⁸ Thompson, *Chief Peguis and His Descendants*, 61-62.

¹⁴⁹ Thompson, *Chief Peguis and His Descendants*, 62.

¹⁵⁰ Thompson, *Chief Peguis and His Descendants*, 62. As noopiming (in the woods), the growing tourist industry reconfigured anokiiwin on zaaga’iganan and ziibiwan. One of the main tasks for men was working as guides. Their responsibilities included taking Settler tourists out on to the lakes to find fishing spots. Ojibwe men in Manitoba also went to the waters around Lake Winnipeg to guide tourists. Sam Labarge, Sr., Hallowell Papers, APS; Tom Big John, Hallowell Papers, APS; *Sessional Papers*, 1910.

always return to it while I live on the earth.”¹⁵¹ When he reached the flat plains, he looked out across the seemingly boundless mashkode and felt excited. But Nanaboozhoo soon learned of a problem. He responded to the cries of the birds who built their nests on the ground beneath the long prairie grasses. Every day, the mashkode-bizhikiwag (buffaloes)—which the birds described to Nanaboozhoo as the chiefs of the prairies because he only knew forest animals—raced across the mashkode. The foxes helped the buffalo by running ahead to bark at the birds to clear the way. Fox and buffalo destroyed nests, trampled eggs, and flattened birds. Nanaboozhoo protected the birds. He confronted the lead mashkode-bizhiki, striking him on the back with a stick. The mashkode-bizhiki hunched his back and lowered his head in shame, which gives the mashkode-bizhikiwag their shape today, and the foxes burrowed into holes in the mashkode to avoid Nanaboozhoo’s wrath. Nanaboozhoo returned to the northern zaaga’igan and mitigoog, and centuries later, Anishinaabeg followed in the trickster’s footsteps, venturing onto the mashkode to hunt the now-humped mashkode-bizhiki.¹⁵²

The aadizookan of Nanaboozhoo discovering the mashkode reflects the diversity of life and resources available to the Anishinaabeg mashkodeng. The aadizookan parallels seasonal movements onto the plains. The mashkode also contained new challenges, but like Nanaboozhoo, subsequent generations of Anishinaabeg found creative solutions to their new environment, even as Settler colonialism transformed the landscape in the late nineteenth and early twentieth centuries.

¹⁵¹ Sam Snake, Chief Elijah Yellowhead, Alder York, David Simcoe, and Annie King, *The Adventures of Nanabush: Ojibwe Indian Stories*, edited by Emerson Chatsworth and David Chatsworth (New York: Atheneum, 1980), 62.

¹⁵² Snake, et al, *The Adventures of Nanabush*, 62-68.

On the western mashkode of Anishinaabewaki, the Turtle Mountain People adapted labor practices to their new environment and, in the late nineteenth and early twentieth centuries, to the changing economic, political, and social landscapes of Settler colonialism. The bizhiki drew Anishinaabeg onto the mashkoden from the waters and woods of the Great Lakes region that formed the center of Anishinaabewaki. Initially, the long-distance bizhiki hunts, in which entire families participated, were a seasonal pursuit. At the end of dagwaagin when the hunt concluded, Anishinaabeg families drove their carts laden with meat and hides home to the Red River, selling the surplus to local traders and Settlers.¹⁵³ As Settlers encroached upon their homeland and other branches of the Anishinaabe People ceded lands near the Great Lakes, the families who became the Turtle Mountain People by 1870 increasingly remained on the prairies. The Turtle Mountains offered fertile land for gardening, as well as game, fish, and berries. The dwindling buffalo population meant that they, like other Plains Peoples, had to find alternate strategies for subsistence and economic support. The Turtle Mountain People, however, excelled at adapting their seasonal round.¹⁵⁴ The buffalo hunts were a relatively recent addition to their seasonal activities, brought on by Anishinaabe westward expansion. As they intermingled with Plains nations such as the Cree and Dakota, Métis People, and Settlers, the Turtle Mountain People incorporated numerous strategies. Adapting to new landscapes, they erected teepees in place of the wiigiwaaman that required a larger supply of birchbark that the mashkodeng could sustain. Dakota drums helped them maintain relationships with the Creator and his gifts, and they spread this adaptation to other Anishinaabeg in the east.¹⁵⁵

¹⁵³ Peers, *Ojibwa of Western Canada*

¹⁵⁴ See Peers, *Ojibwa of Western Canada* for additional examples from the late eighteenth and early nineteenth century of how westward-moving Anishinaabeg adapted to new environments.

¹⁵⁵ Melvin Eagle interview, *Living Our Language*, 91.

Turtle Mountain men and women transformed bizhiki hunts into trips onto the prairie to collect bizhiki bones. Millions of pounds of buffalo bones lay scattered across the mashkodeng, drying in the sun as abandoned carcasses rotted away. Settlers valued the bones as a component in fertilizer, and depots such as Elkendale and Fort Totten shipped millions of tons east for processing each year.¹⁵⁶ Turtle Mountain families set off with carts or wagons to camp on the mashkodeng away from their reservation in dagwaagin, just as they formerly embarked on weeks-long hunts. As they camped in the open, picking bones from the long prairie grasses, extended families reunited and worked together. After a few weeks, they brought their haul to Elkendale or Fort Totten and sold them to shipping companies for cash—up to fifteen dollars per ton.¹⁵⁷ In 1886, Agent John Cramsie reported that “but for the little money earned by picking up dry buffalo bones many of these people would have died of actual starvation.”¹⁵⁸ In 1889, Kashpaw Gourneau, a broad, bearded man respected by many Turtle Mountain People as a leader, convinced the agent, Ernest Brenner, to loan him a team of government cattle to pick bones.¹⁵⁹ Bone-picking only remained profitable until the mid-1890s, when Settler and Native pickers exhausted the supply of bones, but the brief enterprise demonstrates the Turtle Mountain People’s willingness and ability to adapt to changing circumstances and transition to reservation era realities in ways that protected and promoted their peoplehood. In its effort to consolidate

¹⁵⁶ “Dust Storms Still Causing Damage in North Dakota,” *Turtle Mountain Star*, April 7, 2014.

¹⁵⁷ According to Agent John Cramsie, the nearby Devil’s Lake People earned a collective \$240 in 1886 from buffalo bones. Activities such as cutting wood remained more profitable (the Devil’s Lake People earned \$600 from wood the same year), but for many families, especially those without access or permission to cut wood, the activity provided much-needed income to supplement government rations. Commissioner of Indian Affairs, “Annual Report of the Commissioner of Indian Affairs for the year 1886” (Washington: Government Printing Office, 1886), 60.

¹⁵⁸ Commissioner of Indian Affairs, “Annual Report of the Commissioner of Indian Affairs for the year 1886” (Washington: Government Printing Office, 1886), 60.

¹⁵⁹ Ernest Brenner to John Cramsie, May 29, 1889, Turtle Mountain Subgroup, General Correspondence, NARA Kansas City.

Turtle Mountain landholdings in the second half of the nineteenth century, the United States government asserted that the Turtle Mountain People no longer had claim to the mashkoden beyond their shrinking reservation boundaries. By engaging in the bizhiki bone trade, however, these Ojibweg traveled through familiar landscapes and reasserted their sovereign rights to the mashkoden through their labor.

Expanding onto the mashkoden opened new opportunities for gitige (s/he gardens/plants/farms or agriculture). Gitige connected the land and the People through anokiiwin. Undoubtedly trying to appeal to government officials obsessed with farming, Florina Denomie of Bad River demonstrated the origins of this anokiiwin in aadizookanag, not unlike Ojibwe relationships with manoomin or ziinzibaakwad, saying that farming was “utilizing the gift of nature in the soil, the rain, and the sunshine.”¹⁶⁰ Although Denomie came from Bad River, the Turtle Mountain People would have understood her appeal to the sacred relationship established through their migration. Ojibwe had cultivated gardens, planted in late ziigwan and early niibin (summer), since before the arrival of Settlers. Tended primarily by women, their produce supplemented game and gathering. The responsibility of agriculture shifted during the era of Settler reservation policy as was true in other gendered tasks, but Settler assimilationists never succeeded in displacing Ojibwe women’s relationships as caretakers of the aki. Instead, men incorporated farming and gardening into their labor, and women shared responsibility.¹⁶¹

The Turtle Mountain People reaffirmed their sovereignty through their anokiiwin and control of resources. Following the Ten Cent Treaty, Settler officials such as Brenner attempted

¹⁶⁰“Farming among the Chippewa” by Florina Denomie, WPA Records, WHS. The assimilative intent behind farming failed throughout North America. The Cherokee, for instance, adapted farming and allotment to community-oriented, kin-based ethics, as Rose Stremmler demonstrates in *Sustaining the Cherokee Family*.

¹⁶¹ Child, *Holding Our World Together*.

to use the newly transcribed definitions of belonging to override Turtle Mountain sovereignty, but the Turtle Mountain People remained committed to allocating rights and resources according to Ojibweg understandings of relationships. At the end of the summer of 1890, shortly before the McCumber Commission's negotiations, Brenner banned "outsiders" from cutting hay on the reservation.¹⁶² The council, led by Little Shell, objected to the Farmer's arbitrary exclusions, "claiming that I [Brenner] had no right to give such orders, that he owned the land, and has in fact given permission to outsiders to cut hay."¹⁶³ The only outsider in this situation was Brenner, who had no right to dictate access to the lands and its resources, and he misapplied to term to reservation boundaries that most Turtle Mountain People did not recognize because they had not consented to their creation. By permitting access to reservation resources such as hay, Little Shell demonstrated that Brenner's outsiders remained on the inside of tribal relationships. Reservation boundaries did not make inawemaagan into meyaagizid, and their anokiiwin such as making hay both created and reinforced this belonging.

The case of Leonard McKay demonstrates the connection between anokiiwin, kinship, and sovereignty. In 1892 following the Ten Cent Treaty, McKay lived just cross the southern border of the reduced ishkonigan. In previous years, he had cut hay from a meadow that he drained with his own anokiiwin, and in August of 1892, he again drained a meadow and proceeded to cut the hay. That year, Brenner sent a police officer to arrest McKay for trespassing. Only a few weeks earlier, the Council of Thirty-Two had stricken McKay's name

¹⁶² Brenner to Cramsie, Aug. 2, 1890, Letters Received, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

¹⁶³ Brenner to Cramsie, Aug. 2, 1890, Letters Received, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

from the McCumber rolls.¹⁶⁴ McKay, however, maintained relationships with the Turtle Mountain People, and he used those ties to continue to obtain the resources that he had once accessed openly. He tried to call a council of the Turtle Mountain People to hear his case.¹⁶⁵ Although Brenner prevented the meeting, McKay received support from local ogimaag including Little Shell. In March of the next year, when police arrested him for accessing reservation resources, McKay responded by “saying he had something from Little Shell” authorizing his anokiiwin.¹⁶⁶ At a general council meeting in February 1893, Little Shell had argued that “the mixed-bloods residing on the reservation but who were stricken from the rolls” should continue to cut and sell hay and wood.¹⁶⁷ The Council of Thirty-Two agreed. Although Brenner warned McKay that “nobody but the U.S. Government can give you permission to cut hay on this Indian reservation,” the Turtle Mountain People continued to control resources according to their own understandings of who maintained access rights and without acknowledging Settler oversight.¹⁶⁸ Kinship networks permitted McKay to access ishkonigan resources, and allowing him to carry on with his anokiiwin despite Settler attempts to break those networks reinforced Anishinaabe peoplehood and used anokiiwin as a conduit for sovereignty.

Although men and women throughout Anishinaabewaki farmed following the onset of reservation policies, farming never became the exclusive or primary pursuit of the majority of

¹⁶⁴ Brenner to Waugh, Aug. 4, 1892, Letters Received, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

¹⁶⁵ Brenner to Waugh, Aug. 4, 1892, Letters Received, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

¹⁶⁶ Brenner to Waugh, Mar. 14, 1893, Letters Received, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

¹⁶⁷ Brenner to Waugh, Feb. 9, 1893, Letters Received, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

¹⁶⁸ Brenner to Waugh, Aug. 15, 1892, Letters Received, Turtle Mountain Agency Subgroup, RG 75, NARA Kansas City, MO.

Ojibwe people. Settler officials both in the United States and Canada consistently identified the main occupations of Ojibwe people from Michigan to Manitoba and Montana as hunting and fishing, perhaps including logging and picking berries.¹⁶⁹ Ojibwe people described their agricultural activities in a way that suggests that they saw gitige in terms of their place in the seasonal round of their ancestors. “Gardening” remained a popular choice. On 1917 draft cards, young Ojibwe men at Turtle Mountain listed their occupation as laborers or farmers or unemployed. Every so often, however, one of them answered, “gardening.”¹⁷⁰ Children participated by hoeing and picking insects from potato plants.¹⁷¹ Logging camps on or abutting reservations provided one of the few markets for farm and garden produce, although that market varied with the changing fortunes of the timber industry.¹⁷² As they had for centuries, women processed much of the produce.¹⁷³

Ojibwe in the United States and Canada engaged in agriculture for their own purposes amidst shifting and often contradictory Settler policy. At Turtle Mountain, people planted wheat, oats, barley, corn, and potatoes. Adele and Stephen Lizotte of Turtle Mountain, a tall and striking couple, farmed 50 acres of Stephen’s 160 acre allotment, and because the remainder was timber and pasture, they purchased an additional 160 acres and cleared 65 acres. In addition to the five room house, the farm included a large frame barn, granary, milk house, garage, chicken house, hog house, and a cellar. In 1925, the family of seven raised 600 bushels of oats, 800 bushels of wheat, 200 bushels of barley, 150 bushels of potatoes, two bushels of beets, and one bushel each

¹⁶⁹ *Sessional Papers*, 1910.

¹⁷⁰ Draft Cards, Turtle Mountain Subgroup, RG 75, NARA Kansas City. Others who used the word garden in their oral histories include Nawigiizis, Gilbert Abraham, and Melvin Eagle.

¹⁷¹ Nawigiizis and Donald Doud, Hallowell Papers, APS.

¹⁷² *Conditions*, 1909.

¹⁷³ Turtle Mountain Industrial Survey, Reports of Industrial Surveys, 1922-1929, RG 75, National Archives Washington, D.C., Box 45.

of beans, carrots, and onions. Stephen Lizotte put up 25 tons of sweet clover hay for his stock, which included 9 horses, 16 milk cows, and 250 chickens. The family sold cream and eggs.¹⁷⁴ The Lizottes, however, remained anomalous at Turtle Mountain. According to the surveys the federal government conducted on the Turtle Mountain reservation between 1922 and 1925, nearly two-thirds of the families on the reservation cultivated fewer than ten acres. More representative of agriculture on the ishkonigan was Kamenokwamayas (Flying Nice), a 52-year-old single father of two. He cleared five acres on his 160-acre allotment, and in 1924 he harvested 40 bushels of potatoes, 20 bushels of corn, and “some garden truck.”¹⁷⁵ The following year, he only cultivated two of his five acres, loaning the other three “to Fred Day to put in a garden on.”¹⁷⁶ Kamenokwamayas raised enough food to feed himself, with perhaps a little extra to sell for cash to help support his children, who lived with relatives in Dunseith.¹⁷⁷ Also typical of the families surveyed in the 1920s, Ekweas (Girl) tended a small garden to feed herself and her five children. She owned a horse and six chickens, but she relied on the agency to plow her garden for her each ziigwan. In 1924, she raised 8 bushels of potatoes, 5 bushels of corn, and one bushel of onions.¹⁷⁸

Agriculture offered wage labor opportunities in during niibin and dagwaagin. Nearly half of Turtle Mountain men between eighteen and forty-five reported their occupation as farm

¹⁷⁴ Turtle Mountain Industrial Survey, Reports of Industrial Surveys, 1922-1929, RG 75, National Archives Washington, D.C., Box 45.

¹⁷⁵ Turtle Mountain Industrial Survey, Reports of Industrial Surveys, 1922-1929, RG 75, National Archives Washington, D.C., Box 45.

¹⁷⁶ Turtle Mountain Industrial Survey, Reports of Industrial Surveys, 1922-1929, RG 75, National Archives Washington, D.C., Box 45.

¹⁷⁷ Turtle Mountain Industrial Survey, Reports of Industrial Surveys, 1922-1929, RG 75, National Archives Washington, D.C., Box 45.

¹⁷⁸ Turtle Mountain Industrial Survey, Reports of Industrial Surveys, 1922-1929, RG 75, National Archives Washington, D.C., Box 44.

laborer during the summer of 1917. In the fall around the time when the buffalo hunts had departed toward the plains, groups of men from Belcourt and Dunseith set out as threshing teams. Unlike the buffalo hunts, women remained behind. Joe Swan, who spent the warmer months on the reservation and his winters in Canada, worked as a thresher from the time he was a teenager. His uncle, Pat Swan, lived on the reservation, and he stayed with him or with his uncle's wife, Agnes Gorneau.¹⁷⁹ The threshing teams worked for local farms who owned the threshing equipment, and they earned a wage for several weeks' work. The same teams often rented the threshers and pooled their labor to harvest each other's crops on their allotments. The harvests often ended with people gathering to dance.¹⁸⁰

Labor-related movements carried Ojibweg across the Settler national border that cut through Anishinaabewaki's mashkodeng. Men and women enrolled at Turtle Mountain but born in Canada often returned north for the winter. The border crossings that initially created the Turtle Mountain people were linked to seasonal labor: bizhiki hunts. Following land cessions and allotment, many of the same families who had once been involved in the buffalo hunts came back to Turtle Mountain for "the gathering" in the spring, when payments from the McCumber agreement were dispersed, and they remained in the vicinity of Turtle Mountain until the fall. These transnational movements founded an economic strategy that took advantage of competing Settler jurisdictions and relied on Anishinaabeg relational networks. Pierre Cadotte lived between the Lake Manitoba region in Manitoba, and Dunseith, North Dakota. He was of mixed-descent and therefore qualified for scrip from the Canadian government. While living at

¹⁷⁹ McQuigg to the Immigration Inspector in Charge, 6 March 1924, RG 75, NARA Kansas City, Folder: Immigration.

¹⁸⁰ Superintendent Henry McQuigg to Commissioner Jan 29 1925, RG 75, NARA Kansas City, Folder: Miscellaneous.

Dunseith, he sold his and his children's scrip and collected money as the heir of his deceased parents' land grants. Working as a trader and farmer, he traveled within a network of kin that ignored Settler borders. Dunseith itself lay outside Turtle Mountain's shrinking boundaries but remained an integral part of the Turtle Mountain community. Similarly, Joseph Poitras (also spelled Poitra), born near Selkirk but at Dunseith to sign the McCumber agreement in 1892, made seasonal trips between Lake Manitoba region and the Turtle Mountains.¹⁸¹

These seasonal movements demonstrate the continued ties that united Ojibwe people with their kin when enrollment and Settler immigration policies attempted to link Anishinaabe identity to a single reserve or reservation. Official Settler policy in both the United States and Canada held that one could either be an American Indian or a Canadian Indian, but never both. Turtle Mountain people defied these classifications with their movements and economic strategies. Cadotte and Poitras, like many others at Turtle Mountain, had allotment in the United States but had sold their "half-blood" scrip in Canada. Joseph Poitras farmed on the Turtle Mountain Reservation, and Cadotte had obtained an allotment in Montana, but they traveled to Canada for the winter. Both were at the Ojibwe reserve Sandy Bay, Manitoba, in April 1908 and preparing to return to Turtle Mountain in time for the treaty payments dispersed in mid-spring. There were also those who did not have allotments at Turtle Mountain but came down from the north to stay with family on the reservation. When Agency officials attempted to remove them from the reservation and send them back to Canada, "they move onto a Fee Patented Allotment," presumably belonging to another relative, "which is no longer of Reservation status and defy us

¹⁸¹ "Scrip affidavit for Poitras, Joseph; born: March 1840; father: Poitras (Métis); Mother: (Métis); claim no: 776" R190-43-X-E, Library and Archives of Canada; "Scrip affidavit for Plante, Nancy; born May 1840; husband: Joseph Poitras," R190-43-X-E, Library and Archives of Canada; "Cadotte, Pierre, for his deceased adopted son, Moise Cadotte; claim no. 784; address: Dunsuth, North Dakota," R190-44-1-E, Library and Archives of Canada; Pierre Cadotte to Schwab, April 1, 1908, RG 75, NARA Kansas City, Box 98.

to interfere with them.”¹⁸² Cadotte and Poitras farmed and took advantage of their access to land in North Dakota during the warmer months but left the overcrowded reservations to spend the winters in Canada. They diversified their resources as much as possible to sustain the seasonal round at a time when Settlers attempted to cut off their access to their homelands. Through their everyday movements, Ojibweg such as Pierre Cadotte and Joseph Poitras demonstrated the resiliency of their People in a world of intersecting borders. They remained Anishinaabe, an identity determined by their relationships with the land and its resources, not by Settler map lines.

The diverse, complex seasonal round, rooted in Anishinaabe peoplehood and enshrined in treaty agreements of the nineteenth century, allowed Anishinaabe men and women to find new ways of performing customary patterns that avoided the restrictions put in place by Settlers. The Ojibwe People were hunters, gatherers, gardeners, and fishers. They were also, at times, lumberjacks, performers, guides, and salespeople. They lived on reserves and on supposedly ceded lands, in cities and small reservation villages, on frozen lakes and in maple groves. Their work over them throughout Anishinaabewaki, creating a landscape of movement comprised of mitigoog, zaaga’iganan and ziibiwan, and mashkode that rendered Settler borders meaningless.

By working in the woods, waters, and prairies of their homeland, Anishinaabeg remained active within a network of relationships that transcended Settler-imposed boundaries and resisted Settler attempts at erasure. Anishinabeg claimed the woods by sugaring, hunting, and even by working in the lumber industry that reconfigured the landscape. They asserted sovereignty over

¹⁸² James Hyde to Commissioner of Indian Affairs, Aug. 13, 1930, Claims, 1940-1941, Allotment, Decimal Correspondence, Turtle Mountain Subgroup, RG 75, NARA Kansas City.

the waters of Anishinaabewaki by fishing, ricing, and guiding tourists on zaaga'igan, and they reaffirmed ties to the mashkode by hunting and farming in open spaces. Anokiiwin connected them to these places. By continuing to act as caretakers and to work with the aki and its resources, they lived out relationships established by aadizookaanan. The legs of venison, racks of dried fish, and baskets of berries resulted from interactions with aki, and ceremonies intertwined with various tasks. The allocation of resources likewise demonstrated the resiliency of Ojibwe social relationships. Individual Ojibwe sold berries, meat, and manoomin in local markets, but they also shared resources along kin and community lines. Moreover, territory and usufruct rights continued to reflect ancestral, kinship-based access protocols that insisted on Ojibwe definitions of space and place throughout Anishinaabewaki.

Between 1880 and 1929, Settler colonialism pressed in on the Ojibwe. From an Ojibwe perspective, however, the story that emerges from this period is not one of destruction but of the survival of the People. Every bead that Lucy Mustache strung, every fish that Alfred Edward Thompason netted, and every stalk of hay that the People of Turtle Mountain cut formed part of a network of sovereign relationships. Through individual acts of labor, Anishinaabe men and women throughout their homeland preserved their People's sovereignty. The Anishinaabe continued anokiiwin in Anishinaabe ways and for Anishinaabe reasons. In the context of Settler colonialism, in their everyday lives, the St. Peter's, Turtle Mountain, and Lac Courte Oreilles Peoples continued to live and work within the place that the Creator put there for the People.

Chapter 5

Ishkonigaade:¹ Defending Homelands, 1895-1920

Anishinaabeg know they are a fortunate People. Gitchi Manitou, the Creator, breathed life through a Sacred Shell into Anishinaabe, the first man from whom the People take their name, and then the Creator placed Anishinaabe in the world. Long ago, when the Anishinaabeg People's ancestors lived far away on the eastern shores of Turtle Island, Kitchi Manitou sent the Miigis shell to lead them home again to Mooningwanekaaning-minis, where manoomin grew in abundance and the water teemed with fish. The maple trees provided the Anishinaabeg with sugar, and tobacco offered itself in order for the People to give thanks to the Spirits and maintain the balance of reciprocity. Throughout the land that the Creator made for them, Anishinaabeg knew that “[t]here will be a lot of Spirits who look after us here, the Spirits who take care of us.”² This aki, extending from the Great Lakes to the prairies, was Anishinaabewaki, the homeland of the Anishinaabe People.³

United States and Canadian Settler colonialism threatened Anishinaabeg relationships with the aki. In the nineteenth century, Ojibwe Peoples made alliances with the United States and Canada to protect Anishinaabewaki and provide lasting bases of Ojibwe sovereignty. The reserves and reservations within Anishinaabewaki, including St. Peter's, Turtle Mountain, and Lac Courte Oreilles, remained their homeland. Throughout the nineteenth century, Anishinaabeg men and women maintained their expansive relationships with the land by defying Settler boundaries with their labor and definitions of belonging. Within the context of reservation

¹ It is saved/reserved.

² Mosay Interview, *Living Our Language*, 9.

³ Benton-Banai, *Mishomis Book*, 47-49.

policy, Ojibwe Peoples adapted flexible social relationships to a colonial landscape. The unbroken presence of Anishianabe sovereignty presented a challenge to expanding Settler colonial empires in North America. On reservations, bureaucracies replaced brute force as the manifestation of Settler domination.⁴ Federal attempts to restructure Native space continued beyond removal, confinement, and allotment.⁵ Efforts to overwrite Indigenous landscapes included the penetration of industries such as mining, timber, and cattle, Settler towns and farms, Western laws and institutions, and non-Indian animals and plants.⁶

St. Peter's, Turtle Mountain, and Lac Courte Oreilles each dealt with different iterations of what historian Frederick Hoxie called a "colonial land policy." In the early twentieth century, a racialized idea of citizenship predicated not on equality but on an ethnic hierarchy that positioned Native Americans as unable or unwilling to assimilate supported Settler policies that rapidly dispossessed Indigenous Peoples, accelerated allotment and dismantled reserves while socially and politically marginalizing Indian men and women.⁷ Settlers pressed in around St.

⁴ Hoxie, *Final Promise*; Matsui, *Native Peoples and Water Rights*; Lawson, *Dammed Indians*; Prucha, *The Great Father*.

⁵ Shepherd, *We Are an Indian Nation*, 67-76.

⁶ Shepherd, *We Are an Indian Nation*, 50-51.

⁷ Hoxie, *Final Promise*, 147-187. Brownlie confirms that Canadian officials shared similar racist attitudes and enacted them in administering the daily work of Indian Affairs. Hoxie suggests that the belief in Indians' insurmountable racial inferiority represented a subtle shift away from assimilation policies founded on the goals of equality and "the incorporation of independent Indian landowners into American society on an equal footing with their fellow citizens." Hoxie, *A Final Promise*, 152. He argues that the first phase of assimilation policies including the Dawes Act, supported by popular interest and public intellectuals, reflected policy makers' commitment to fully integrating Native Americans via private landownership, education, and citizenship, a commitment they later abandoned as scientists and others grew increasingly ambivalent about the significance of race in the so-called "Indian Problem." Hoxie, *A Final Promise*, 81. At least from the perspective of Native nations such as the Ojibwe, however, the policy makers' motivations fade in the light of the underlying intent of Indian policy in both the United States and Canada: undermining Indigenous peoplehood and thereby eliminating Indigenous control of their own land and resources. In *The Rise and Fall of Indian Country*, historian William Unrau argues that settlers invaded Indian country—appropriating land and resources for Settler benefit—as early as 1825, fueled less by humanitarian impulses and faith in the equalizing power of assimilation than their own interests. He suggests that the humanitarian impulses were illusions rather than meaningful goals. Similarly, American Indian Studies scholar Tom Holm agrees with Hoxie that the Progressive Era represented a period of transition in federal Indian policy in the

Peter's, just north of the city of Winnipeg, coveting Anishinaabe homelands and frustrated by the patchwork of jurisdiction created by half-hearted allotment. Settlers and the Dominion wanted the entire ishkonigan and perpetrated ethnic cleansing in a so-called surrender agreement. The Turtle Mountain People maneuvered the effects of allotment on a too-small reservation that threatened to unbind them from their peoplehood. The Lac Courte Oreilles Ojibweg fought the construction of a dam that threatened manoomin beds and ancestral graves. Settler states used ideas of economic development and progress to thwart Indigenous land rights and, by extension, sovereignty. Anishinaabe Peoples, however, continued to articulate peoplehood and to defend themselves against Settler land policies aimed at Indigenous erasure.

In the face of multiple layers of colonial encroachment, Anishinaabewaki suffered dismembering losses. The story, however, is more than a narrative of defeat. For the people of Turtle Mountain, St. Peter's, and Lac Courte Oreilles, the early twentieth century contains stories about the survival of their sovereignty, stories that echo their ancestors' experiences of creation and recreation. Anishinaabe Peoples pursued various strategies to protect their sovereignty by defending their homelands, as well as the interconnected and equally important social relationships that united the People.

United States and that assimilation policy was “the most liberal and enlightened yet devised,” but he also acknowledges that assimilation policies directly and purposefully targeted Indigenous peoplehood. Janet McDonnell earlier made a similar point in *The Dispossession of the American Indian, 1887-1934*. Brownlie, *Fatherly Lie*, 41; Holm, *The Great Confusion*, xii, 16-17; Unrau, *The Rise and Fall of Indian Country*, 148-149, McDonnell, *The Dispossession of the American Indian*. From the perspective of Indigenous peoplehood, how federal officials justified policies of dispossession and erasure—whether with the intent of fully integrating Native Americans as equal citizens or confining First Nations Peoples to their proper, marginal place in the social order—matters less than the fact that Settler land policies consistently attacked the relationships that sustained Indigenous Peoples' sovereignty.

“For the Sole Exclusive Use of Our Indians”: Removing the St. Peter’s People

On September 24, 1907, in an over-crowded storage building at the treaty grounds, the chief and councillors of the St. Peter’s Reserve signed a four-page agreement surrendering their reserve in exchange for individual patents of sixteen acres per person and a new reserve to the north on Fisher River near Lake Winnipeg. The 1907 St. Peter’s surrender was a twentieth-century example of an ongoing policy of ethnic cleansing, which continued to support land policies that privileged Settler expansion over Indigenous rights. The battle concerning that surrender’s legality continued for the next century. Despite two Royal Commissions and Canada’s highest court finding against the surrender on separate occasions, the agreement remains in effect today.⁸ From the Saulteaux People’s perspective, however, the reserve’s erasure must be viewed as an episode in the long and complex history of their sovereignty.

From the late nineteenth to the early twentieth centuries, federal Indian policy in both the United States and Canada exploited reserves and reservations for corporate and public interest. At the turn of the century, Canada experienced economic and demographic growth, particularly in the prairie provinces. Between 1901 and 1911, the population of Manitoba doubled, while that of Alberta and Saskatchewan increased fivefold.⁹ Imperial and federal administrations encouraged this expansion as they tried to strengthen their colonial domains and national borders.¹⁰ An important part of these processes featured Settler societies and governments appropriating Native spaces for “the common good.”¹¹

⁸ Martin-McGuire, *First Nation Land Surrenders*, 240-248.

⁹ Spaulding, “Executive Summary,” xx.

¹⁰ West, *Last Indian War*; Matsui, *Native Peoples and Water Rights*, 6-7; Bilosi, “Imagined Geographies.”

¹¹ Hoxie, *A Final Promise*, 152; Silvern, “Negotiating Ojibwe Treaty Rights”: 153-176; Matsui, *Native Peoples and Water Rights*, 18; Shepherd, *We Are an Indian Nation*, 111-113, 171-177.

Settler officials promoted state expansion by making western lands available to their citizens. In western Canada, officials emphasized farming and settlement. When Col. J. Stoughton Dennis, the first surveyor general of the Dominion Lands Branch of the Department of the Secretary of State, attempted a survey of the Red River Valley region in 1871, Ojibwe, Cree, and Métis Peoples protested the incursion on their sovereignty and refused to cooperate.¹² The Dominion government responded with policies intended to unleash a flood of settlement, hoping to overwhelm First Nations' autonomy in the deluge. In 1872, while negotiating treaties with the Anishinaabe Peoples and others, the Settler government passed the Dominion Lands Act. The law facilitated settlement on the prairies, part of which remained unceded Anishinaabewaki, by offering 160 acres of land for no more than a nominal registration fee to any man over 18 or female head of household, regardless of whether they were British subjects.¹³ The Dominion Lands Act, of course, echoed the U.S. Homestead Act of 1862, which likewise offered 160 acres to westward-moving farmers.

The United States and Canada supplemented these pro-settlement measures with policies designed to transform Native people into Western-style farmers idealized by John Locke and Thomas Jefferson and to dismantle the Native land base.¹⁴ The most successful Native farmers, such as the Cheyenne in the United States and the First Nations in the Qu'Apelle region of Saskatchewan, prospered and maintained stability in part by cooperative practices including pooling funds for seeds and machinery and by cultivating land in common. Peasant farming policies, however, prevented Indigenous Peoples from farming cooperatively. Peasant farming

¹² Matsui, *Native Peoples and Water Rights*, 24.

¹³ Matsui, *Native Peoples and Water Rights*, 26.

¹⁴ Matsui, *Native Peoples and Water Rights*, 10-28.

avored small scale, subsistence agriculture that did not engage with the market and thus did not threaten Settler profits.¹⁵ Policies in Canada strategically undermined peoplehood by allotting land in severalty and interfering with Indian autonomy in making economic decisions.¹⁶ Settler farmers complained of unfair competition from their Native neighbors, whom they accused the government of supporting, and the national governments in both Canada and the United States implemented policies to divide the land and dismantle cooperative strategies.¹⁷ The Department of Indian Affairs required permits, signed by a Department agent, for any transaction between Indians and merchants or buyers, which restricted Indian debt and credit and made pooling resources more difficult.¹⁸ In the United States, the federal government confined available cash in individual trust accounts and carefully oversaw Indian nations' tribal funds, which likewise prevented Indians from cooperating.¹⁹ With First Nations relegated to a marginal role in regional agriculture, Canadian officials hoped to encourage non-Indian settlement, extending Canadian control across the plains. The underlying goal of a colonial land policy that dismantled Anishinaabe and other Indigenous Peoples' relationship with that land sought to fully open Anishinaabewaki to Settlers.

Dominion leaders responded to Settler demands for land with Orders in Council and Indian Act amendments to increase administrative direction of reserves and, ultimately, to

¹⁵ Sarah Carter, *Lost Harvests: Prairie Indian Reserve Farmers and Government Policy* (Montreal: McGill-Queen's University Press, 1990), 193; Rebecca B. Bateman, "Talking with the Plow: Agricultural Policy and Indian Farming in the Canadian and U.S. Prairies," *The Canadian Journal of Native Studies* (1996): 211-228.

¹⁶ Bateman uses the phrase "band structure," but she is talking about the underlying relationships with land, sacred history, kinship, and the other aspects that define a People. Bateman, 21. Sarah Carter points out that Canadian officials met with representatives from the United States Indian service in the 1880s to discuss implementing allotment in Canada. Carter, *Lost Harvests*, 194-197, 201.

¹⁷ Bateman, "Talking with the Plow": 220

¹⁸ Bateman, "Talking with the Plow": 217.

¹⁹ Bateman, "Talking with the Plow": 217.

procure land surrenders, or supposedly voluntary cessions of portions of and even entire reserves.²⁰ Linking land sales and assimilation to further erode Native sovereignty, as in the United States, Canada's policies placed control of the majority of revenues with the Indian Department rather than with the sovereign nations the sale supposedly benefitted. Between 1890 and 1940—a half-century that the Canadian Indian Claims Commission recently called a “brief and shameful period in Canadian history”—the Crown obtained more than one hundred land surrenders from First Nations in Western Canada's prairies.²¹ Between 1896 and 1911, alone, the federal government coerced the surrender of at least twenty-one percent of prairie Peoples' total landholdings.²²

The Dominion government relied on several questionable but expedient strategies to secure Indian land. It linked surrenders to various incentives: promising to lift prohibitions on ceremonial dances and other celebrations, pledging or withholding support from Indian leaders, outright cash bribery. In 1908 at Swan Lake, an Ojibwe First Nation in Manitoba and Saskatchewan to whom many Turtle Mountain People had ties, Ojibwe leaders reported that Canadian negotiators had suggested that after signing the surrender the Ojibwe could resume Sun Dances.²³ When positive coercion failed, officials occasionally resorted to threats of force. For example, at Ocean Man/Pheasant's Rump Reserve in 1901, Department representatives warned

²⁰ Spaulding, “Executive Summary,” xx.

²¹ Spaulding, “Executive Summary,” xiii.

²² The Canadian government used the language of “surrender” for these coerced land cession agreements. “Surrender” is a benign term that, like “removal,” masks the true nature of these agreements; it suggests a voluntary if powerless cession. The implied power imbalance portrays Indigenous Peoples as defeated, which further justifies their replacement by Settlers. It remains the official language of the Canadian government, as seen on their “Treaties, Surrenders, and Agreements” database. Library and Archives Canada, <http://www.bac-lac.gc.ca/eng/discover/aboriginal-heritage/first-nations/treaties-surrenders-agreements/Pages/introduction.aspx> (accessed March 20, 2016). The term also suggests a total relinquishment of reserved lands and rights, which, as this chapter will demonstrate, conflicts with Indigenous understandings of these agreements.

²³ Martin-McGure, *First Nation Land Surrenders*, 292.

that they would use police to evict the Assiniboine and Nakota if they refused the government's terms.²⁴ If initial band meetings rejected a proposal, Dominion officials held additional meetings until the votes turned in favor of the surrender. Additionally, officials relied on vague explanations, inadequate translations, and spoken promises to manipulate Indian opinions. As with earlier treaties, however, Native Peoples acted as more than passive victims in an exploitative, unidirectional process.

Competing territorial claims plagued the St. Peter's reserve since Treaty One outlined its boundaries. The St. Peter's People frequently complained of Settler trespass. Not only had "non-treaty persons" built houses on reserved lands, but they also sold wood "by hundreds of cords without protests from" Agent Alexander Muckle, who likewise "claimed a lot within reservation boundaries."²⁵ The area along the Red River near Selkirk had long been Saulteaux land. Chief Peguis allowed various individuals to purchase or lease rights to settle, cut wood, fish, and hunt in the People's territory. When Peguis and his People negotiated their treaties—Treaties One through Three—a mixture of Saulteaux, Cree, Métis, and whites lived relatively interspersed on the hay lands and prairies north of the town of Selkirk. The Saulteaux, however, knew that this territory belonged to them, and they reserved the right to protect it amongst their cessions in Treaty One. From the perspective of the Anishinaabe People, their sovereign claims to the land superseded the individual holdings of various Settlers.²⁶

The governments of Manitoba and the Dominion of Canada disagreed. Treaty One, which set aside the reserve, stated "that if, at the date of the execution of this treaty, there are any

²⁴ Martin-McGure, *First Nation Land Surrenders*, 275.

²⁵ Chief Henry Prince and Council to William Henderson, 19 Mar 1890. In 1890, in his capacity as acting chief, Henry Prince wrote to the Minister of the Interior to protest "trespassers living on our Reserve."

²⁶ Peers, *The Ojibwa of Western Canada*, 163.

settlers within the bounds of any lands reserved by any band, Her Majesty reserves the right to deal with such settlers as she shall deem just, so as not to diminish the extent of land allotted to the Indians.”²⁷ Unfortunately for the People of St. Peter’s, Crown representatives often interpreted justice in favor of the private claims of individual Settlers. Officials who questioned the validity of what they generally considered vanishing Indian nations had little doubt that private property matched and even exceeded the sovereign claims of the Saulteaux People and other First Nations.²⁸ The primary confusion at St. Peter’s centered on the lots on the west bank of the Red River, or 17,331 acres according to a 1873 survey. Occupied by an overlapping blend of Saulteaux, Métis, and non-Indians, the river lots’ status remained uncertain. Were they private property or part of the reserve?

An 1891 Exchequer Court case approached the dispute. Throughout the spring of that year, ogimaag pressed Agent Muckle to evict several non-member families from their holdings on lands included in the reserve. One of these potential evictees was William Thomas, a farmer and carpenter of mixed descent who apparently lacked the relational networks of the St. Peter’s People. In 1864, Thomas acquired the land in question from a Métis man, Robert Sandison, and lived there continuously since his purchase. From 1871 to 1874, Sandison collected treaty annuities for himself, his wife, and two daughters, which the council for the Saulteaux argued, meant he had been an “Indian” under the law and therefore not entitled to a patent to his land under the provisions of the Manitoba Act and the Indian Act. The latter legislation, for instance, stated that the only claims an Indian could make were to a location title, which reverted to tribal holding upon abandonment. The judge, however, found that the Indian Act provisions did not

²⁷ Treaty One, 1871, in Alexander Morris, *The Treaties of Canada with the Indians of Manitoba and the North-West Territories* (Toronto: Belfords, Clarke, &Co., 1880), 313.

²⁸ Matsui, *Native Peoples and Water Rights*.

apply until 1876, and because Thomas withdrew from treaty in 1874, his lack of status validated the land's alienation.²⁹

The Department hoped the case would settle the question of the river lots and disputed patents more generally within the reserve.³⁰ In a series of cases between 1871 and 1876, the court ruled that individual Indians could pass land into private property and out of the reserve. The ruling, however, only said that it was possible for individuals to alienate land and it impacted claims variably. Ogimaag successfully evicted Thomas's son, Thomas Thomas, from a different plot because he withdrew from the reserve in 1886 "with the full understudying that he relinquished all claim to the land within the St. Peter's reserve" in exchange for scrip.³¹ Like the Lac Courte Oreilles and Turtle Mountain Peoples dealing with allotment and enrollment decisions in earlier decades, the St. Peter's People defended their peoplehood against meyaagizid who had gained a foothold in their midst because of colonial land policies.

The St. Peter's People continued to assert their peoplehood within the boundaries of their reserve, which frustrated Settler officials. The DIA sought alternative means of diminishing Native power: a land surrender and removal of the St. Peter's People several hundred miles to the north. In 1901, rumors that the Dominion intended to seek a surrender reached the reserve. Local Parliament representative William McCreary had won his recent election campaign on that

²⁹ *The Queen vs. William Thomas*, 1891; Clandeboye Agency, Road Construction on St. Peter's Reserve, Indian Affairs (RG 10, Volume 3557, File 25, part 28).

³⁰ Reed to McClough, no date, Clandeboye Agency, Road Construction on St. Peter's Reserve, Indian Affairs (RG 10, Volume 3557, File 25, part 28).

³¹ Aikins to Reed, 11 Nov 1891; Reed to McColl 18 Feb 1892, Clandeboye Agency, Road Construction on St. Peter's Reserve, Indian Affairs (RG 10, Volume 3557, File 25, part 28). This ruling echoes allotment policy, as seen in the previous chapter. See Francis Paul Prucha, *The Great Father: The United States Government and the American Indians* (Lincoln: University of Nebraska Press, 1984). Myles, *Ties that Bind*; Knack, "The Saga of Tim Hooper's Homestead," 125.

very promise.³² Railroad companies, municipalities, and individual Settlers criss-crossed the reserve, but the Saulteaux and Cree People of St. Peter's did not intend to abandon their homes. They again gathered as a People to protect their homeland and their peoplehood, coming together across Cree and Ojibwe lines to defend their homeland. In a scathing rebuke of outside control, the St. Peter's People wrote, "Your Department are well aware of the conditions of affairs in this reserve, of the numerous lands that have been patented to outside parties, of the encroachments of the municipal officers of St. Andrews into this reserve. Collecting taxes and doing Statute labor. We have laid this matter for the consideration of your department time and again these many years, and regret to say that nothing has been done as yet."³³ They stated that the People would meet any surrender request with blunt refusals, warning that they believed the situation hovered on the brink of "serious unpleasantness." The People remained resolved: "We the St. Peter's Band of indians [sic], with unanimity strongly oppose to such move and reviewing it would be contrary to the stipulations of the treaty made with the indians [sic] at the Stone Fort in 1871 according to the memorandum of the treaty signed." The ishkonigan was their homeland, which by treaty they had "laid aside for the sole exclusive use of our indians [sic] and our children for ever."³⁴ By drawing on the 1871 treaty, they reminded the Dominion of their nation-to-nation relationship and long-standing alliance. The St. Peter's People presented themselves as a nation with full and unbroken sovereignty within its own borders, on equal footing with the Dominion of Canada and certainly not subject to the interference of a local Settler government.

³² Martin-McGuire, *First Nations Land Surrenders*, 89.

³³ Chief and Council to Honorable Clifford Sifton, Jan 16 1901, Road Construction on St. Peter's Reserve, Indian Affairs (RG 10, Volume 3557, File 25, part 28).

³⁴ Chief and Council to Honorable Clifford Sifton. Jan 16 1901, Road Construction on St. Peter's Reserve, Indian Affairs (RG 10, Volume 3557, File 25, part 28).

The contested property rights within the reserve served as the primary impetus for the Dominion's request for a surrender. In 1905, Selkirk experienced a real estate boom. Reserve lands, seemingly uncultivated because the Department's long policy of peasant farming, appeared even more enticing to settlers and speculators. The mess of disputed patents, however, blocked Settlers from acquiring the land. For twenty-five years, the Department faced monthly letters and complaints about land claims in the St. Peter's Reserve, and in 1906, pressure from frustrated, land-hungry Settler elites and the frustrated St. Peter's People trying to preserve a dwindling land base forced officials in Ottawa to take decisive action.³⁵

Superintendent General of the Department of Indian Affairs Frank Oliver dispatched Chief Justice Hector Howell, prominent local Liberal, to St. Peter's. Howell headed a Commission with a directive to find a final solution to the land disputes. He spent several weeks meeting with both Native and non-Native claimants, compiling and evaluating each individual case.³⁶ In his report, Howell concluded that the Canadian government had failed to carry out the terms of Treaty One relating to the reserve. Although he maintained that the personal property rights of non-treaty status individuals superseded the claims of those with treaty status on the river lots, he discovered that "the Reserve was not originally large enough to satisfy the terms of the treaty," and, moreover, the patenting of lots through the process of "half-breed" scrip and the protections of previously occupied territory under the Manitoba Act further diminished the reserve.³⁷ "The Indians," he wrote, "claim a very large sum as damages for the loss of these lands

³⁵ Martin-McGuire, *First Nation Land Surrenders*, 210-213.

³⁶ 1912 Commission, 524.

³⁷ Clandeboye Agency - Two Copies of a Forty-three Page Report by H. M. Howell on Land Claims on the St. Peter's Reserve, RG 10. Steeped in the rhetoric of paternalism, Howell claimed to "know these Indians because I have been with them 14 years. I have been down at the mouth of the river shooting 14 years and I know them and their wants."

and for the difficulty of carrying on their Tribal affairs on account of strangers holding practically alternate blocks of land in the midst of the River settlement and interfering largely with their Communal rights.”³⁸ Howell revealed the validity of their claims, and the dispute threatened to cost his employers a great deal of money. Howell proposed an alternative solution: a surrender of the entire reserve.

Howell believed that the reserve had failed. Within the reserve, he reported, “not more than 250 acres are cultivated. The buildings and fences are not as good as at the date of the transfer. They have not now as many horses or cattle as the Band then had and the people of the Band as a general rule are retrograding.”³⁹ He suggested that the surrender provided a way for the Dominion to “readily and cheaply [get] out of a nasty tangle” and “will relieve the locality of an undesirable element, to say the least.”⁴⁰ He later plainly revealed his motivation: while compiling the report in 1906, he wrote, “I made up my mind that for the good of the Indian tribe beyond any question they ought to get off that reserve and as for the neighborhood it would also be a vast advantage. I felt that the Indian reserve there was a black spot.”⁴¹ For the good of the community—and for the good of the “undesirable” People of St. Peter’s—Howell resolved to obtain a surrender.

³⁸ Howell Report, Clandeboye Agency, Two Copies of a 43 Page Report by H.M. Howell on Land Claims on the St. Peter’s Reserve (RG 10, Volume 3618, file 4646 Pt 2), 8.

³⁹ Howell Report, Clandeboye Agency, Two Copies of a 43 Page Report by H.M. Howell on Land Claims on the St. Peter’s Reserve (RG 10, Volume 3618, file 4646 Pt 2), 8. Other parties had proposed a surrender during the past decade. Department of the Interior law clerk T.G. Rothwell suggested abandoning the present reserve for a new one in 1900 when the Department of Interior asked him to look into the claim disputes. The rumor about William McCreary’s campaign for a surrender had likewise been true. Howell, however, was the first to take the matter directly to the Ojibwe and Swampy Cree People of St. Peter’s.

⁴⁰ Howell Report, Clandeboye Agency, Two Copies of a 43 Page Report by H.M. Howell on Land Claims on the St. Peter’s Reserve (RG 10, Volume 3618, file 4646 Pt 2), 8.

⁴¹ “1912 Commission testimony,” 521.

Between December 1906 and April 1907, Howell held at least half a dozen meetings with the St. Peter's People. When Chief William Prince first met with Howell on Christmas Eve, Prince refused to consider a surrender, explaining, "I was stingy of my reserve."⁴² Councilors W.D. Harper, William Henry Prince, James Williams, and John Prince joined their elected chief in opposition, as did the rest of their People when they heard Howell's proposal. Howell, however, maintained pressure for removal. One of the earliest offers for the reserve contained the following conditions: eighty-acre patented allotments for each family, annual interest payments once the Dominion sold the "surplus" land, and a new reserve selected by the band with an allowance of one hundred acres per family.⁴³ These terms did not entice the ogimaag, who rejected the proposal and refused to raise the issue with their People.⁴⁴ Throughout the spring and most of the summer, the ogimaag and the band unanimously dismissed any form of a surrender agreement. In front of a gathering of the band in April, Prince reaffirmed his opposition to the surrender. "If I were to consider the surrender myself, I was offered promises enough to make me well off all the days of my life," he said. For the sake of his People, however, he could not consent to the agreement. "I must consider my children and my grandchildren and the future generations," he concluded, speaking in terms that his fellow Ojibwe and Maškēkowak understood.⁴⁵ The reserve belonged not only to the present generation, but also to the ancestors and to their descendants.

⁴² "1912 Commission testimony," 21.

⁴³ Martin-McGuire, *First Nations Land Surrenders*, 286.

⁴⁴ William Prince, "1912 Commission testimony," 20.

⁴⁵ Asham, "1912 Commission testimony," 78-79.

Pedley arrived to represent the Department and press for surrender toward the end of July. When he called for a band meeting to discuss the surrender, opposition remained strong.⁴⁶ The general consensus condemned the surrender up until the vote, and even William Prince, won over by the promise of land and money, “knew the band was opposed to it.”⁴⁷ The men and women of St. Peter’s did not want to leave their homeland. They repeatedly told Howell, “We want to live here; this is our old home.”⁴⁸ Howell “couldn’t understand it.” He asked them, “What are you giving up?”⁴⁹ Several people answered, “We don’t want to leave here, but stay here. We have our graves here.”⁵⁰ For Anishinaabeg, the presence of ancestors’ remains in the ground embodied the People’s inalienable relationship with place, uniting past, present, and future generations not only with each other but also with aki, aadizookanag and ceremony.⁵¹ The St. Peter’s People met for a third time in July, when Howell and other Department officials commandeered the Treaty Days camp to discuss the terms of surrender. United in their opposition, the St. Peter’s People refused additional negotiations, and the band and their council would not discuss the surrender again until the DIA called for a vote on September 23, 1907.⁵²

Despite the obvious opposition, Settler officials prepared a removal document. Between the July meetings on the treaty grounds and the September vote for surrender, the chief and councilors continued to meet with Howell and various other Department officials including

⁴⁶ William Prince, “1912 Commission Testimony,” 29-31.

⁴⁷ William Prince, “1912 Commission testimony,” 44.

⁴⁸ “1912 Commission testimony,” 523.

⁴⁹ “1912 Commission testimony,” 523.

⁵⁰ “1912 Commission testimony,” 532.

⁵¹ Peacock, *Ojibwa Waasaa Inabidaa*, 14. For a similar perspective among the Choctaw, see Donna Akers, “Removing the Heart of the Choctaw People,” in *The American Indian, Past and Present*, edited by Roger Nichols (Norman: University of Oklahoma Press), 127-140.

⁵² Asham, “1912 Commission testimony,” 81. In his testimony before the Manitoba Royal Commission in 1912, Howell adamantly disavowed this interaction, saying, “I know the Indian too well. Do you think I would get offended and leave the meeting because children were talking?” (531).

Deputy Superintendent Frank Pedley and Agent J.O. Lewis in Selkirk.⁵³ They continued to add inducements to convince the ogimaag to support the agreement, including larger allotments and greater shares of potential revenues from land sales.⁵⁴ On Sunday September 22, hasty notices went up in two or three places on the reserve that the chief and council had called a meeting for the next day.⁵⁵

After breakfast on Monday morning, Saulteaux and Maškēkowak men and women filtered into the storage building. The room filled quickly, and several dozen people clustered outside. Three windows lined each side of the room, and each one was “filled with heads” as people tried to hear the discussions inside.⁵⁶ They had gathered once again to express their opposition to any form of surrender. At no point during this meeting did Pedley read in full the already prepared surrender agreement. Pedley read fragmented passages throughout the morning, and questions and discussion followed each provision—although council member James Williams twice requested to hear the entire document.⁵⁷ Pedley informed the meeting that he had \$5,000 cash with him in the building and explained “if the surrender was made the money would be paid.” Many believed that the \$5,000 came from the sale of a disputed tract known as the Mile Square in 1901, money that the tribe had yet to receive. They did not know that it was an advance on future sales of their yet unsurrendered reserve.⁵⁸ Asham recalled that Pedley added

⁵³ Asham, “1912 Commission testimony,” 88.

⁵⁴ Martin-McGuire, *First Nations Land Surrenders*, 286.

⁵⁵ Aikins, Robinson, and Co., to Pedley, May 1, 1908, Correspondence Regarding the Surrender of Part of the St. Peter’s Reserve, Clandeboye Agency, RG 75, Microfilm Reel C-10175. William Asham discovered one of these notices at church, but Pedley and the council only posted notices at two out of seven places of worship on the reserve. Alexander Cochrane later wrote to complain that he had received no news of the meeting at church on Sunday. He “heard it merely by word of mouth, and that only a short time before the meeting.”

⁵⁶ Lewis, “1912 Commission testimony,” 570.

⁵⁷ Asham, “1912 Commission testimony,” 88-94.

⁵⁸ Martin-McGuire, *First Nations Land Surrenders*, 288.

that if no surrender occurred, “I will take the satchel and go and you will not get anything.” He made it clear that without a surrender, the St. Peter's People would see no money.⁵⁹ Toward the end of the afternoon, “voices were raised in the building because they knew it was a question about the surrender and they wanted to make short work of it.” Asham and others who remained opposed demanded a vote that evening, but instead Pedley adjourned the meeting until the following day.⁶⁰

On Tuesday, the meeting resumed around ten or eleven in the morning. Pedley made it known that the people would receive half of the proceeds from the sale of reserve lands and the other half would remain in trust. He also promised that they would receive the interest on that trust along with their annuity payments every summer.⁶¹ Estimating the value of the land at ten dollars per acre, Pedley suggested that, the next year, the individual payments would be ninety dollars. The meeting broke for lunch with the promise of ninety dollars and a full stomach with the bacon, flour, and tea supplied by the Indian Department for the occasion.

The vote took place when they reassembled for the afternoon. Asham described the voting process as chaotic, although William Prince remembered it as calm and orderly.⁶² While those who had been sitting inside joined the overflow who had been trying to listen from outside the building, chief and councilors called out instructions to separate into two groups, one for the surrender and one against the surrender. Normally, the band voted by a show of hands or by written vote. Inspector Semmens shouted over the noise, in Cree, “Who wants \$90, let him go over there!” and he pointed toward the council and others gathering to vote in favor of the

⁵⁹ Asham, “1912 Commission testimony,” 93.

⁶⁰ Asham, “1912 Commission testimony,” 91-92.

⁶¹ Asham, “1912 Commission testimony,” 96.

⁶² Prince, “1912 Commission testimony,” 41; Asham, “1912 Commission testimony,” 105.

surrender.⁶³ Even Prince, who had decided to support the surrender, believed that Semmens' statement "caused the surrender to carry; the people were poor and they were promised ninety dollars each head and they jumped at it and voted for it."⁶⁴ After a single body count, the surrender passed by a margin of eight votes: 107 voted in favor of surrender, 98 against.

The surrender failed to represent the will of the People. The 205 total votes represented a majority of eligible voters present at the meeting, but not a majority of eligible voters on the ishkonigan as a whole. Alexander Cochrane, for example, estimated "that there are some 348 families, but those who voted numbered only 203."⁶⁵ Pedley, however, called the voters back inside the storage house, where the surrender document and a satchel with five thousand dollars waited. Only at this point, after the vote had already occurred but before the signing, did Pedley finally read the document through in full.⁶⁶ Although the voting had ended, the men in the room objected so strongly to a provision that granted the Department of Indian Affairs the power to decide the sale of allotments that Pedley took his pencil and scratched out that clause. He or someone else also inserted Asham's name into the document to allow him to collect the same amount of patented land as councillors, under the pretext that he was an ex-chief.⁶⁷ "I was quite excited," Asham later recalled, "and I took it for granted that I was defeated and there was no

⁶³ Prince, "1912 Commission testimony," 41; Asham "1912 Commission testimony," 105.

⁶⁴ Prince, "1912 Commission testimony," 42.

⁶⁵ Aikins, Robinson, and Co. to Pedley, May 1, 1908, Correspondence Regarding the Surrender of Part of St. Peter's Reserve, Clandeboye Agency, RG 75, Microfilm Reel C-10175.

⁶⁶ Prince, "1912 Commission testimony"; Asham "1912 Commission testimony"; Lewis, "1912 Commission testimony."

⁶⁷ "Surrender: Chippewa, Cree and Saulteaux Indians of St. Peter's Reserve to His Majesty the King in Right of Canada," September 24, 1907, Correspondence Regarding the Surrender of Part of St. Peter's Reserve, Clandeboye Agency, RG 10, Microfilm Reel C-10175; Ken Tyler, Roland Wright, and Rick Daniel, "The Illegal Surrender of St. Peter's Reserve," prepared for the Treaty and Aboriginal Rights Research Center, 1979, 244-263.

remedy for it.”⁶⁸ He signed the document along with the Chief and Council, and Pedley opened his satchel and began disbursing payments at once.⁶⁹ The St. Peter’s Reserve was surrendered.

The surrender consisted primarily of two parts: the agreement dissolved the present reserve and created a new one. Approximately one half of the land in the reserve, 21,000 acres, went to individual Indians for patented lots. Additionally, each person signed a waiver when they received their patent relinquishing all claims under the Manitoba Act or the Indian Act. The Department sold the remainder of the land, dispersing half of the proceeds directly to members within a year of the sale and retaining the balance in a Department-administered fund for the benefit of the People. Each year, the Department would disperse the interest on that account in per capita payments. For their support, the Chief received an additional ten dollars and the councillors and ex-chiefs an additional six dollars at each payment. The agreement also reserved 3,000 acres of haylands for the collective use of those who remained on their patented lands. The plan, however, was for the majority of the men and women of St. Peter’s Reserve to move to a new reserve, provided for in the surrender. The St. Peter’s People themselves would select a 75,000 acre location near Lake Winnipeg, although the terms limited them to 10 miles of shore frontage. The surrender provisions also included a reinstatement of ration disbursements at treaty payment, a practice the Department had discontinued several years earlier; a “reasonable supply” of agricultural implements for the new reserve, and “reasonable assistance” in moving to and building new homes and schools on the reserve.⁷⁰

⁶⁸ Asham, “1912 Commission testimony,” 106.

⁶⁹ Prince, “1912 Commission testimony”; Asham, “1912 Commission testimony”; Lewis, “1912 Commission testimony”; Lewis to Secretary Department of Indian Affairs from Lewis, January 27 1908, Correspondence Regarding the Surrender of Part of St. Peter’s Reserve, Clandeboye Agency, RG 75, Microfilm Reel C-10175.

⁷⁰ “Surrender.”

The Department expressed its goals transparently, at least internally. Howell admitted to his desire to see the reserve broken up for settlement. In his official report on the Howell Commission, he congratulated himself that the surrender would solve the claims headache that had plagued the Department and the Dominion government. “It might not be improper for me to add,” he wrote, “that in my view of the matter the Government by granting a new reserve of 75,000 acres have readily and cheaply got out of a nasty tangle and taken a step which in the near future will relieve the locality of an undesirable element, to say the least.” Inserted in between the lines, he edited, “...and have greatly benefitted the band, and have...”⁷¹ In the weeks following the surrender, Pedley likewise stated, “the issuing of patents to individual Indians will ultimately, I believe, result in a considerable portion if not all the land granted to them passing into the hands of whites.”⁷² The surrender aimed to clear the area for white settlement with minimal cost to Settlers. Federal and local officials made public statements about removing the poor, “wild” Indians from the degrading influence of non-Indians, but their own official correspondence reveals Settler colonial and imperial goals behind their appropriation of Anishinaabe lands.⁷³ The 1907 St. Peter’s land cession agreement exemplified ethnic cleansing in Canada between 1890 and 1940.⁷⁴

⁷¹ Howell, “Howell Report,” 27.

⁷² To Mr. Oliver from Pedley Oct 26, 1907, Correspondence Regarding the Surrender of Part of St. Peter’s Reserve, Clandeboye Agency, RG 75, Microfilm Reel C-10175.

⁷³ Pedley to Oliver, October 26, 1907, Correspondence Regarding the Surrender of Part of St. Peter’s Reserve, Clandeboye Agency, RG 75, Microfilm Reel C-10175. Historian Brenda Child describes a similar pattern of behavior during the Sandy Lake Tragedy. Child, *Holding Our World Together*, 64-70.

⁷⁴ Historians generally agree that removal in the United States and Canada was a form of ethnic cleansing. In *Ethnic Cleansing and the Indian*, historian Gary Anderson focuses on nineteenth-century examples of ethnic cleansing in the United States, arguing that the United States subjected various Native American nations to often-violent ethnic cleansing. In *Holding Our World Together*, Brenda Child bluntly and succinctly refers to the Sandy Lake Tragedy as an example of ethnic cleansing. See also John Mack Faragher, “‘More Motley than Mackinaw:’ From Ethnic Mixing to Ethnic Cleansing on the Frontier of the Lower Missouri, 1783-1833,” in *Contact Points: American Frontiers from the Mohawk Valley to the Mississippi, 1750-1830*, edited by Andrew R.L. Clayton and Frederika J. Teute (Chapel

At least two explanations exist for Chief William Prince and the councillors' decisions to support the agreement after several months of adamant opposition. The first is personal gain or greed. While the average member of the St. Peter's Reserve could claim 16 acres of land, the chief received 180 and councillors and ex-chiefs received 120 acres. Moreover, they directed the location and disbursal of the former reserve, giving them the opportunity to allocate land and resources according their own interests and those of their kin. The Department also apportioned them a larger share of revenues from the land sales and bolstered their power by, at the council's request, suspending elections. The next election for chief should have occurred during the summer of 1908, but Prince and the councillors remained in their positions until the summer of 1912, when the first vote since 1905 was held on the new Peguis Reserve.⁷⁵ The surrender agreement enhanced the power and prestige of the ogimaag who signed it.

As leaders of their people, however, the ogimaag's support of the surrender must be considered from the perspective of their ongoing attempts to protect the People's sovereignty. Local municipalities had inserted themselves into tribal jurisdiction. The Department refused to honor the claims of their People to the land and the resources, diverting wood and territory to

Hill: University of North Carolina Press, 1998), 304-326; Theda Perdue and Michael Green, *The Cherokee Nation and the Trail of Tears* (New York: Viking, 2007). Moreover, historians including Anderson have connected colonial land policies such as allotment to ethnic cleansing. Few scholars have used the term ethnic cleansing to describe Canadian Settler colonialism, although Patrick Wolfe refers to Settler policies and practices in Canada as inherently genocidal, rooted in "the logic of extermination." Wolfe, "Settler Colonialism and the Elimination of the Native," 387. In his history of how the Canadian government decimated the First Nations population on the plains in the nineteenth century, James William Daschuk generally avoids terms like ethnic cleansing, but he explicitly refers to the Canadian government's forced removal during the 1880s of First Nations in the Cypress Hills of Saskatchewan to make room for a railroad as ethnic cleansing. James W. Daschuk, *Clearing the Plains: Disease, Politics of Starvation, and the Loss of Aboriginal Life* (Regina: University of Regina Press, 2013), 123. Canadian surrender policies between 1890 and 1940, however, targeted Indigenous populations as undesirable and sought to consolidate Settler title in the prairie west by eliminating the presence of First Nations. In this sense, Settler colonial land policies more broadly, designed to transfer control of lands and resources from Indigenous Peoples to Settler governments, corporations, and individuals, constituted a form of ethnic cleansing.

⁷⁵ Semmens to Laird, 20 Dec 1907, Correspondence Regarding the Surrender of Part of St. Peter's Reserve, Clandeboye Agency, RG 75, Microfilm Reel C-10175.

non-Indians. The ogimaag sought to wrest control from the Indian Department in the aftermath of the surrender. Frustrated with nearly four decades of Department interference, the Chief and Council fought efforts to interfere with the administration of allotted lands. In fact, the men inside of the storage building on September 24, 1907, after the vote shouted down the provision that allowed for Department oversight of their patents.⁷⁶ Pedley simply crossed this line from the document before the chief and council signed it. Of course, the fact that the first time they heard this provision—or the surrender agreement as a whole—came after the vote demonstrates the hasty, heavy-handed way in which the Dominion government secured the Saulteaux and Maškēkowak People of St. Peter's approval. From the perspective of at least some of the people, however, the surrender presented an opportunity to rid themselves of the Settler interference that led to the flawed agreement in the first place.

For the chief and council, selecting the location of the new ishkonigan offered the chance to provide a home to protect and develop their peoplehood. Perhaps they saw themselves in the context of the westward migration begun nearly a millennium ago by their ancestors who left their comfortable lives on the Atlantic Coast to avoid imminent destruction—and the ancestors who continued into the west, expanding the boundaries of Anishinaabewaki onto the prairies beneath which now lay the bones of those same ancestors. Perhaps they, too, would recreate themselves at a new resting place.

On October 1, 1907, only a few days following the surrender, a delegation comprised of the chief and council as well as two additional representatives selected by the band members left to explore potential locations. They decided on a site along Fisher River, northeast of the Fisher

⁷⁶ Heap and Heap to J.O. Lewis Jan 24 1908, Correspondence Regarding the Surrender of Part of St. Peter's Reserve, Clandeboye Agency, RG 75, Microfilm Reel C-10175.

River Reserve. When they traveled to Lake Winnipeg to view potential locations, the party moved through a network of Anishinaabe places. They spent the first night at Berens River, another Ojibwe reserve. Their third stop was the Fisher River Reserve, also home to Anishinaabe kin, who made no objection to the proposed move.⁷⁷ Their wives might have come from these places, and their sons or daughters might have raised their grandchildren in these woods. These rivers and streams they floated on were familiar places for seasonal movements to hunt and fish, gather berries, and collect maple syrup. Equally as important for ogimaag who spent their time as leaders defending their territory and sovereignty from outside encroachments, this new space offered the opportunity to recreate themselves in a purely Anishinaabe landscape. William Prince, W.D. Harper, William H. Prince, and James Williams sold their allotments and committed themselves and their families to the new ishkonigan.⁷⁸

The Saulteaux viewed the surrender and its negotiations in the same way as previous treaties.⁷⁹ As they managed the transfer to the new reserve, the ogimaag fought to ensure that the Dominion honored the terms of the agreement. In the context of treaty negotiations, the land and cash incentives may have been interpreted as part of the reciprocal exchanges that preceded alliances and land cessions. Howell noted that in order to convince the ogimaag to meet with him in Selkirk about any business, including the land claims commission, he had to pay for their meals and to stable their horses.⁸⁰ They expected compensation for their services, and the five dollars they received for attending the surrender meeting may have seemed like assurances of a mutually beneficial alliance.

⁷⁷ Semmens to Laird, 16 Oct 1907, Correspondence Regarding the Surrender of Part of St. Peter's Reserve, Clandeboye Agency, RG 75, Microfilm Reel C-10175.

⁷⁸ William Prince 1912 Commission testimony, 22.

⁷⁹ Spaulding, "Executive Summary," xxxix.

⁸⁰ Howell, "1912 Commission testimony," 533.

The surrender failed to pacify the Saulteaux or Settlers. Chief William Prince and the councillors who signed the agreement continued to demand that the Dominion honor its terms—all of them, as understood in negotiations. In its haste to settle all questions related to St. Peter's, the Department bungled their part of the land sales. Rather than ten dollars promised by Pedley, the poorly-attended auction only brought in an average of five dollars per acre and much of the land remained unsold.⁸¹ From the perspective of Anishinaabe treaty-making and the *ogimaag*, however, they had agreed to surrender with the understanding that the Dominion valued their land at ten dollars per acre or ninety dollars per capita—and that it was the Department's responsibility to make up the difference in case of a shortfall.⁸² In addition to the ninety dollar payment, they reminded the government about its promises to fund the rebuilding on the new Peguis Reserve. Other members of the Saulteaux and Maškēkowak People of St. Peter's protested the surrender altogether. William Asham continued his vocal opposition, along with emerging thirty-five-year-old Saulteaux leader Naynahkawanape. They protested with their bodies, refusing to remove to the Peguis Reserve.⁸³ Settlers felt frustrated that disputes about claims lingered, and they objected to compensating previous residents for their improvements.⁸⁴ As on other reserves, the majority of the land did not go to local farmers. Corporate land speculators dominated the market, consuming more than half of the opened lands.⁸⁵ In 1911, the St. Peter's People succeeded in forcing a legal hearing on the surrender. The St. Peter's People

⁸¹ Spaulding, "Executive Summary," xx

⁸² Martin-McGuire, *First Nations Land Surrenders*, 200.

⁸³ Asham, "1912 Commission testimony," 49.

⁸⁴ Frank Heap, a lawyer representing several of the local buyers, wrote the Department on behalf of his clients to dispute the mandate that Indian people be compensated for improvements on the land they claimed during what he called the "Indian Occupation." Indeed, he insisted, the Settlers deserved redress for "[b]eing deprived of the use and occupation of the land so many years" as well as the "stripping of the land by the Indians of its wood." Feb 3 1908 to Sec Dept of Indian Affairs from F. Heap, Clandeboye Agency, RG 75, Microfilm Reel C-10175.

⁸⁵ Spaulding, "Executive Summary," xiv.

brought their grievances to the Attorney General, who filed a brief alleging that not only were the actions of Settlers and speculators following surrender unscrupulous, but the agreement itself had been obtained illegally.⁸⁶ In response, Manitoba convened a Royal Commission to investigate these claims, and officials spent several weeks that summer interviewing settlers, Saulteaux and Maškēkowak people, and government officials. The Commission agreed with the Anishinaabe People of St. Peter's and declared the surrender invalid.⁸⁷

And yet the surrender remained. The people had lost their aki, but the St. Peter's Saulteaux did not dissolve. They reforged themselves as the Peguis People on the new ishkoniigan to the north. They also refused to abandon their homeland and the graves of their ancestors that they had fought to protect. Many, like William Asham, remained on their former reserve. Others, including Naynahkawanape and his family, moved between the new ishkoniigan and the old one, incorporating additional spaces into their seasonal travels and defying colonial geographies of control by refusing to be contained by reservations boundaries. In a way, Anishinaabewaki did not shrink with the surrender agreement in 1907. It expanded, incorporating the new reserve without accepting the loss of their home, and in this constantly adapting network of relationships, Saulteaux sovereignty survived.⁸⁸

⁸⁶ The Honorable, The Judge of the Exchequer Court of Canada : The Information of the Honorable Charles Joseph Doherty, His Majesty's Attorney-General of Canada, on behalf of His Majesty, Clandeboye Agency, RG 75, Microfilm Reel C-10175.

⁸⁷ 1912 Commission testimony.

⁸⁸ Rather than fractured into isolated communities, Anishinaabewaki remained vast and . Similarly, Pacific scholar and activist 'Epeli Hau'ofa contradicts the common narrative that colonialism permanently transformed the Pacific islands into tightly bordered, contracting spaces. He calls Oceania a "sea of islands," an expanding, interconnected world with porous boundaries that facilitate rather than restrict movement. Hau'ofa redirects focus from national boundaries and grandiose politics to the daily lives of ordinary people, which often contradicted imperial imperatives. "Sea of Islands," 8, 15. In *An Infinity of Nations*, Anishinaabe historian Michael Witgen presents eighteenth century Anishinaabewaki in similar terms. Reserves and reservations continued this pattern rather than dismantling it.

“Our Answer Was No, and It Is Still No to This Day”: The Flooding of Pahquahwong

In 2008, I worked at a living history museum in southern Wisconsin when one of my coworkers, a man about my grandfather’s age, started talking about Lac Courte Oreilles. He grew up in Winter, a town on the reservation’s eastern edge. He told me about how, as a boy, he and his friends would take their boats and go looking for what he called the flooded Indian town. “It was like a ghost town, right there under the water,” he said, smiling as he remembered the adventures of his youth. “So close you could almost touch the tops of the buildings.” I did not know what to say to him. I had heard about the flooded town, too, but for the Ojibwe people who told me the stories, the dead below the water were not the exciting ghosts of a childhood adventure. They were the bones of our ancestors, stolen by the dam named after the town of Winter. In 1923, the gates of the Winter Dam closed, flooding nearly half of the reservation. The town of Pahquahwong, acres of wild rice beds, and, perhaps most devastatingly, the graves of more than seven hundred Anishinaabe relatives submerged under the waters. The dam became a site where the state of Wisconsin and the Lac Courte Oreilles Ojibwe fought to assert their understandings of space, place, and sovereignty.

The Lac Courte Oreilles band of Ojibwe had lived near the wild rice beds, maple groves, and muskeye-rich streams of the Chippewa River and its many lakes for generations, and it was part of Anishinaabewaki, that they claimed in treaties since “time immemorial.” Ojibwe historian William Whipple Warren described the settlement’s beginnings when several families camped near Little Rice Lake after burying one of their children.⁸⁹ They claimed the land through the bones of their ancestors from the beginning. The 1854 treaty that created the reservation simply

⁸⁹ Warren, *History of the Ojibwe*, 131.

confirmed their existing claim and, more importantly, as Ojibwe ogimaag wrote in a petition in 1864, ensured that “[a]s long as there is one Indian living that he be allowed to own the lands.” The village at Pahquahwon (“where the river is wide”) or Post gave Ojibweg easy access to abundant manoomin and cranberries; deer, muskrats, ducks, and other game along the shore; and muskellunge, walleye, and sturgeon in the river; and an easily navigable water system that connected them to other Anishinaabe settlements. They buried their dead along both banks of the river.⁹⁰

In 1911, the state of Wisconsin proposed a dam on the West Fork of the Chippewa River. The growing Settler population in the region required additional sources of power, and the Chippewa River offered a convenient solution from a Settler perspective. On May 18, 1916, Wisconsin utility companies and progress-minded Congressional representatives passed an act of Congress that declared,

With the consent of the Indians of the Lac Courte Oreilles tribe, to be obtained in such manner as the Secretary of the Interior may require, flowage rights on the unallotted tribal lands...in the Lac Courte Oreilles reservation, in the state of Wisconsin, may be leased or granted for storage-reservoir purposes.⁹¹

The preceding language seems compatible with the alliance-making strategies of the previous century. However, neither state and federal officials nor the business interests viewed the Ojibwe as equal partners with whom to negotiate. Both the United States and Dominion governments employed powers such as eminent domain to appropriate Native homelands for Settler gains. Public works seizures included not only railroad rights-of-way but also public roads, airports,

⁹⁰ Rasmussen, *Where the River Runs Wide*.

⁹¹ Charles McPherson to William Light, 17 August 1916, Wisconsin Historical Society Archives.

national forests, military facilities, and, perhaps most commonly, dams.⁹² From the United States' perspective, supported by the doctrine of plenary power recently established by the Supreme Court, Native resources needed to be incorporated into the Settler economy, even if Native Peoples such as the Ojibwe protested.⁹³ In the 1903 case *Lone Wolf v. Hitchcock*, the Supreme Court held that Congress possessed the power to abrogate treaties while implementing policies such as allotment. Plenary power enabled Congress, and its deputies at a state and local level, to dispossess Indigenous Peoples without consent.⁹⁴

Using the 1916 act, Charles McPherson of the Wisconsin-Minnesota Light and Power Company, a Wisconsin corporation with power under Wisconsin laws to condemn land for storage reservoirs, negotiated through the Superintendent of Hayward Indian School Henry McQuigg to “obtain flowage rights upon tribal land and allotted lands in the Lac Courte Oreilles Indian Reservation” in return for annual rental fees or an equal exchange of land. McPherson absolutely refused to pay more than \$15 per person, for a maximum of \$20,000 when the Lac Courte Oreilles in favor of settling expected \$127,000.⁹⁵ After realizing the more than \$100,000 gap in expectations, those Ojibweg who had voted to sell joined the opposition. At a meeting on October 16, 1920, Charles Oshogay insisted the reply of the tribe was “‘NO,’ to any proposition the Company had to offer.” When Oshogay, a prominent ogimaa, “called upon the Indians to

⁹² Lawson, *Dammed Indians Revisited*, xxv. One of the most devastating of these dam projects was the Pick-Sloan Plan, a Missouri River Basin water-development program begun in 1944. More than a dozen nations, including the Turtle Mountain Chippewa, suffered damage resulting from the implementation of this plan.

⁹³ Hoxie, *A Final Promise*, 147-187.

⁹⁴ For a detailed discussion of the *Lone Wolf* case, see Angela R. Riley, “The Apex of Congress’ Plenary Power over Indina Affairs: The Story of *Lone Wolf v. Hitchcock*,” in *Indian Law Stories*, edited by Carole Goldberg, Kevin K. Washburn, and Philp P. Frickey (New York: Foundation Press, 2011), 189-228. For a discussion of the origins of plenary power, see Sidney J. Harring, “The Distorted History that Gave Rise to the ‘So Called’ Plenary Power Doctrine: The Story of *United States v. Kagama*,” in *Indian Law Stories*, edited by Carole Goldberg, Kevin K. Washburn, and Philp P. Frickey (New York: Foundation Press, 2011), 149-188. Hoxie connects *Lone Wolf* to evolving colonial land policy. Hoxie, *A Final Promise*, 155.

⁹⁵ E.B. Merritt to Henry J. McQuigg, 12 October 1916, Wisconsin Historical Society Archives.

show their will saying ‘Get up and say 'no,'....[p]ractically all of the 252 Indians present led by Charles Oshogay and John Goslin and two or three others, jumped to their feet and cried loudly, “No, No, No, Gaween, Gaween, we don’t want the dam.””⁹⁶ Lac Courte Oreilles member Michael Wolf explained his People’s refusal: “This has been the home of the Ojibwa, from time immemorial. He has learned to love this country for its wooded slopes and lakes and streams. Here he has reared his children with loving care; here, by the camp fire, he has listened to the sacred traditions of his people.”⁹⁷ Wolf’s words framed the debate in terms of peoplehood.

Those few scholars who have discussed the Winter Dam emphasize its connections to the federal government. As Charlie Otto Rasmussen, who works for the Great Lakes Indian Fish and Wildlife Commission, points out federal oversight was indeed the guiding factor in the dam’s development through the Federal Water Power Act of 1920 and the resultant Federal Power Commission.⁹⁸ Despite the eventual overarching federal framework, however, the initial impetus came from the state. Leonard Smith, an engineer employed by the Wisconsin Geological and Natural History Survey and the U.S. Geological Survey, reported to the state that the Chippewa River system appeared well-suited for a dam and reservoir. In his 1908 report, he specifically recommended Pahquahwong as the ideal location. Hoping not only to generate power but also to encourage tourism and settlement, the state passed a law in 1911 that called for the development of reservoirs along the Chippewa River.⁹⁹ The state passed this law to circumvent Ojibwe land rights and sovereignty.

⁹⁶ Minutes of LCO General Council Meeting held in Reserve, Wisconsin, October 16, 1920, Wisconsin Historical Society Archives.

⁹⁷ Quoted in Rasmussen, *Where the River Is Wide*, 11.

⁹⁸ Rasmussen, *Where the River Is Wide*, 20.

⁹⁹ Rasmussen, *Where the River Runs Wide*, 20-24.

In 1917, the state legislature passed a bill abolishing the town of Reserve and reassigning the taxable territory to adjoining towns. Technically, Reserve fell within the reservation boundaries designated by the 1854 treaty, but allotment had removed large tracts of land from Indian ownership and made them eligible for taxation. Ojibwe took the opportunity to govern local affairs in the reservation towns, given their largely Native population. State and local leaders, however, accused “the Indians were none too careful about the legality of the orders they drew or whether their bank account was large enough to cover their checks.”¹⁰⁰ The act’s intent becomes clear in the responses of the towns that acquired the reapportioned sections of Reserve. Couderay, Radisson, Hunter, and Hayward received land heavy in timber, while Sand Lake “got the Indian vote.”¹⁰¹ The reorganized townships that now adjoined the land and water affected by the proposed dam voted in favor of the project now that the majority of their voters were white citizens who embraced contemporary notions of progress and industrial development.

In pressing for and supporting the dam, the state asserted its authority to appropriate Ojibwe land for the sake of progress. The dam, built and operated by the private company Wisconsin-Minnesota Light and Power, would generate electricity for thousands of local settlers. Additionally, the company promised that the lake created behind the dam, known as the Chippewa Flowage, would attract tourists. These goals aligned with Settler understandings of the value of land. Wisconsin marketed its northern woods and rivers as a sportsman’s paradise, and the Flowage promised easy fishing for tourists.¹⁰²

¹⁰⁰ “Legislature Abolishes the Town of Reserve,” *Sawyer County Record and Hayward Republican*, 31 May 1917. Based in part on the 1886 case *Schriber v Langdale*, in which Wisconsin asserted its right to incorporate Menominee land.

¹⁰¹ “Indian Leader Sees Bloodshed,” *Milwaukee Journal*, 20 April 1923.

¹⁰² Minutes of the General Council Meeting, 6 May 1919. Wisconsin State Historical Society Archives.

The Ojibwe fought the dam. At half a dozen council meetings from 1916 to 1919, they voted nearly unanimously against damming the river. Ojibwe leadership had transitioned to the reservation and the federal intrusions that accompanied it. Some leaders, like the ogimaag of Rice Lake, lost influence, but even they continued to lead their People, lobbying Washington and influencing local affairs until the murder of ogimaa Giishkitawag or Joe White by state game wardens. On the reservation, ogimaag such as Akiwenziii, who became a primary ogimaa following the death of his father Moozojiid, interpreted imposed institutions such as the allotment committee and federally initiated elections into the political relationships of the Anishianabeg People at Lac Courte Oreilles.¹⁰³ Leadership on the reservation continued to originate from decentralized communities, the council meetings held between 1916 and 1919 included general participation. Anakwad or Peter Cloud, not an officially elected representative, spoke for the people living at Pahquahwong at one of the first meetings in 1916. He said, “You ask for the land I am living on at the Post. You came and asked for this and our answer was no, and it is still no till this day.”¹⁰⁴ Anakwad and his fellow Ojibweg articulated their objections to the dam in terms of access to resources and the violation of their ancestors’ graves.

In an 1916 meeting, Power Company representative McPherson promised that the Power Company would “buy the wild land,” paying more than its estimated value because “[t]he Indian land is worth more to us than to them,” projecting settler ideas of progress and use as the

¹⁰³ Redix, “The Murder of Joe White,” 88. Lac Courte Oreilles held elections for a “business committee” by 1908. Davids to Campbell, Nov. 20, 1908, Great Lakes Agency Subgroup, RG 75, NARA Chicago.

¹⁰⁴ Minutes of the Lac Courte Oreilles Tribal Council Meeting held at Reserve, Wisconsin, 9 December 1916, Wisconsin Historical Society Archives. In 1918, U.S. officials, frustrated with the popular participation in opposing the dam, asked the Lac Courte Oreilles People to choose two representatives for each of the main villages. The settlements voted, but participation in the general councils extended beyond official representation. “Council at Pahquahwong,” 23 Oct. 1918, National Archives Chicago.

defining value of a place.¹⁰⁵ Lac Courte Oreilles Ojibweg, however, insisted again and again that this is not “wild land.” It was their home, and its value came not from man’s manipulation of it but from their relationships with the aki itself, affirmed through manoomin and the graves of their ancestors. In testimony after testimony, men and women from Lac Courte Oreilles emphasized that the planned flowage threatened their access to manoomin. One Ojibwe at a 1920 meeting described rice as “nourishing.” Another, Jim Crow, articulated the economic value of rice, both as a form of sustenance and as a commodity. The Ojibwe “use the rice as a food....We had some rice here today for dinner.” He added that they also traded rice for other supplies, and he emphasized that the gathering of rice was a family and, even more broadly, a community, activity.¹⁰⁶

The Power Company and local and federal governments framed their questions at these meetings to calculate the value of rice to determine how much the Power Company owed for destroying it. The Ojibwe of Lac Courte Oreilles, however, rejected monetary compensation. In a 1921 meeting, Dick Potack explained that the land and its resources were more than dollars and cents to Ojibwe people. He called the land “a good place” and he went on to say it was “a beautiful place to live, and not only myself, but all my people who come here say that we are occupying it and using it as our home.”¹⁰⁷ These men and women insisted on an Ojibwe conception of and use based on the living relationships of peoplehood and not limited to flat assertions of sovereignty within bounded space.

¹⁰⁵ Minutes of the Lac Courte Oreilles Tribal Council Meeting held at Reserve, Wisconsin, 9 December 1916.

¹⁰⁶ Minutes of the Lac Courte Oreilles Tribal Council Meeting held at Reserve, Wisconsin, 9 December 1916.

¹⁰⁷ Minutes of the Lac Courte Oreilles Tribal Council Meeting held at Reserve, Wisconsin, 9 December 1921.

In addition to manoomin, dam protestors used their ancestors' graves to construct their relationship with the land beneath the water. "Why do we need to put under water the sacred bones of our honorable forefathers? Is it right?" asked William Wolf at a meeting in 1920. Wolf, son of ogimaa Peter Wolf, continued, "The prayer and desire of this Band is to be in the same bosom that shields the remains of their fathers, when the time comes. This has been the home of the Chippewa from time immemorial, and at present there are many Indians in this village. Those that are absent are not out visiting, but lie beneath the sod, which we claim as our home."¹⁰⁸ The concerns of Wolf and the rest of the Lac Courte Oreilles community were subordinated to electricity and vacation homes.

Meeting records demonstrate that the Ojibwe made the connection between land and sovereignty. Lac Courte Oreilles member John King, placed the dam in a broader context of colonialism and Ojibwe efforts for survival as a distinct community. He saw the dam as an attempt to "flood us out." Peter Cloud likewise related the Ojibweg's relationship with the land to the context of survival. He urged, "Please take notice of the number of Indians here, men, women and children....I would choose to save it and keep it intact for the future, for the future generation, my children and my grandchildren. We get a great deal from these waters and lands that is about to be flooded."¹⁰⁹ He mentioned manoomin and hunting, but Ojibweg derived more than that from the flooded lands. This place defined their identity as a People.

After 1920, Anishinaabe resistance no longer could stop the dam. The Federal Power Act of 1920, rooted in the plenary power doctrine that supported colonial land policy, empowered the Federal Government to appropriate reservation lands for the purpose of power production and

¹⁰⁸ Minutes of the Lac Courte Oreilles Tribal Council Meeting held at Reserve, Wisconsin, 9 December 1920

¹⁰⁹ Minutes of the Lac Courte Oreilles Tribal Council Meeting held at Reserve, Wisconsin, 9 December 1916.

transmission lines. The dam would be built whether the Ojibwe consented or not, and the federal government would determine compensation.¹¹⁰ In August of 1921, the Wisconsin-Minnesota Power and Lights Company received one of the Federal Power Commission's first licenses for the construction of the Winter Dam. As part of this contract, the Power Company agreed to pay the Lac Courte Oreilles Band \$1,200 every year, for as long as they held the license; compensate the Ojibwe for lost timber; remove and reinter all the graves from the flooded area; replant the wild rice beds that the dam would flood; operate a fish rearing pond to stock the Chippewa Flowage; create the community of New Post to replace Paquahwong, including a church, school, stores, and homes for all those displaced, building a church, school, and stores.¹¹¹

The Power Company built the dam. The floodgates closed in March of 1923, and by August 1, the Chippewa Flowage was full, and within months the water had covered church, houses and—despite promises—hundreds of graves.¹¹² My family lost aki to the flooding, an allotment outside the village of Pahquahwong inherited in part by my great-great-grandmother Julia Galien Cornelia.¹¹³ During the next several years, the Power Company failed to fulfill its obligations as outlined in its license. Fish, rice, and homes remained unrestored. The water claimed ancestors' bones, and as the Wisconsin Department of Natural Resources increased enforcement of the state's game laws in violation of Ojibwe treaty rights, the Lac Courte Oreilles Ojibwe were increasingly cut off from manoomin and game. The Power Company, the state of Wisconsin, and the federal government did nothing while Ojibweg like George Flemming had to

¹¹⁰ H.S. Taylor to Indian Commissioner, 21 June 1921, Wisconsin Historical Society Archives.

¹¹¹ Rasmussen, *Where the River Is Wide*, 19.

¹¹² Minutes of LCO Tribal Council Meeting at New Post, Wisconsin, 23 Sept. 1925, Wisconsin Historical Society Archives.

¹¹³ Julia Galien Cornelia to R.C. Craige, May 1, 1923, General Correspondence of the Superintendent, 1914-1931, Bureau of Indian Affairs Hayward School/Lac Courte Oreilles Reservation, RG 75, NARA Chicago, IL, Box 5.

scoop the remains of their relatives, which had turned to mud, up in buckets to rebury them. Again, the Ojibwe presented an understanding of land as a living relationship, one linked to their inherent sovereignty as a people. Their appeals connected past, present, and future in the land through the bones of their ancestors. This sense of place and community, an expression of their peoplehood, placed the Lac Courte Oreilles Ojibwe in direct conflict with state-level settler notions of flat, bounded sovereignty and land values tied to notions of linear progress and capitalist exploitation.

By depleting manoomin and bringing in Settler fishermen, the dam forced the Anishinaabe to look for alternate sources of rice and fish, often placing them in direct conflict with state gaming and gathering laws. The Winter Dam heightened the conflict between the state and the Ojibwe, particularly in the arena of hunting and fishing rights, and these tensions would have profound consequences in the 1980s when the so-called “Walleye War” broke out between Ojibwe spearfishers and white sportsmen.¹¹⁴

In the first decades of the twentieth century, many smaller dams, such as the one built in Winter, Wisconsin, caused similar injuries on a local scale. Dams and other public works projects supposedly provided numerous benefits to the general public—from flood control to irrigation and hydro-electric power to sporting and leisure opportunities. From the perspective of Indian Peoples who call now-flooded valleys and other appropriated lands home, however, the benefits seem hard to remember amidst the negative effects: ecological damage, economic disruption, physical dislocation, and emotional trauma.¹¹⁵ Not to mention, the public benefits

¹¹⁴ Nesper, *Walleye War*.

¹¹⁵ Lawson, *Dammed Indians Revisited*, xxiv-xxvi.

promoted as the driving purpose of such projects often masked the interests of Settler elites, the primary beneficiaries compared to the average citizen.¹¹⁶

Today, Wisconsin Settlers take pride in the dam as a symbol of their ability to carve progress out of a wild landscape. For them, the flooded town of Pahquahwong, submerged beneath the flowage, marks the passing of the Indians. The Chippewa Flowage became a “northwoods treasure,” and dozens of non-Indian-owned resorts appeared on former allotments along the new lake’s shores to support the flocks of recreationists from nearby cities, including Minneapolis, Milwaukee, and Chicago.¹¹⁷ For the state of Wisconsin, the Winter Dam marked a success and undoubtedly bolstered their efforts to further dismantle the unity of the reservations within its borders, one of the successes that would lead the state to push for inclusion in Public Law 280 and other termination legislation in the 1950s. In supporting the construction of the dam, the state asserted its authority to appropriate Ojibwe land for the sake of progress. Through their continued resistance of the destruction of their village at Pahquahwong, the Lac Courte Oreilles claimed an alternative definition of place based on a concept of Ojibwe peoplehood. For the Lac Courte Oreilles Band of Chippewa Indians, reasserting their claims to the land and resources beneath the water marked the contest for sovereignty in Wisconsin as a struggle for place.

“The Country Their Creator Had Given Them”: Turtle Mountain Displacement and Allotment

The People of Turtle Mountain remember the early twentieth century as a period of struggle and survival. Turtle Mountain author Louise Erdrich shares a version of these stories set

¹¹⁶ Paul C. Rosier, “Dam Building and Treaty Breaking: The Kinzua Dam Controversy, 1936-1958,” *Pennsylvania Magazine of History and Biography* 119:4 (Oct 1995): 345-368; Lawson, *Dammed Indians Revisited*.

¹¹⁷ Rasmussen, *Where the River is Wide*.

on a fictional reservation in her novel *Tracks*, which opens with a story told by the old man Nanabush about a tuberculosis epidemic in 1912. “We started dying before the snow,” he tells his granddaughter, “and like the snow, we continued to fall. It was surprising that there were so many of us left to die. For those who survived the spotted sickness from the south, our long fight west to Nadoussioux land where we signed the treaty, and then a wind from the east, bringing exile in a storm of government papers, what descended from the north in 1912 seemed impossible.”¹¹⁸ Erdrich goes on to tell a story not of destruction but of perseverance. On the Turtle Mountain reservation where Erdrich’s ancestors lived, starvation killed one hundred fifty-one people in the winter of 1887-1888. Smallpox outbreaks in 1900 and the winter of 1907-1908, combined with crop failures and delayed annuity payments, led to more suffering.¹¹⁹ The reservation shrank to a mere tenth of its original size, and the People scattered across Anishinaabewaki’s western prairies. The Turtle Mountain People, however, remember the continued strength of their peoplehood, which saw them through the disease, dispossession, and marginalization of the early twentieth century.

In 1892, the “storm of government papers” broke over Turtle Mountain when the McCumber Commission arrived. In addition to intruding into internal matters of belonging, the McCumber Commission oversaw the cession of most of the Turtle Mountain homeland—ten million acres at the bargain rate of ten cents per acre—and opened the reservation to allotment. Historian John Morrison Shaw calls the agreement “an egregious example of federal officials using food as a weapon to coerce a starving people into releasing their birthright for a

¹¹⁸ Louise Erdrich, *Tracks* (New York: Harper Collins, 1988), 1.

¹¹⁹ U.S. Congress, Senate, *Contagious and Infectious Diseases among the Indians*, 62d Congress, 3d Session, 1913. Sen. Doc. No. 1038, 51.

pittance.”¹²⁰ Congress delayed approving the treaty for nearly fifteen years, finally ratifying the document on April 21, 1904. An insufficient two hundred seventy-five quarter sections of reserved land remained for three hundred twenty-six families, a number that failed to include kin denied recognition by the federal government but not in their living relationships with the Turtle Mountain People. Aggressive allotment policies forced families into western North Dakota and Montana. Nonetheless, federal intrusion, backed by local and corporate interests, failed to separate the Turtle Mountain People from their aki or the other relationships of their peoplehood.

By the 1880s, the combination of railroads and commercial ranching and wheat farming stirred the frenzy for Turtle Mountain lands. The Great Northern and North Pacific Railroads, completed in 1879 and 1881 respectively, secured millions of acres of land in North Dakota. In 1874, reports circulated about a Settler homesteader who brought in 1,600 bushels of wheat from forty acres, yielding \$1,900 annually. The railroads dispensed vast tracts of between three and sixty-five thousand acres to insiders such as presidents and directors and to business partners such as bank presidents, iron ore barons, and land speculators. Industrial-scale commercial agriculture moved into the Turtle Mountain People’s homeland, with land ownership heavily concentrated in a small number of rich landlords.¹²¹ Railroads, flour mills, grain elevators, and banks dominated the Great Plains, and railroad companies advertised free homesteads to attract Settlers to live near their lines. The verdant farmland and timber resources of the Turtle Mountain beckoned enticingly.¹²²

¹²⁰ Shaw, ““In Order That Justice,”” 395.

¹²¹ Shaw, ““In Order That Justice,”” 229.

¹²² Stanley N. Murray, *The Valley Comes of Age: A History of Agriculture in the Valley of the Red River of the North, 1812-1920* (Fargo: North Dakota Institute for Regional Studies, 1967), 98-105. For more on how railroads reorganized and politicized space, see Richard White, *Railroaded*, 146-178. See also William Robbins, *Colony and Empire: The Capitalist Transformation of the American West* (Lawrence: University of Kansas Press, 1994).

Corporate, local, and national pressures combined to destabilize Turtle Mountain land rights. In the 1870s, long before the Turtle Mountain People ceded so much as an acre, the United States appropriated thousands of acres of Turtle Mountain timber, turning it into the Fort Totten Timber reserve. The Turtle Mountain People gave no consent, and they received no compensation. While the federal government redistributed expropriated resources to land speculators, timber companies, cattle companies, and local settlers, U. S. Marshals arrested Turtle Mountain Ojibweg who continued to access the resources of their unceded homeland.¹²³ The Turtle Mountain People believed that they had protected their lands by lobbying for an Executive Order reservation in 1882, but a second Executive Order two years later reduced the reservation to one-tenth of its original area. The 1884 reduction purposefully cut from the reservation the town of Dunseith, home to a large community of Turtle Mountain men and women and to suspected lignite coal and silver deposits.¹²⁴ The Great Northern Railroad promoted Dunseith as the “Little Chicago of the North,” and Ojibwe families for themselves surrounded by “capitalists who have secured title to the rich silver and coal mines of Dunseith, where they have laid out a town,” according to the *New York Times*.¹²⁵ Prospectors found no silver, and coal deposits turned out to be minimal, but local coal fueled a Settler-owned brickyard and lime kiln at Dunseith for the next several decades.¹²⁶ Non-reservation towns and counties imposed taxes on Turtle Mountain people and subjected them to state jurisdiction for

¹²³ Brenner to Waugh, Dec. 20, 1890, Turtle Mountain Subgroup, RG 75, NARA Kansas City.

¹²⁴ Shaw, “In Order That Justice,” 341-344.

¹²⁵ “Indians Prepare for War,” *New York Times*, Jun. 1, 1884, 2.

¹²⁶ Shaw, “In Order That Justice,” 343.

crimes ranging from murder to theft.¹²⁷ When the McCumber Commission arrived in 1892, the combined Settler interests had effectively and unilaterally reduced the Turtle Mountain homeland.

The Turtle Mountain People remained determined to protect their rights to the land, articulating their relationships in similar terms as the Anishinaabeg Peoples of St. Peter's and Lac Courte Oreilles. They unequivocally and successfully refused removal. To the McCumber Commission officials, representatives of the Turtle Mountain People explained that this was "the country the Great Spirit had given them," and the place "where sleep their fathers."¹²⁸ The Turtle Mountain People placed their relationship with their land in terms of kinship, aadizookanag, and ceremony. They likewise relied on relational terms to articulate their claim against the United States. Speeches emphasized the long history of amicable alliances with Americans, stating, "And yet we have noticed that every time the Sioux tribes have risen against the Government and killed white settlers, the Government has gone down into its pockets and increased their provisions, and paid them well for their lands, while it arbitrarily seeks to deprive us, who have at all times been its friend, of our homes."¹²⁹ The Anishinaabeg of Turtle Mountain understood their rights to the land and their claims against the United States in terms of living relationships that supported their peoplehood.

The McCumber Agreement gave the veneer of consent to the appropriation of Turtle Mountain lands. Gathered in a warehouse barely large enough to hold the Council of Thirty-Two let alone a full assembly, with ogimaa Little Shell and attorney John Bottineau removed from the

¹²⁷ Little Shell and other Turtle Mountain people's efforts to defend their lands frequently hovered on the brink of violence, often over illegal taxes assessed against Turtle Mountain people and the property (Shaw 346-348). Farmer-in-Charge Brenner called for U.S. troops on almost a yearly basis in the 1880s through 1891.

¹²⁸ *Report*, 5.

¹²⁹ *Report*, 5, 13.

reservation under threat of arrest, the McCumber Commission's interpreter told Kakenowash, head of the Council of Thirty-Two, that they could receive one million dollars by signing the agreement that day. The interpreter followed with a threat, promising, "If you don't sign this document I brought you for a million dollars, you will never get anything. Uncle Sam will take everything away from you for nothing."¹³⁰ Despite the threat, Kakenowash and his fellow council members attempted to negotiate favorable terms, having already prevented removal.

The People of Turtle Mountain had every reason to believe that Uncle Sam would leave them with nothing. The United States already occupied their lands. With the memory of a decade spent trying to protect their new reservation and the promise of increased rations, those present agreed to the McCumber Commission's terms. An estimated one quarter of eligible voters approved the agreement in 1892, or approximately 300 men, and again in 1904 when Congress finally acted on the agreement, 208 men out of a total population of more than 2,500 gave their consent. The agreement confirmed the reservation's reduced borders in exchange for a ten million acre cession. The ten cents per acre came at a time when the federal government had paid \$2.50 for lands ceded by other Indian nations in the region.¹³¹ The federal government acknowledged that the two townships in no way met the needs of the Turtle Mountain People, and Article VI of the treaty promised, "All members of the Turtle Mountain Band of Chippewas who may be unable to secure land upon the reservation above ceded may take homesteads upon any vacant land belonging to the United States without charge" and without severing tribal status.¹³²

¹³⁰ ICC, Docket 113/Petitioner's Exhibit 200a, 27. Testimony at Belcourt, ND on 19 May 1952.

¹³¹ *Report*, 4.

¹³² *McCumber Agreement*, 1.

As at St. Peter's and Lac Courte Oreilles, Turtle Mountain Ojibwe opposed the deal immediately. At Turtle Mountain, the delay between the agreement and action by Congress to approve and disburse the settlement—coupled with several years of drought, hard winters, and disease—only increased criticism. The fight against the Ten-Cent Treaty continued for the next eighty years, but in the interim the Turtle Mountain People had to deal with the practical aspects of their territorial diminishment.

The Dawes General Allotment Act of 1887 represented the ideology of colonial land policy in the United States predicated on transferring Indian land and resources to Settler control. Subsequent amendments to the Dawes Act and related court cases diminished protections against sale. For example, *Lone Wolf v. Hitchcock* (1903) established the precedent that Congress could override treaty stipulations requiring tribal consent for any land sales.¹³³ On the White Earth reservation in Minnesota, home to an Anishinaabe People, federal administrators, timber interests, land companies, and state and local municipal authorities combined to open fissures in Anishinaabe society and contributed to land loss.¹³⁴ The Turtle Mountain People, like the Anishinaabeg at Lac Courte Oreilles and St. Peter's, faced the consequences of colonial land policies.

Ninety percent of Turtle Mountain members had to look beyond the reservation for allotments. The allotment process proceeded slowly. Many Turtle Mountain people did not care to make selections, especially if that meant leaving their present homes, and only did so at the local agents' urging. Little Shell and Kakenowash had both refused their consent to allotment during talks with the Commission, and Article III stated that all "lands, woods, and waters...shall

¹³³ *Lone Wolf v. Hitchcock* (1903), 187 U.S. 553.

¹³⁴ Meyer, *White Earth Tragedy*.

be held as common property of the Turtle Mountain Band of Chippewa Indians.” The article continued, however, to call for a survey of lands “for the purpose of enabling such Indians as desire to take homesteads.”¹³⁵ This provision, seemingly voluntary, opened the way for allotment of the reservation, which quickly parceled out reserved lands as individual property. The remaining people had to file for allotments on the public domain.

The Turtle Mountain People sought to direct the acquisition of lands beyond reservation borders rather than leaving it to United States officials. In May 1908, Kakenowash, who succeeded Little Shell as principal ogimaa following his death in 1901, and two other ogimaag, police chief Kanick and interpreter Joseph Rolette, traveled to Culbertson, Montana, to make selections for family and friends. Both Kakenowash and Kanick served on the twelve-person Turtle Mountain council, and Rolette frequently worked as official interpreter. They acted not only as individuals but also as representatives of their people, overseeing the process of allotment. They brought with them three hundred dollars to cover travel and filing fees. The families who authorized the ogimaag to act in their place had one member with an allotment on the reservation. Kaitapik, 41, and Oouchequeesh, 52, both married to a man named Machipeness, sent money to find allotments for themselves, their children, and one of their widowed mothers. Machipeness had an allotment within the reservation boundaries, where the family could live while leasing western lands to Settler ranchers and farmers. Kakenowash also chose allotments for a family wintering in Swan Lake, Manitoba, making sure that all of those who had rights as one of the People could access them.¹³⁶ Selecting an allotment on the public

¹³⁵ *McCumber Agreement*, 1.

¹³⁶ In line with Anishinaabeg understandings of treaties and the relationships they represented, the Turtle Mountain People understood the McCumber Agreement as guaranteeing access to aki not just for the present generation but also for their children and their children’s children. Mothers and fathers filed allotments for their children as they

domain was a way for families with ties to other places in Anishinaabewaki to incorporate expanded economic resources while remaining in the land of their ancestors, and the Turtle Mountain People mitigated the diminished sovereignty that came with land loss by taking an active role in shaping the effects.

Unfulfilled promises increased dispossession. Despite the McCumber Agreement's guarantees, Turtle Mountain men and women struggled to secure title on public domain lands. In practice, Ojibweg could not obtain an allotment "without charge," as the McCumber agreement guaranteed. The costs accumulated from paying for travel or to hire a proxy in Montana to make the selection, filing fees, notaries to witness absentee signatures, new taxes, and various fees that came up when a Settler filed a competing claim, not to mention the expense of moving west. In 1909, Rolette County sent Sheriff E. F. Taylor to inform off-reservation allottees that they owed several years of back taxes on personal property items such as horses, cows, wagons, and farm implements. He seized the cattle of Antoine Paul, one of the allottees who had a small farm a few miles from the reservation.¹³⁷ United States officials often disagreed about whether or not Turtle Mountain allottees had to build improvements to maintain their title, and local Indian and land agents provided varying answers to this question. Andrew Vandal, along with his sons-in-law Frank and Gregory Grant, selected an Indian homestead. All three men and their family possessed recognized rights in the Turtle Mountain People. Although Vandal lived near Devil's

were born, but the federal government intervened. In 1916, the administrative decision *Voight v. Bruce* held that children born after the final approval of the McCumber Agreement on April 21, 1904, were ineligible for allotments. From the Turtle Mountain perspective, this represented another broken promise, and it contributed to the fracturing of landholdings and overcrowding on the already too-small reservation. *Voight v. Bruce*, Decision of the Dep't of the Interior, Jan. 15, 1916, D-26880, Turtle Mountain Subgroup, Record Group 75, National Archives Kansas City, MO.

¹³⁷ Schwab to Ziebach, Oct. 11, 1909, Turtle Mountain Subgroup, Record Group 75, National Archives Kansas City, MO; Schwab to Ziebach, Apr. 10 1909, Turtle Mountain Subgroup, Record Group 75, National Archives Kansas City, MO.

Lake and the Grants resided at Belcourt on the ishkonigan, they chose allotments near Glasgow, Montana, after the limited land within the ishkonigan disappeared. While they went through the process of filing their papers—a process that included paying a non-Indian “locator” up to one fourth of their McCumber Agreement payment—a Welsh miner named William Morgan filed on the same tract of land. The Vandals and Grants then entered into legal proceedings to retain their land. They won, largely because of Morgan’s false testimony and negligible improvements, but their case was notable not because it represented the typical outcome but rather because it was a story of unusual success.¹³⁸

Mrs. Allen Bourassa’s experience more accurately reflected the typical outcome in these cases. Bourassa, on the McCumber rolls, filed an Indian homestead claim in the Turtle Mountain region. She and her husband lived in a shack on the land while building a log house and barn, and they cleared sixty acres, brought in eight tons of hay, and dug a well. In 1907 or 1908, a prairie fire destroyed the hay as well as many of their farming implements, and the Bourassa moved to St. John while renting the land to a Settler named Marred. Another Settler, a Mr. Springer, moved onto the land and began to farm, and “a man came to her at St. John and advised her to sell the improvements, that she would loose [sic] the land any way.” She went to Rolla and signed “what she thought was a relinquishment to her improvements.”¹³⁹ However, the document relinquished the land. When Mrs. Bourassa later learned that the unknown man had manipulated her to sell, she tried to recover her land. Bourassa contacted Schwab and the Devil’s Lake land office. Schwab dismissed her request based on the belief that she knew what she signed away. Springer, with his connections to Settler officials and greater financial resources,

¹³⁸ Shaw, ““In Order That Justice,”” 404-406.

¹³⁹ Schwab to Ziebach, Apr. 15, 1908, Turtle Mountain Subgroup, Record Group 75, National Archives Kansas City, MO.

won the dispute.¹⁴⁰ Bourassa, the Vandals, and other Turtle Mountain men and women did not receive the protection promised by the federal government in exchange for their lands.

Little Shell's followers, including many of the recently disenrolled, found securing land tenure all but impossible without allotments or Indian homesteads. Some filed for allotments anyway, but when U.S. officials discovered such cases, they cancelled the claims, even after Ojibweg had lived on them for five or six years. Additionally, they lost their homestead claims to Settlers, especially because many of the exiled continued to pursue seasonal labor patterns that did not fit with Settler ideas of establishing ownership.¹⁴¹ Many of them moved west across the plains to places that they and their ancestors had known for years. Little Shell III, for instance, had ties to Plentywood, in northeastern Montana, and Wood Mountain, Saskatchewan, where he had once hunted bizhiki. Their enrolled kin obtained allotments in the same part of northern Montana. Anthropologist Verne Dusenberry called them "the Landless Indians" or the "Wandering Chippewa"—an unrecognized, dispossessed Anishinaabe and Michif People who nevertheless continued to move through Anishinaabeg spaces and relational networks.¹⁴² Their fight for the United States to recognize their peoplehood had only begun.

Allotment threatened to separate the Turtle Mountain People from kin and resources. Anishinaabeg found creative solutions to intervene and prevent their dispossession. In 1908, Farmer-in-Charge William Schwab wrote to Superintendent C. M. Ziebach, forwarding requests to exchange allotments or sections of allotments. He explained, "Some have all timber and other [sic] have all prairie lands in which case they desire to exchange only half, so that they will have

¹⁴⁰ Schwab to Ziebach, Apr. 15, 1908, Turtle Mountain Subgroup, Record Group 75, National Archives Kansas City, MO.

¹⁴¹ Shaw, "In Order That Justice," 405-407.

¹⁴² Verne Dusenberry, "Waiting for a Day That Never Comes," *Montana: The Magazine of Western History* 8 (Spring 1958): 37-38

both.”¹⁴³ Father and son Antoine and Louis Enno devised a strategy that allowed them to access diverse resources and to support each other. Antoine, 76, could no longer work for himself, and “he considers his son’s eighty acres of timberland would be more use to him.” Louis planned to build near his father’s house, “making it more convenient in looking after his father’s welfare.”¹⁴⁴ By exchanging land, both men would have access to a range of resources and maintain kinship connections.

The Turtle Mountain People relied on their relationships to hold themselves together. Federal officials revealed the link between the reduction of the ishkonigan and the ultimate goal of erasing the Turtle Mountain People and their sovereignty. Promoting the agreement, Senator McCumber told Congress that “the result will be to destroy the tribal relations of the Turtle Mountain tribe, because the Indians will have to be scattered. The land is not there for them.” Turtle Mountain men and women disappointed the Senator’s hopes. Kinship networks protected the People and their land. Joseph Boyer, newly-married and in his mid-twenties, built a house for himself and his family on his father’s allotment rather than occupying his own allotment, although Superintendent Charles Ziebach warned him that anything he built belonged to the elder Boyer.¹⁴⁵ The extended Granbois family relied on their relations to avoid exile. Brothers Alexander and Micheal Granbois, young men in 1908, lived with their uncle David Granbois on his allotment one winter and with their father on their cousin’s allotment the next.¹⁴⁶ Sharing allotments allowed the Turtle Mountain People to honor kinship obligations, maintain

¹⁴³ Schwab to Ziebach, 19 Feb. 1908, Letters Received, Turtle Mountain Subgroup, RG 75, NARA Kansas City.

¹⁴⁴ Schwab to Ziebach, 14 Mar. 1908, Letters Received, Turtle Mountain Subgroup, RG 75, NARA Kansas City.

¹⁴⁵ Schwab to Ziebach, Sept. 11, 1907, Turtle Mountain Subgroup, RG 75, NARA Kansas City; Ziebach to Schwab, Sept. 20, 1907, Turtle Mountain Subgroup, RG 75, NARA Kansas City.

¹⁴⁶ Schwab to Ziebach, Feb. 28, 1908, Turtle Mountain Subgroup, RG 75, NARA Kansas City.

relationships with the aki the Creator had made for them, and, at the most basic level, to survive.¹⁴⁷

The dispossession of the Turtle Mountain People attacked the core relationships of their peoplehood. The United States confined Turtle Mountain claims to a reservation that could contain no more than one tenth of the population and scattered the remainder over hundreds of miles of public domain lands, threatening ties with Anishinaabewaki. However, Anishinaabewaki extended further westward onto the plains as Little Shell's exiled People and the other Turtle Mountain families relocated, often seasonally. They carried with them their aadizookanag, which now included the story of their unjust dispossession. They brought their ceremonies and their language, Michif and Anishinaabemowin. Kinship networks stretched across space and often brought people back home. The Turtle Mountain People actively mitigated the consequences of their dispossession, shaping the implantation of federal policies around the contours of their peoplehood.

If scholars generally consider 1850 to 1950 the nadir of Native American history in North America, the years between 1904 and 1930 must appear particularly bleak. Indeed, the Indigenous population declined to its lowest point.¹⁴⁸ As with previous reservation policies, colonial actions during this period undermined Native peoplehood. Public and private development on reservations, not to mention at sites beyond reserve boundaries, threatened the core relationships that sustained Anishinaabe and other First Nations Peoples' sovereignty. They carved up homelands, providing additional barriers to accessing sacred, ceremonial, and

¹⁴⁷ Rose Stremmlau discusses many similar stories in *Sustaining the Cherokee Family*.

¹⁴⁸ Wilkinson, *Blood Struggle*.

ancestral sites, and re-inscribed Indian landscapes in Settler terms. Dams could turn short walks to visit family into hundred-mile treks around reservoirs, and they often separated living Indian people from the bones of their ancestors.¹⁴⁹ The emotional trauma further strained the relationships that comprised their peoplehood.

Settler colonial policies and schemes threatened the physical, environmental, and emotional health of Native Peoples. The Ojibwe Peoples of St. Peter's, Turtle Mountain, and Lac Courte Oreilles experienced many of the worst aspects of Settler colonial policies. At Turtle Mountain, the federal government chipped away at the land base until only 275 quarter sections remained to sustain 326 families. St. Peter's Reserve no longer existed; the Dominion government had coerced a fraudulent surrender of the land along with the ancestors' graves. More Anishinaabe graves and thousands more acres of homeland were destroyed by the floodwaters of the hydroelectric dam built on the Lac Courte Oreilles Reservation. However, like their ancestors before them, the Anishinaabe People rebuilt and survived. Rather than a downward trajectory, this period reveals the tenacity and flexibility of Ojibwe sovereignty. As Ojibwe on their reserves and reservations throughout Anishinaabewaki maneuvered around incursions by federal, state and provincial, and local authorities and the exploitation of their land and resources, they pursued various strategies to strengthen their position as autonomous People.

¹⁴⁹ Rosier, "Dam Building and Treaty Breaking," 345-368; Lawson, *Dammed Indians*.

Chapter 6

Megwaa zagaswe'idiwag:¹ Governance and Leadership, 1920-1940

Nine hundred years ago, the Anishinaabeg ancestors left their homes on the eastern coast of Turtle Island. As they traveled through unfamiliar territory and faced many challenges and changes along the way—fighting meyaagizid such as the Haudenosaunee, incorporating new inawemaagan, saying good bye to Potawatomi and Odawa kin who branched off on their own – doodemag held the People together and expanded Anishinaabewaki throughout the Great Lakes region. The Creator gave the doodem system to the Anishinaabeg to provide order and balance. From the maang (loon) and ajijaak (crane) doodemag came the ogimaag or leaders, while the waabizheshi or marten doodem gave the warriors and the various fish doodemag provided intellectual leaders. Following the path the Creator laid for them, the Anishinaabeg journeyed west along the St. Lawrence River through Gichi-gakaabikaang (Niagra Falls), Manitoulin Island, Baawitigong (Sault Sainte Marie) until they reached the cool waters where the good berry, or manoomin, grew in abundance. Many of the Anishinaabeg continued beyond the final stopping place of the prophesied chibimoodaywin. They journeyed west, expanding into the woods and prairies.

As they moved west, the Anishinaabeg adapted their doodemag and governance system to meet the People's needs. Decentralized governance and respect for individual autonomy meant that Anishinaabeg disliked both being told what to do and telling others how to behave in return, and expanding west allowed Anishinaabeg to pursue not only resources but also space to permit new ideas and new visions to take root. Warrior doodemag such as the makwa (bear) doodem led the People into new western lands where Ojibweg encountered Dakota, Cree, and

¹ Council is in session.

other Peoples. To the east, ogimaag generally came from the maang (loon) or ajijaak (crane) doodemag, but the warrior doodemag became the leaders of their People in the west.²

Incorporating new inawemaagan in the Anishianabeg borderlands created new doodemag that filled leadership roles, such as the ogashkimanisii (kingfisher) doodem that began when an Anishinaabe family at Red Lake adopted a Dakota boy and his Dakota clan. Members of the kingfisher doodem led the way into the Turtle Mountains, where the ogashkimanisii remains well-represented.³ Anishinaabeg doodemag flexed as the Anishinaabeg expanded, allowing leadership and governance to adapt to changing circumstances.

In the 1920s and 1930s, leadership and governance continued to evolve as reserves and reservations imposed new constraints. The People faced the effects of devastating land loss, a damaged ecosystem, and heightened poverty while also maneuvering around Settler attempts to erase their existence as distinct Peoples. Anishinaabeg men and women on ishkoniganan throughout Anishinaabewaki took up the question of governance to defend their sovereignty, part of a broader conversation about Native governance in the United States and Canada. Settler governments considered elected, centralized councils and Indian Reorganization Act (IRA) constitutions as legitimate forms of government. However, Anishinaabeg Peoples, like other American Indians, continued to view leadership and governance through the lens of their peoplehood, where factors such as providing for the People, language, ceremonial and sacred knowledge, and relationships with both inawemaagan and meyaagizid remained essential

² White Earth historian and Ojibwemowin speaker Anton Treuer locates this shift in leadership clans in the late eighteenth century. Anton Treuer, *Warrior Nation: A History of the Red Lake Ojibwe* (St. Paul: Minnesota Historical Society Press, 2015), 12-13.

³ Treuer, *Warrior Nation*, 13. The young Dakota boy's name was White Thunderbird, and the kingfisher doodem exists almost entirely on the western edges of Anishinaabewaki at Red Lake, Turtle Mountain, and Roseau River in Manitoba. Another example of a clan incorporated into Ojibwe doodemag through Dakota paternity is the ma'iingan or wolf clan, common at Lac Courte Oreilles. Treuer, *Warrior Nation*, 13; Bilban, Bailey, and Nayquonabe, *Spirit of the Ojibwe*, 237.

criteria.⁴ A medal from a queen or president as a symbol of an alliance passed down from ogimaa to ogimaa could represent the relationships that made a leader of the People more legitimately than an election. A constitution could also serve as a pathway to governance, if it reflected the needs, networks, and knowledge of the People.

Anishinaabeg relied on the foundation of their peoplehood as they adapted governance and leadership to changing circumstances. In the 1920s and 1930s in Canada, federal officials increasingly interfered with Anishinaabeg control of their own People, which, coupled with the destructive effects of ethnic cleansing, led to a standoff between federal officials and Saulteaux ogimaag. In 1932, amidst the ongoing fight to revoke the fraudulent surrender agreement, Saulteaux lost the council election to Maškēkowak leaders. Ogimaa Naynahkawkanape, who served as elected chief since 1929, refused to transfer the symbolic medal of the chiefs to the newly-elected Maškēkowak chief. With broad Saulteaux support, Naynahkawkanape and other ogimaag challenged the elected council and the DIA's authority. For the Turtle Mountain and Lac Courte Oreilles People, the 1930s brought a chance of greater autonomy through the Indian Reorganization Act, which both Peoples rejected in whole or in part in favor of alternative systems of organizing. In 1932, the same year as the contested St. Peter's election, the Turtle Mountain People voted to accept a written constitution that they hoped would both secure their sovereignty against Settler encroachment and advance a claim against the Ten Cent Treaty. Concerned about questions of land and leadership, the Turtle Mountain People rejected the IRA

⁴ As long as Anishinaabeg can remember, Anishinaabe governance occurred at a decentralized, community-based level. The People, both men and women, discussed and decided important issues at zagaswe'idiwinan, or council meetings. Zagaswe'idiwin also means "a smoking," referring to sharing a smoke or passing a pipe. The word reveals the relationship between councils and ceremonies and suggests how zagaswe'idiwinan supported peoplehood. Other Indigenous Peoples relied on alternative criteria to legitimize leadership. Native Hawaiian leaders, for instance, trace their lineage to Kamehameha. Silva, *Aloha Betrayed*, 32-40, 91.

in 1935. The Lac Courte Oreilles People, meanwhile, voted to accept the IRA. Underlying the mixed response to the IRA was an ongoing debate about who possessed the authority to govern Lac Courte Oreilles land and resource and to exert Lac Courte Oreilles sovereignty, an elected council or a general council of all the People led by hereditary ogimaag. Land rights, resource access, and sovereignty dominated discussions among all three Peoples, who persevered through Settler attempts to co-opt Indigenous power. Whether supported or hindered by Settler interference, Anishinaabeg continued to reconfigure governance in ways that promoted Anishinaabeg peoplehood.

“We, the Indians of the Saulteaux and Ochipwa Tribes”: Peguis and St. Peter’s

When Angus Prince moved with his family to the new Peguis Reserve in 1909, the 75,000 acre reserve was noopimiing or “in the bush.” There were no roads, no railroads, and the Fisher River crossed the reserve as “a small stream, about fifty feet wide, shallow, with a stony bed, scarcely of sufficient depth of water to float a canoe in the summer.”⁵ Woods, meadowland, and swamp comprised much of the reserve, and the land required clearing and draining before the new residents could plant gardens, let alone engage in the agriculture the architects of their removal envisioned.⁶ There were no houses and few opportunities for employment, and the closest store was at Fisher River, eight miles away. The trek to the nearest town, Gimli, took approximately five days each way.⁷ For Prince and his kin, their new reserve differed drastically from their former ishkonigan. Their homes near the Red River, a major economic thoroughfare, were a Saulteaux center of trade and political exchange on the northwestern edge of Anishinaabewaki. The Peguis Reserve was isolated.

⁵ *Sessional Papers*, 1910.

⁶ *Sessional Papers*, 1910.

⁷ Thompson, *Chief Peguis and His Descendants*, 46.

Prince experienced the traumatic theft of his people's ishkonigan as a young man in his twenties. He grew determined to use his education to fight for his People. The Saulteaux knew Angus Prince, the great-grandson of Peguis born in 1881, well. Prince's family had long taken an active role as ogimaag for the Saulteaux. Educated in English, Angus Prince worked as a school teacher at St. Peter's before the surrender. There were no schools at Peguis for the first two years, but he again taught when the schools eventually opened. The husband and father listed "labourer" as his occupation in the 1921 census, and he fished and trapped.⁸ Prince defended his People's sovereignty, which earned him a reputation as a troublemaker among DIA officials. Among the Saulteaux, the same reputation earned him respect as an ogimaa who used his skill with a pen to give voice to Saulteaux peoplehood.

The ethnic cleansing of the St. Peter's People remained incomplete. Many families chose to remain on patented lands within the former ishkonigan. Others who like Prince had relocated to Peguis—some because they sold or lost their lands through taxes—simply incorporated the new reserve into seasonal movements, returning to camp at St. Peter's for several months every year and trapping muskrats, picking berries, cutting hay, and visiting relatives. The surrender agreement set aside approximately 3,000 acres of hay land near Netley Creek, where the marsh contained abundant muskrats and plenty of easy food for livestock.⁹ In 1912, Chief Inspector of Indian Agencies Glenn Campbell reported that "a great percentage of the Indians are still living

⁸ Library and Archives Canada. *Sixth Census of Canada, 1921*. Ottawa, Ontario, Canada: Library and Archives Canada, 2013. Series RG31. Statistics Canada Fonds; Angus Prince, "Manitoba Elders," edited by Vi Chalmers, Mary-Rose Olson, and Moses Bigness, Manitoba Indian Cultural Education Center, 1981.

⁹ Surrender Agreement; Manitoba Clean Environment Commission, "Transcript of the Proceedings Held at Fort Garry Hotel, Winnipeg, MB, Thursday, March 19, 2015," *Lake Winnipeg Regulatory Review under the Water Power Act*, vol. 7, <http://www.cecmanitoba.ca>, accessed Oct. 14, 2015.

there” at St. Peter’s.¹⁰ At least seven hundred of the St. Peter’s people continued to live within the former ishkonigan in 1912.¹¹

On the new reserve, old tensions reemerged to threaten Saulteaux Peoplehood. The fight against the coerced surrender temporarily minimized the competing claims within the reserve, as Maškēkowak leader William Asham and Saulteaux ogimaa William Prince worked toward a clear and common goal. The aftermath of the removal, which remained incomplete, exacerbated the conflicting claims to sovereignty on the new Peguis Reserve. The Maškēkowak outnumbered the Saulteaux who moved north, and the balance of power shifted toward the Maškēkowak.¹² By 1911, the Maškēkowak dominated the council. Although forty-year-old elected chief Albert Rose identified as Saulteaux, all four councillors—Miles Cochrane, Isaac Asham, John James Flett, and Jacob Thomas, were Maškēkowak.¹³

A flurry of petitions in 1912 and 1913 demonstrates Saulteaux concerns about how the shifting demographics threatened their peoplehood. Angus Prince’s kin, elder John Henry Prince, led a campaign for an alternate ishkonigan at Sandy River.¹⁴ The petition charged that the inconveniently-located reserve near the Fisher River precluded “any means of making a

¹⁰ Glenn Campbell to the Secretary of the Department of Indian Affairs, Mar. 19, 1912, "Correspondence Regarding the Leasing of Grazing Land on St. Peter's Reserve," Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

¹¹ Glenn Campbell to the Secretary of the Department of Indian Affairs, Apr. 15, 1912; “Indians of the Old St. Peter’s Reserve who still have their home on the reserve,” 1917, "Correspondence Regarding the Leasing of Grazing Land on St. Peter's Reserve," Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

¹² J. Lavender to Secretary Department of Indian Affairs, Apr. 4, 1932, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, Library and Archives Canada, Ottawa, ON.

¹³ Library and Archives Canada. *Sixth Census of Canada, 1921*. Ottawa, Ontario, Canada: Library and Archives Canada, 2013. Series RG31. Statistics Canada Fonds.

¹⁴ John Henry Prince, et al, to J.D. McClean, May 7, 1912, “Clandeboye Agency, Correspondence Regarding the Removal of St. Peter's Indians to a new Reserve at Sandy River,” RG 10, vol. 4064, file 407, 730, Library and Archives Canada, Ottawa, ON.

livelihood.”¹⁵ The Maškēkowak-dominated elected council, referring to themselves as representatives of the Peguis Band for perhaps the first time, wrote to disavow the Saulteaux request. They insisted that the Peguis Reserve was “amply sufficient.”¹⁶ The Saulteaux petition suggests an underlying divide. Prince wrote that he was “accustomed [sic] in fish business,” and suggested his “unfitness to work as a farmer.”¹⁷ He saw the Maškēkowak council as supporting DIA-backed peasant farming initiatives that confined Indigenous Peoples within reserve boundaries and marginalized Indigenous labor within the Settler economy, and the location of the reserve near the Fisher River and far from St. Peter’s central location may have emphasized how ethnic cleansing marginalized the Saulteaux in their own homeland—especially when the DIA supported the Maškēkowak over the Saulteaux.¹⁸

The Canadian Indian Affairs system revolved around two primary goals: to assimilate and to control the First Nations population. DIA policy in the 1920s and 1930s, for instance, promoted enfranchisement, designed ultimately to erase Indian as a distinct legal status.¹⁹ From a DIA perspective, band councils fit into these policy goals. Settler officials hoped that weak, Settler-dominated councils would replace Indigenous systems of government and provide

¹⁵ John Henry Prince to D. Hoche, Apr. 2, 1913, Correspondence Regarding the Removal of St. Peter's Indians to a new Reserve at Sandy River,” RG 10, vol. 4064, file 407, 730, Library and Archives Canada, Ottawa, ON.

¹⁶ Chief Base, J.J. Flett, Isaac Asham, and Miles Cochrane to the Minister of the Interior, Mar. 25 1912, Correspondence Regarding the Removal of St. Peter's Indians to a new Reserve at Sandy River,” RG 10, vol. 4064, file 407, 730, Library and Archives Canada, Ottawa, ON.

¹⁷ John Henry Prince, et al, to J.D. McClean, May 7, 1912, Clandeboye Agency, Correspondence Regarding the Removal of St. Peter's Indians to a new Reserve at Sandy River,” RG 10, vol. 4064, file 407.730.

¹⁸ Glenn Campbell to the Secretary of the Department of Indian Affairs, Apr. 15, 1912; “Indians of the Old St. Peter’s Reserve who still have their home on the reserve,” 1917, “Correspondence Regarding the Leasing of Grazing Land on St. Peter's Reserve,” Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

¹⁹ Brownlie, *A Fatherly Lie*, xiv, 37.

support for Department decisions.²⁰ The Indian Act provided the mechanisms for the Settler government to undermine Indigenous Peoples' traditional government. Section 62 read,

The Governor in Council may order that the chiefs of any band of Indians shall be elected, as hereinbefore provided, at such time and place, as the Superintendent-General may direct, and they shall in such case be elected for a period of three years, unless deposed by the Governor for dishonesty, intemperance, immorality, or incompetency.²¹

Section 62 endowed the Governor with the power to create electoral, centralized councils that Settler officials then embodied with the ability to give “any ordinary consent” on behalf of their People, regardless of whether or not the People in question wanted a band council.²² The Indian Act also outlined a limited range of purposes for which councils could create rules and regulations—subject, of course, “to confirmation by the Governor in Council.”²³ The Indian Act limited councils' purview to topics such as promoting public health, controlling livestock, policing intoxication, building and maintaining roads and schools, and assigning reserve lands. Funds, natural resources, and the land itself all fell outside of the council's authority, according to the DIA.²⁴ Moreover, a 1914 amendment to the Indian Act asserted, “In the event of any conflict between any regulation made by the Superintendent General and any rule or regulation made by any band, the regulations made by the Superintendent General shall prevail.”²⁵ The

²⁰ In 1924, for instance, the Canadian government disbanded the Council of Chiefs of the Six Nations at Grand River. This marked essentially the last time the Canadian government worked with a so-called traditional Indigenous government. Andrewa Lucille Catapano, “The Rising of the Ongwehònwe: Sovereignty, Identity and Representation on the Six Nations Reserve,” PhD dissertation, Stony Brook University, 2007, <http://hdl.handle.net/1951/44779>, 273.

²¹ Indian Act.

²² Indian Act. Section 62 worked in the reverse as well. If a First Nation wanted a band council, they had first to obtain the Governor in Council's consent. For instance, in 1915, the Fisher River People, whose chief was appointed by the Canadian government for an indefinite term, sought permission to be part of the three-year elective system. T.H. Carter to the Assistant Deputy and Secretary of Indian Affairs, Feb. 12, 1915, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, Library and Archives Canada, Ottawa, ON.

²³ Indian Act.

²⁴ Brownlie, *A Fatherly Lie*, 35.

²⁵ Indian Act 1914 amendment.

1914 amendment envisioned a narrow, subordinate role for band councils that undermined Indigenous Peoples' ability to govern. Canadian policy aimed to stifle sovereignty in favor of Settler control.

Within these constraints, however, the Saulteaux People of St. Peter's, like many other First Nations in Canada, used their band councils to promote sovereignty and maintain Indigenous systems of governance.²⁶ According to DIA officials, the St. Peter's People were the only People in Manitoba with an officially recognized three-year elective system.²⁷ The St. Peter's, now Peguis, chiefs and councillors had somehow avoided the requirement to obtain approval from the Governor in Council. Their council existed on their own authority, which the DIA recognized in practice since the 1880s, and as they fought to protect their peoplehood through the ongoing process of ethnic cleansing in the early twentieth century, Saulteaux ogimaag conflicted with the DIA.

The agents in the Fisher River district honored the DIA's goals of assimilation and control. They wielded their power over the chief and councillors, first by delaying the triennial elections until 1912 and then in 1914 by intervening to remove newly elected councillor, Angus Prince.²⁸ Prince, elected in 1912, attracted DIA ire by respecting his People's customary system of governance, which derived from decentralized, consensus-driven popular participation. As

²⁶ In *A Fatherly Lie*, Brownlie, acknowledges that Anishinaabe chiefs and councils at Manitoulin Island resisted and occasionally triumphed over Settler officials, especially given their unshakeable knowledge of their treaties. He asserts, however, that Indian agents "largely destroyed Indigenous leadership systems." Brownlie, *A Fatherly Lie*, 57-69. Kiera L. Ladner, meanwhile, argues that traditional Indigenous governments and constitutional orders persist and, indeed, "continue to be a driving force in many communities," sometimes complementing or checking elected band councils and other times coming together in a sort of hybrid system. Kiera L. Ladner, "Indigenous Governance: Questioning the Status and the Possibilities for Reconciliation with Canada's Commitment to Aboriginal and Treaty Rights" (Vancouver: National Centre for First Nations Governance, 2006), no page.

²⁷ J.D. McLean to T.H. Carter, Oct. 5, 1916, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, Library and Archives Canada, Ottawa, ON.

²⁸ Semmens to Laird, 20 Dec 1907, Clandeboye Agency, Correspondence Regarding the Surrender of Part of St. Peter's Reserve, National Library and Archives Canada, Ottawa, ON.

more families moved north to the new ishkonigan, the Tribal Council distributed land assignment tickets, locating each family on its own parcel of tribally-held land. Prince believed that the People, not merely the council, should have a say in assigning land.²⁹ For his refusal to participate in issuing location tickets, Agent T.H. Carter branded him “a nuisance on the Council.”³⁰ Seeking to provide cause to depose Prince under the Indian Act, Carter wrote to his superiors, “Mr. Prince does not appear to have any regard for law and order, stating that the Peguis reserve belongs to him and that he does not care for the Indian Act.”³¹ Carter did not bother to record Prince’s exact words, leaving only the agent’s perspective. Prince, however, likely opposed the Indian Act. Elsewhere, he stated that the Indian Act “conflicts with the stipulations of our Treaty.”³² For Prince, the 1871 treaty superseded any law passed by the Canadian government, especially a law imposed without the consent of his People. He respected both law and order—the law established by Treaty 1, and the order inherent to Saulteaux systems of governance.

Carter succeeded in deposing Prince. On January 14, 1915, slightly more than halfway through Prince’s three year term, the Privy Council and Governor General removed Prince for “incompetency” under Section 96 of the Indian Act.³³ Prince wrote to Secretary of Indian Affairs J.D. McLean to protest, refusing to recognize DIA protocol that required all correspondence to

²⁹ Angus Prince to J.D. McLean, Feb. 4, 1915, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, Library and Archives Canada, Ottawa, ON.

³⁰ T.H. Carter to J.D. McLean, Nov. 27, 1914, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, Library and Archives Canada, Ottawa, ON.

³¹ T.H. Carter to J.D. McLean, Nov. 27, 1914, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, Library and Archives Canada, Ottawa, ON.

³² Angus Prince, “Salteaux Indians and the St. Peter’s Reserve,” 24 Sept. no year, CDIA – St. Peter’s Indian Reserve, Archives of Manitoba, Winnipeg, MB.

³³ Certified Copy of a Report of the Committee of the Privy Council, approved by His Royal Highness the Governor General on the 14th January, 1915, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

filter through local agents.³⁴ Prince claimed that most of the council, as well as the People, supported his stance. “It was customary aforesaid since Treaty was made that anything important was to be brought forward to the band for consideration and come at a final decision as to what step the majority of the band should take upon such matter or question of deliberation offered towards the benefit of the people,” he wrote.³⁵ As ogimaa, the voices of his People constrained Prince’s actions. His support of Saulteaux sovereignty cost him his position on the council. However, his actions earned him the respect of other Saulteaux ogimaag such as Alex Greyeyes or Nayanakawkanape and William Pahkoo, with whom he worked to protect Saulteaux peoplehood from both Settler and Maškēkowak encroachment.

Deposing Prince failed to dislodge his professed vision of Saulteaux peoplehood. The St. Peter’s People remained determined to fight the so-called surrender that robbed them of their ishkonigan.³⁶ In 1917, the Saulteaux reclaimed reserve leadership when the People elected William Pahkoo. Pahkoo, approximately 80 years old, renewed the effort to reverse the St. Peter’s ethnic cleansing. Decisions started at the level of the council. On January 20, the St. Peter’s People met on the reserve “for the purpose of discussing the St Peter’s surrender

³⁴ The Secretary ignored or returned letters that bypassed the local agents. This practice became not only established protocol but official policy in 1933. Brownlie, *A Fatherly Lie*, 37.

³⁵ Angus Prince to J.D. McLean, Feb. 4, 1915, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

³⁶ In 1912, they had won a legal victory against their ethnic cleansing, when the Royal Commission voided the surrender agreement. However, as happened to the Cherokee in the United States during the 1830s, Settler officials ignored the legal obstacles to their goals. In 1916, Parliament passed the St. Peter’s Reserve Act, which overrode The Royal Commission. The act “confirmed and made good” Settlers’ title to the lands they had purchased from Saulteaux and Maškēkowak individual following the fraudulent agreement in 1907 but before June 1915. For any lands obtained after June 1915, the act attached a one dollar per acre lien, plus five percent interest from June 1 of that year. The additional dollar per acre presumably sought to address the ninety dollar claim that St. Peter’s ogimaa continued to press from Peguis. To avoid the issue of the St. Peter’s People’s lack of consent to the surrender agreement, Parliament simply enacted the ethnic cleansing without any agreement or input from the St. Peter’s People. Their willingness to act unilaterally and despite the Royal Commission’s findings emphasizes how little Indigenous sovereignty meant to Settlers. St. Peter’s Reserve Act, S.C. 1916, c.24.

question, application of game laws to Indians and school affairs in Indian reserves.”³⁷ T.H. Carter, the agent at Fisher River who did not attend the meeting but spoke with councillor William Asham afterward, noted “great hostility toward the Department and great indignation against the application of game laws.”³⁸ At the request of the council, Asham took the People’s concerns to Carter and demanded that he write a petition directly to the king, for they refused to recognize the intermediary authority of the DIA and preferred to work with the authorities with whom they had negotiated their treaty. According to Carter, the St. Peter’s People “were determined to get justice that they had tried to get through the Department.”³⁹ Carter agreed to write down their grievances, but he addressed the petition to the Governor General, demonstrating differing views of *Saulteaux-Settler* relations.⁴⁰

Under Pahkoo’s leadership, the St. Peter’s People continued to challenge their ethnic cleansing. In January of 1920, Pahkoo initiated a resolution to ask the Department once again to investigate the land sales.⁴¹ In November of 1922, the People in council resolved “to draw the attention of the Hon. Minister to the fact that the conditions under which the St. Peters [sic] Reserve was surrendered have not been fulfilled.”⁴² In April 1924, seventeen years after the surrender, they wrote to remind the DIA that the Department should have returned land with

³⁷ January 28, 1919 to the Assistant Deputy and Secretary from T. H. Carter, C-8079, Land Sales Indian Affairs Headquarters Files, Clandeboye Agency, RG 10, Library and Archives Canada, Ottawa, ON.

³⁸ William Pahkoo, et al, to His Royal Highness Victor Christian William, Counsellor, Duke of Devonshire and Governor General of the Dominion of Canada, Jan. 27, 1919, C-8079, Land Sales Indian Affairs Headquarters Files, Clandeboye Agency, RG 10, Library and Archives Canada, Ottawa, ON.

³⁹ William Pahkoo, et al, to His Royal Highness Victor Christian William, Counsellor, Duke of Devonshire and Governor General of the Dominion of Canada, Jan. 27, 1919, C-8079, Land Sales Indian Affairs Headquarters Files, Clandeboye Agency, RG 10, Library and Archives Canada, Ottawa, ON.

⁴⁰ William Pahkoo, et al, to His Royal Highness Victor Christian William, Counsellor, Duke of Devonshire and Governor General of the Dominion of Canada, Jan. 27, 1919, C-8079, Land Sales Indian Affairs Headquarters Files, Clandeboye Agency, RG 10, Library and Archives Canada, Ottawa, ON.

⁴¹ “Minutes of Peguis Council Meeting, January 24th, 1920,” Jan. 24, 1920, C-8079, Land Sales Indian Affairs Headquarters Files, Clandeboye Agency, RG 10, Library and Archives Canada, Ottawa, ON.

⁴² Chief William Pahko to Sir, Nov. 13, 1919, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

unpaid liens to the People, for any “buyer refusing to do this the deal was to be cancelled.”⁴³

Rather than failure, each renewed petition and resolution demonstrated the continued resolve of the St. Peter’s People and their unbroken peoplehood.

The 1929 election again raised the question of leadership and sovereignty on the ishkonigan. Former chief William Prince and rising ogimaa Naynahkawkanape both ran in the election against Maškēkowak candidate Rudolph Asham. The potential leaders spoke to a general council before the vote in April. Asham spoke about “progress”—a word beloved by DIA officials—and Prince made general promises, according to Maškēkowak observers, To “do his best for the betterment of the band.”⁴⁴ Naynahkawkanape, however, articulated a specific, incendiary platform: recovering their lost ishkonigan and the rights preserved in their treaty. Speaking with the force of Treaty One, he reminded his People “that a promise was made years ago” at the Stone Fort, and he pledged to hold the Settler government to their word.⁴⁵ The Saulteaux responded to his call for sovereignty and to protect their homeland. Naynahkawkanape won the election by a slim margin of two votes.⁴⁶

This time, the Maškēkowak contested the election. Several Maškēkowak wrote to the Minister of the Interior to protest that Naynahkawkanape’s “qualities are so limited that we truly believe that he is entirely devoid of being competent to be a leader of this band,” referring to the

⁴³ To the Honorable Minister of the Interior, Superintendent General of Indian Affairs from Chief John Thomas Stevenson and Councillors William Asham, Thomas Whitenail, Thomas Greyeyes and George Hudson Apr. 7 1924, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

⁴⁴ George Stevenson, Philip Stevenson, Morgan Thomas, GA Stevenson, GA Cook, and William Thomas to the Minister of the Interior, April 10, 1929, C-133150, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, Library and Archives Canada, Ottawa, ON.

⁴⁵ George Stevenson, Philip Stevenson, Morgan Thomas, GA Stevenson, GA Cook, and William Thomas to the Minister of the Interior, April 10, 1929, C-133150, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, Library and Archives Canada, Ottawa, ON.

⁴⁶ George Stevenson, Philip Stevenson, Morgan Thomas, GA Stevenson, GA Cook, and William Thomas to the Minister of the Interior, April 10, 1929, C-133150, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, Library and Archives Canada, Ottawa, ON.

language in the Indian Act that would allow the DIA to remove an elected leader.⁴⁷ Their specific charges likewise spoke to DIA assimilative goals. Naynahkawkanape did not farm. Instead, he “wanders off every summer.”⁴⁸ Naynahkawkanape remained enmeshed in seasonal movements, traveling throughout his homeland to hunt, fish, and trap. Moreover, he spoke only Anishinaabemowin. Nayanakawkanape lived fully engaged in Saulteaux peoplehood, which made him a dangerous leader from a DIA perspective and a strong ogimaa in the view of his People. Although the DIA delayed approving the new council, by May the Department approved Naynahkawkanape and his fellow councillors, a mix of Maškēkowak and Saulteaux: Thomas Daniels, Colin Wilson, Miles Cochrane, Sr., and Robert Sinclair.⁴⁹

Naynahkawkanape wasted no time in working to ensure Saulteaux governance for the future. During his three-year term as elected chief, he worked to bolster Saulteaux sovereignty, as promised. He pressed the DIA about the one dollar per acre liens that remained unpaid on most of the St. Peter’s land sales.⁵⁰ In 1930, he oversaw a petition to T.G. Murphy, Superintendent of Indian Affairs, in which the Saulteaux tried to resolve the problem of authority caused by frequent elections. The petition called for an end to the elected council “as this arrangement was never inserted in the agreement of our treaty.”⁵¹ If they could not prevent Maškēkowak from dominating the council, disbanding it seemed the safest strategy. To ensure

⁴⁷ George Stevenson, Philip Stevenson, Morgan Thomas, GA Stevenson, GA Cook, and William Thomas to the Minister of the Interior, April 10, 1929, C-133150, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, Library and Archives Canada, Ottawa, ON.

⁴⁸ George Stevenson, Philip Stevenson, Morgan Thomas, GA Stevenson, GA Cook, and William Thomas to the Minister of the Interior, April 10, 1929, C-133150, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, Library and Archives Canada, Ottawa, ON.

⁴⁹ H. Templeman to JD McClean, April 18, 1929, C-133150, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, Library and Archives Canada, Ottawa, ON.

⁵⁰ AG Hamilton to the Secretary of the Department of the Interior, Nov. 9, 19[??], C-8079, Land Sales, Indian Affairs Headquarters Files, RG 10, Vol. 67, File 125 A-6-14, Clandeboye Agency, St. Peter’s Reserve, Land Sales, 1918-1926.

⁵¹ “Chief Grey Eyes and the Peguis Election,” Apr. 13, 1932, *Winnipeg Tribune*, Canadian Department of Indian Affairs, St. Peter’s Indian Reserve, Archives of Manitoba, Folder 3.

Saulteaux governance for the future, Naynahkawkanape hired an attorney, W.A. Kenzie of Winnipeg, to investigate “the question of the voting powers of the half-breed and Swampies on the Peguis Reserve.”⁵² In 1932, as the next election approached, Naynahkawkanape argued through Kenzie that only “full blooded Indians” possessed voting rights under the treaty.⁵³ In a letter to Lavender, who oversaw the election, Kenzie distinguished between “full blooded Indians” and “half-breeds,” which might not seem to include the Maškēkowak.⁵⁴ Naynahkawkanape, however, lumped the Maškēkowak with the mixed-descent people of questionable kinship and social ties. Like previous generations of ogimaag, when Naynahkawkanape said “Indian,” he meant Anishinaabeg. In seeking to prevent the Maškēkowak from voting in the upcoming election, Naynahkawkanape believed he was protecting his People’s sovereignty from encroaching meyaagizid.⁵⁵

The DIA dismissed Naynahkawkanape’s appeal.⁵⁶ Canadian policies erased the outlines of peoplehood under generic bureaucratic definitions of Indianness. Naynahkawkanape, supported by Angus Prince and many other Saulteaux, prepared to face off with DIA officials by refusing to participate in a system that undermined Saulteaux sovereignty. When Lavender made it clear that the election would continue, Naynahkawkanape tried a new strategy to assert his People’s sovereignty. Recruiting Angus Prince as a spokesman, he and Councillor Colin Wilson

⁵² W.A. Kenzie to Lavender, Jan. 7, 1932, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

⁵³ W.A. Kenzie to Lavender, Jan. 7, 1932, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

⁵⁴ W.A. Kenzie to Lavender, Jan. 7, 1932, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

⁵⁵ Obviously, the Maškēkowak found themselves in a precarious position. They had their own peoplehood to protect, and the policies and practices of Settler colonialism placed them in conflict with the Saulteaux.

⁵⁶ T.R.L. McInnes to G.H. Lavender, Jan. 18, 1932, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON. Officials held that if the Department recognized an individual as an Indian and paid treaty, that individual qualified as Indian for all intents and purposes, including voting.

refused to acknowledge the DIA's authority by absenting themselves from the meeting where the election would be announced, undoubtedly hoping by their absence to prevent the council from scheduling the vote.⁵⁷ Cochrane, Daniels, and Sinclair, however, passed a resolution asking to hold the election on March 15, earlier than the usual April date.⁵⁸ The election occurred as chief-less council resolved, and Robert Sinclair won the position of chief. For councillors, the voters elected Thomas Daniels, Joe Thomas, Miles Cochrane, and lone Saulteaux William Prince, Jr.⁵⁹ The Saulteaux had lost control of their reserve, but they prepared to fight back.

Independent Maškēkowak governance threatened Saulteaux sovereignty as much as the DIA. According to Naynahkawanape and his supporters, the 1932 election "consisted only of a part of the Peguis band of Indians, and those that did not have any voice in the treaty made with the Saulteaux Indians."⁶⁰ Angus Prince identified a threat to the Saulteaux treaty. He described the Maškēkowak as "ignorant of our agreement," reminding both Settler officials and the Maškēkowak that the Maškēkowak took no part in negotiating the Stone Fort Treaty in 1871.⁶¹ In their ignorance or perhaps because of the lack of sufficient relationships tying them to Saulteaux peoplehood, the Maškēkowak became, according to Prince, "instruments" that the federal government used "in breaking up our treaty agreement." It seemed to the Saulteaux that the officials favored the Maškēkowak "while the Saulteaux were always deprived of their rights,

⁵⁷ G.H. Lavender to the Secretary of the Department of Indian Affairs, Feb. 22, 1932, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

⁵⁸ G.H. Lavender to the Secretary of the Department of Indian Affairs, Feb. 22, 1932, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

⁵⁹ G.H. Lavender to the Secretary of the Department of Indian Affairs, April. 4, 1932, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

⁶⁰ "Chief Grey Eyes and the Peguis Election," Received by the Department of Indian Affairs, Apr. 30, 1932, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

⁶¹ "Chief Grey Eyes and the Peguis Election," Apr. 13, 1932, *Winnipeg Tribune*, St. Peter's Indian Reserve scrapbook, St. Peter's Indian Reserve, Canada Department of Indian Affairs, Archives of Manitoba, Folder 3.

and robbed of everything else which was granted” by the treaty.⁶² Naynahkawkanape worried that the Saulteaux’s very existence as a distinct People was at stake, for the Maškēkowak entertained, he believed, the “foolish idea of hating to be called Indians.”⁶³ The ogimaag clarified, “We herein certify we do not mean all the Swampies and halfbreeds. There is some of this class who have some commonsense, perfectly satisfied to share with the Saulteaux Indians in their treaty right.”⁶⁴ Naynahkawkanape and Prince emphasized behavior and individual Maškēkowak and mixed-descent men and women’s position within relational networks that determined access to the rights inherent in Saulteaux Peoplehood as protected by the treaty, including in 1932 the right to govern the People.

Protests had followed previous power turnovers—letter-writing campaigns, petitions, speeches. This time—amidst the worsening economic conditions of the Great Depression and increasingly intrusive DIA policies regarding land, governance, and social practices—Naynahkawkanape refused to transfer authority to the newly elected chief and council. With Angus Prince and his pen poised to give voice to Saulteaux arguments in favor of their peoplehood, Naynahkawkanape planned to withhold the medals and the flag that passed from chief to chief as a symbol of their right to govern the People.

Shortly after the election, Lavender arrived at Naynahkawkanape’s house to collect the flag and medals that passed from chief to chief since an aging Chief Peguis bequeathed them to his son and successor as ogimaa, Miskookinew or Henry Prince. One medal Peguis had received

⁶² “Chief Grey Eyes and the Peguis Election,” Apr. 13, 1932, *Winnipeg Tribune*, St. Peter’s Indian Reserve scrapbook, St. Peter’s Indian Reserve, Canada Department of Indian Affairs, Archives of Manitoba, Folder 3.

⁶³ “Chief Grey Eyes and the Peguis Election,” Apr. 13, 1932, *Winnipeg Tribune*, St. Peter’s Indian Reserve scrapbook, St. Peter’s Indian Reserve, Canada Department of Indian Affairs, Archives of Manitoba, Folder 3.

⁶⁴ “Chief Grey Eyes and the Peguis Election,” Apr. 13, 1932, *Winnipeg Tribune*, St. Peter’s Indian Reserve scrapbook, St. Peter’s Indian Reserve, Canada Department of Indian Affairs, Archives of Manitoba, Folder 3.

from Lord Selkirk in 1817 when they agreed upon the Selkirk Treaty. The second medal and flag were gifts from Queen Victoria. In his will, Peguis made the connection between the medals and the symbolic relationships that signified his role as ogimaa. He wrote, “I hereby by these presents, make a Will bequeathing all my Indian Chief-ship to my beloved son Henry Prince or (Mis-koo Kinew) [sic] and everything connected with it. All the Medals and all the signs which distinguished me as a Chief of the Swampy and Saulteaux [sic] tribes.”⁶⁵ The medals represented his authority to lead; they embodied Saulteaux sovereignty. Peguis’s will likewise situated this authority within his Saulteaux relational networks, ending with his hope that the medals along with the role as ogimaa would be “handed down through many generations of my family.”⁶⁶ From Naynahkawkanape’s perspective half a century later, the Maškēkowak had become meyaagizid, and they therefore existed outside of Peguis’s family, the Saulteaux People.

At ten o’clock one evening shortly after the irregular election, Lavender knocked on Naynahkawkanape’s door.⁶⁷ He demanded that Naynahkawkanape hand over the medals and flag, but Naynahkawkanape refused. He resisted on behalf of his People, the Saulteaux, who had told him to protect the items no matter what.⁶⁸ Lavender left empty-handed, and he had to arrange a meeting with Naynahkawkanape and the other Saulteaux ogimaag, including Angus Prince, whom DIA officials described as having “enough education to be dangerous.”⁶⁹ At the meeting in early April, Lavender insisted the Saulteaux relinquish the flag and medals.

⁶⁵ Peguis, Last Will and Testament of Peguis, Jan. 15, 1858, Peguis Collection, Archives of Manitoba, Winnipeg, MB.

⁶⁶ Peguis, Last Will and Testament of Peguis, Jan. 15, 1858, Archives of Manitoba, Peguis Collection, Folder 1.

⁶⁷ “Chief Grey Eyes and the Peguis Election,” Apr. 13, 1932, *Winnipeg Tribune*, St. Peter’s Indian Reserve scrapbook, St. Peter’s Indian Reserve, Canada Department of Indian Affairs, Archives of Manitoba, Folder 3.

⁶⁸ G.H. Lavender to the Secretary of the Department of Indian Affairs, Apr. 4, 1932, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

⁶⁹ Theo A. Hunt to A.G. Hamilton, 13 Jun. 1933, "Correspondence Regarding Grazing Lands and the Prosecution of Indians Who Have Not Accepted the 1907 Surrender of St. Peter's Reserve and Have Remained on It," Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

According to Lavender, “Their contention was that the treaty was made with the Saultaux Indians and that none other than a Saultaux was entitled to be a chief of the band.”⁷⁰ The current stand-off regarding governance centered on the Maškēkowak People’s lack of authority over Saultaux people and resources, but the ogimaag also challenged the Settler policies that granted rights to the Maškēkowak that these neighbors could not claim through relationships. Prince and Naynahkawkanape rejected any power Lavender claimed through the Indian Act, which they termed an “illegal act” while calling the DIA “an illegal body”—illegal because they violated Saultaux sovereignty.⁷¹

The flag and medals embodied the alliance and its undergirding relationship between the Saultaux and the Crown that comprised Treaty One, and Naynahkawkanape refused to relinquish them to Lavender. Handing over the medal was tantamount to passing off his People’s sovereignty. Angus Prince, writing for his People in a newspaper editorial to protest the power grab, clarified the medals’ symbolic significance. “The chief’s medal belongs to the Saultaux Indians,” he wrote, purposefully omitting the Maškēkowak. He went on to link the medals to “our treaty wherein the engraving shows white men standing together with the Indians, shaking hands and pledging friendship.”⁷² Prince believed that Settler officials understood the relationship between medal, treaty, and Saultaux sovereignty. He described the events that followed Naynahkawkanape’s initial dissent as a deliberate effort on the part of the DIA to destroy those relationships. After the ogimaa refused, Lavender called in the Royal Canadian

⁷⁰ G.H. Lavender to the Secretary of the Department of Indian Affairs, Apr. 4, 1932, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

⁷¹ G.H. Lavender to the Secretary of the Department of Indian Affairs, Apr. 4, 1932, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

⁷² “Saultaux Indians and the St. Peter’s Reserve,” Sept. 24, 193[?], St. Peter’s Indian Reserve scrapbook, St. Peter’s Indian Reserve, Canada Department of Indian Affairs, Archives of Manitoba, Folder 3.

Mounted Police to search Naynahkawkanape's house and threaten arrest in order to possess the medal because "if they had gotten the medal, our treaty would have been entirely abolished at once."⁷³ The relationships that created Treaty 1 did not exist outside Saulteaux governance, which had formed the treaty decades earlier. Removing the medal from Saulteaux ogimaa unraveled the treaty, and along with it the sovereignty the Saulteaux had worked so hard to preserve.

Amidst the controversy, Naynahkawkanape traveled to St. Peter's as he did every spring, presumably to trap muskrat in the marshes of his homeland.⁷⁴ Backed by the DIA in Ottawa, Lavender called in the Royal Canadian Mounted Police. RCMP officer Mr. Grieves of Hodgson searched Naynahkawkanape's home on the Peguis Reserve while the ogimaa was at his former ishkonigan, and Grieves confiscated the flag, which Naynahkawkanape had left in his house. Naynahkawkanape, however, had entrusted the medals to his fellow Saulteaux, and the items were not there for Grieves to find. Naynahkawkanape appears to have returned to Peguis by early May, more than a month after the disputed election, with the medals still eluding capture by the DIA. Grieves searched his house again, and Naynahkawkanape watched angrily—Grieves described him as "hostile"—as the unwelcome Grieves invaded his home to search.⁷⁵ The officer

⁷³ "Saulteaux Indians and the St. Peter's Reserve," Sept. 24, 193[?], St. Peter's Indian Reserve scrapbook, St. Peter's Indian Reserve, Canada Department of Indian Affairs, Archives of Manitoba, Folder 3.

⁷⁴ "Report Re: Ex-Chief Greyeyes - Treaty Indian - Peguis Indian Reserve. Hodgson, MB," Apr. 22, 1932, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

⁷⁵ "Report Re: Ex-Chief Greyeyes - Treaty Indian - Peguis Indian Reserve. Hodgson, MB," May 9, 1932, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

found no sign of the medals, which were where Naynahkawkane had left them with the Saulteaux on the north end of the reserve.⁷⁶

Settler officials desperately needed to quell the bold assertion of peoplehood. Grieves found nothing with which to charge Naynahkawkane in the Indian Act, but Lavender wanted the ogimaa arrested, for he “create[d] ridicule of the officers of both the Indian Department and the Police.”⁷⁷ In a clever act of Settler colonial displacement, the DIA claimed that the items “are the property of the Department,” erasing the Saulteaux and their sovereign right to govern their own people. Framing Naynahkawkane’s refusal to give up the medals given to his ancestors as theft of DIA property allowed the RCMP to charge Naynahkawkane with “theft by a person required to account” under Section 355 of the Criminal Code.⁷⁸

Saulteaux sovereignty threatened the DIA and the Canadian Settler colonialism the Department represented. Inspector A.G. Hamilton cautioned the Secretary against “drastic action.”⁷⁹ He worried, “there is a possibility that we might not obtain a conviction, and if we did we might even then not be able to obtain the medals,” for Hamilton recognized that Naynahkawkane would willingly go to jail rather than surrender these symbols of his People’s sovereignty.⁸⁰ If the DIA failed to obtain the medals, they risked not only embarrassment but a more profound challenge to the system that maintained Settler colonial hegemony. Although

⁷⁶ “Report Re: Ex-Chief Greyeyes - Treaty Indian - Peguis Indian Reserve. Hodgson, MB,” May 9, 1932, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

⁷⁷ “Report Re: Ex-Chief Greyeyes - Treaty Indian - Peguis Indian Reserve. Hodgson, MB,” Apr. 22, 1932, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON; G.H. Lavender to the Secretary of the Department of Indian Affairs, May 1932, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

⁷⁸ G.H. Lavender to the Secretary of the Department of Indian Affairs, May 1932, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

⁷⁹ A.G. Hamilton to the Secretary of the Department of Indian Affairs, Jun. 8, 1932, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

⁸⁰ A.G. Hamilton to the Secretary of the Department of Indian Affairs, Jun. 8, 1932, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

Hamilton wrote that “Greyeyes is not deserving of any consideration,” he knew that if the ogimaa possessed the medals, that “fact would be sufficient for the Indians to feel that they had gained a victory in being able to deprive the new Chief and Department of the medals.”⁸¹ Indeed, Naynahkawkanape’s continued control of the medals marked a victory for the St. Peter’s People amidst attacks on their autonomy and system of governance.

From a Saulteaux perspective, governance belonged to the interest of the People as a whole. In June, Lavender tried again to convince Naynahkawkanape to surrender the medals. Naynahkawkanape, for at least the third time, refused.⁸² He repeated that he did not possess the medals, “and that if it was necessary to arrest anyone for holding the property it would be necessary to arrest the band,” for they all claimed the medals.⁸³ Naynahkawkanape, Prince, and their fellow Saulteaux could not undo the election that transferred power to the Maškēkowak and threatened their peoplehood, but by continuing to act as leaders and define the scope of Saulteaux governance, they protected their peoplehood.

“We have got to have a change”: Turtle Mountain

Kanick, thirty years old when he signed the McCumber Agreement in 1892, lived on the mashkode. The ishkonigan boundaries had tightened around him during the previous decades as

⁸¹ A.G. Hamilton to the Secretary of the Department of Indian Affairs, Jun. 8, 1932, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON. It remains unclear whether or not Naynahkawkanape went to jail for withholding the medals. In an undated letter to the editor, Angus Prince mentioned that Naynahkawkanape was incarcerated “on account of fighting for his rights.” This may refer to a later trial for trespassing on the former ishkonigan, the subject of the following chapter, but those trials took place in Selkirk, and Prince indicated that Naynahkawkanape was convicted at a trial in Hodgson where Lavender testified against him and denied him access to an interpreter of his choosing. If Naynahkawkanape spent time in jail for “stealing” the medals, it was for less than a year, for he was in St. Peter’s during the summer of 1932 and again in April of 1933. “Saulteaux Indians and the St. Peter’s Reserve,” Sept. 24, 193[?], St. Peter’s Indian Reserve scrapbook, St. Peter’s Indian Reserve, Canada Department of Indian Affairs, Archives of Manitoba, Folder 3.

⁸² A.G. Hamilton to the Secretary of the Department of Indian Affairs, Jun. 8, 1932, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

⁸³ A.G. Hamilton to the Secretary of the Department of Indian Affairs, Jun. 8, 1932, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, RG 10, Library and Archives Canada, Ottawa, ON.

the federal government chipped away at the Turtle Mountain People's aki, and the McCumber Agreement transformed his mashkode home into a 160-acre allotment. He and his wife Shewanepeneskik, both of whom spoke primarily Anishinaabemowin or Michif and could neither read nor write, shared a paper-roofed log house with children and grandchildren. Shewanepeneskik's share of the ishkoniigan had been "sold through the government," but she and Kanick grew potatoes, carrots, rutabagas, onions, beans, and other vegetables in a two-acre garden on Kanick's allotment.⁸⁴

Kanick served as ogimaa for the Turtle Mountain People for most of his adult life. As early as 1908, he served as a council member, along with Kakenowash (who headed the Committee of Thirty-Two), Kaishpa Gourneau (novelist Louise Erdrich's broad-shouldered and goateed ancestor who became a prominent leader in Little Shell III's absence in Montana during the 1870s and 1880s), and nine other men from various families.⁸⁵ In the first two decades of the twentieth century, Kanick also served his community as a police officer, incorporating the paid work into his seasonal round. As a police officer, Kanick's responsibilities included distributing rations to those too old or infirm to collect them from the agency.⁸⁶

Kanick's work put him in a unique position to observe his People's impoverished circumstances. By 1908, the federal government had delayed payments for the McCumber Agreement and several years of growing seasons shorted by rain and cold springs made food and cash scarce.⁸⁷ Shortly after the new year in 1908, Kanick and the other council members wrote to

⁸⁴ Turtle Mountain Industrial Survey, Reports of Industrial Surveys, 1922-1929, RG 75, National Archives Washington, D.C., Box 45.

⁸⁵ Schwab to JD Scherer, Aug. 12, 1908, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

⁸⁶ Kanick to R.C. Craige, 31 Dec. 1918, Indian Policy, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

⁸⁷ Schwab to Ziebach, Jun. 11, 1909, Copies of Correspondence Sent, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO, Box 2; Schwab to Ziebach, Oct. 7 1909, Copies of Correspondence Sent, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO, Box 2.

North Dakota Senator Henry Clay Hansbrough, “The crop failure of 1907, and the prevailing sickness amongst our tribe, this winter has placed many in destitute circumstances.”⁸⁸ By the 1920s, overcrowding strained limited ishkonigan resources, and a five year drought in the early 1930s depleted lakes and reduced crops.⁸⁹ Kanick’s past experiences with deadly winters, as well as his direct contact with those most in need, undoubtedly informed his sense of urgency as Kanick and his fellow council members tried to force federal officials to honor their obligations.

The centripetal effects of confinement on an ever-smaller sliver of their homeland and the centrifugal forces of allotment pulled at the relational web that comprised Turtle Mountain peoplehood. Territorial and jurisdictional boundaries cut through relationships with land, kin, ceremonial cycles, sacred stories, and language. Previously, the Turtle Mountain People incorporated distant mashkoden into Anishinaabewaki, relied on what land they had to support inawemaagan, and used their labor to reaffirm threatened relationships. In the 1920s and 1930s, even while carrying out the terms of the Ten-Cent Treaty—reviewing enrollment requests and administering allotments—Kanick and other Turtle Mountain ogimaag used their leadership to protect their peoplehood. The ogimaag recognized the persistent threat from intrusive federal policies that impeded local control.

The 1932 constitution grew out of an unbroken history of Ojibweg leadership.⁹⁰ By 1908, Kanick had become the council’s “chief and chairman.” Continuously rebuffed by Farmer in

⁸⁸ Council to C.H. Hansbrough, Jan. 29, 1908, Delegations, 1908-1910, Turtle Mountain Subgroup; RG 75, NARA Kansas City, MO.

⁸⁹ Turtle Mountain Land Acquisition Project, RG 75, National Archives, Washington, D.C.

⁹⁰ Keith Richotte narrates a dibaajimowin of the 1932 constitution in which he emphasizes the hunger of the people, both physically and metaphorically in the context of their sovereignty. He writes, “Our relatives wanted a constitution because they thought it would help them get things done. Lots of folks were unhappy about conditions on the reservation for a lot of reasons. Most people felt cheated by the federal government back when the tribe and the feds negotiated an agreement....” Richotte’s story evokes the critical questions that concerned the Turtle Mountain People. How to handle experiences of hunger and poverty, an interfering and domineering host of Settler

Charge William Schwab, the council sought to circumscribe Schwab and other local officials by proving its legitimacy to the federal government. In the late nineteenth and early twentieth centuries, councils throughout Indian Country faced inconsistent, opportunistic federal policies that sometimes denied and often manipulated their existence to further Settler goals of expansion and erasure.⁹¹ The Turtle Mountain ogimaag gave agency officials plenty of “evidence of a desire to designate policies of administration.”⁹² On the one hand, the council’s efforts stalled again and again. On the other hand, they succeeded in preserving leadership to advocate for their People’s sovereignty.

The council devoted much of its attention to pursuing a claim against the federal government for the Ten-Cent Treaty debacle. Ogimaag and other individuals waged a continuous letter-writing campaign seeking a jurisdictional bill in Congress, the first step in suing the Settler government protected by sovereign immunity.⁹³ In the 1920s, several lawyers received permission from the Department of Indian Affairs to visit reservation ogimaag and discuss claims, but several jurisdictional bills died in Congress.⁹⁴ In 1924, the year of the Indian Citizenship Act, Turtle Mountain Anishinaabeg, from the reservation to Montana, held a series of meetings to organize a coherent, unified claim and to send a delegation to Washington, D.C.,

officials and the land cession agreement that broke up their homeland—all questions at the heart of Turtle Mountain sovereignty. Richotte, “Telling All of Our Stories: Reorienting the Legal and Political Events of the Anishinaabeg,” *Centering Anishinaabeg Studies*, 379-396.

⁹¹ I just realized I need a footnote here.

⁹² J.H. Hyde to Commissioner of Indian Affairs, Sept. 17, 1931, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

⁹³ See Harvey D. Rosenthal, *Their Day in Court: A History of the Indian Claims Commission* for the historical developments of the Court of Claims. Since 1863, when Congress amended the Court of Claim’s waiver of sovereign immunity to exclude Native Peoples from using the court, Indigenous suits required special, individual jurisdictional bills. Congress passed the first such jurisdictional act in 1881, and between 1881 and 1946, the Court of Claims heard 219 claims from Indian Peoples. Only 35 of these cases succeeded. Rosenthal, *Their Day in Court* (New York: Garland Publishing, Inc., 1990), 24.

⁹⁴ Richotte, “We the Indians,” 116-118.

to present it directly to federal officials.⁹⁵ Superintendent McQuigg and Department of Interior officials in Washington refused to fund the trip, but Kanick and his fellow ogimaag did not abandon the claim.

The claim was about peoplehood.⁹⁶ In order to protect their land base, Turtle Mountain People needed money. Filing fees, taxes, and legal expenses generally exceeded cash incomes, both on an individual and tribal level. By the 1920s, the Turtle Mountain People had already seen the effects of this shortage on their homelands. Meyaagizid pocked the prairies and hills created for the People, opening room for competing jurisdictions and exploitative agriculture, logging, and mining. If pursuing a claim against the federal government could not restore their original homeland, it could at least provide the financial resources to hold on to what remained. As the effort to start the claim demonstrated, they needed money to circumvent local officials—although there was always the problem of accessing money held by the Department, and that raised questions of governance. Moreover, most discussions of the claim included undoing *Voight v. Bruce*, a Department of Interior administrative decision from 1916. *Voight v. Bruce* revoked allotments from children born after 1904, when Congress ratified the McCumber Agreement. The procedural ruling deprived 859 children of their right to an allotment. By pursuing a claim, the men and women of Turtle Mountain hoped that their children would have access to the aki and resources that were their birthright as one of the Turtle Mountain People.

⁹⁵ E.B. Merrill to Henry J. McQuigg, 22 Jan. 1924, Claims against the Government, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO; E.B. Merrill to Theodore Brine [sic], 22 May 1924, Claims against the Government, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO. Kenneth Philp charts a connection between the Indian Citizenship Act and a dramatic increase in tribal claims, which rose so quickly that Congress set aside money for an Indian Tribal Claims Section in the General Accounting Office. Several years later, the Merriam Report suggested that unsettled claims negatively impacted Native men and women, but Congress did not follow its recommendation to investigate and settle all existing claims. Philp, *Termination Revisited: American Indians on the Trail to Self-Determination, 1933-1953* (Lincoln: University of Nebraska Press, 1999), 17-18.

⁹⁶ Richotte calls the claim “the major force driving the political action of the day at Turtle Mountain.” Richotte, ““We the Indians,”” 137-138.

In 1926, Turtle Mountain ogimaag faced renewed challenge to their sovereignty from new superintendent James H. Hyde, who immediately clashed with ogimaag and the community more broadly. The list of accusations against him included forcing the sick to work for aid, withholding individual money accounts, limiting his office hours to one day per week, threatening “agitators” with a gun, and knowingly distributing spoiled pork in rations. When confronted with the rancid pork, Hyde replied, “It would undoubtedly save some criticism if we were to burn what remains of this pork and refrain from issuing it at all, but because use can be made of it I dislike to do so.”⁹⁷ Whereas Anishinaabeg had long understood rations in the context of reciprocal alliance relationships, made even more essential for the Turtle Mountain People given the opportunistic Ten-Cent Treaty, Hyde viewed the long list of ration-seekers—only growing longer as the Great Depression deepened—as beggars who should be happy with whatever aid they received. His authoritarian, paternalistic attitude drew the council’s ire.⁹⁸

By the end of the summer in 1931, Turtle Mountain ogimaag lost their patience. On September 10, the council compiled a nine-point list of priorities that fell into three main themes: controlling the land, accessing resources, and recognizing their autonomy as a people. While the claim remained an important goal for the council, their proposal sought to restore and protect their relationship with the aki through more direct reservation-based measures. “We also want the right to fish on the Little Fish Lake, situated on the Turtle Mountain Reservation,” the

⁹⁷ James H. Hyde to Commissioner of Indian Affairs, 24 Feb. 1930, Complaints, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

⁹⁸ In 1930, Hyde attempted to recover a tractor that fell through the ice of Fish Lake by dynamiting the frozen lake, which killed many fish. Hyde showed no respect for Turtle Mountain resources, and he demonstrated seemingly no concern for the Turtle Mountain families that would go hungry if they could not obtain fish from the lake. JG Brien to Secretary of Interior, 3 Jan 1930; Turtle Mountain Subgroup; RG 75, NARA Kansas City, MO.

council wrote, “and to hunt any game, for the purpose of making a living.”⁹⁹ The council sought to ensure that they could access essential resources and feed their families. They also refused to allow Settler borders to further divide their homeland. As Superintendent Hyde explained, Little Fish Lake lay “not entirely within Indian country inasmuch as a large portion of the lake shore was acquired by white men.”¹⁰⁰ Although the reservation’s boundaries contained the lake, the effects of allotment had transferred title of the lake’s shores to a muddle of individual ownership and competing jurisdictions. Beyond the simple Indian/non-Indian division, Hyde strictly separated the so-called wards from those who had received patents for their land. Hyde, with his typical arrogance, “repeatedly advised these people that wards of the Government are privileged to fish on the Lake adjacent to ward land without restriction,” while patent-in-fee landowners had to follow state game and fish laws, even on their own land.¹⁰¹ Kanick, Brien, and their fellow ogimaag rejected these arbitrary boundaries within Anishinaabewaki. They denied the power of state laws to extend to their reserved lands, and they demanded access for all members of the Turtle Mountain People without regard to Settler statuses, for they saw the lake and its resources as belonging to the People as a whole.¹⁰²

Similarly, the council sought to control access to the resources for relief work. New Deal-era work relief projects offered new avenues for relief, both through general Works Progress Administration programs and the Indian Emergency Conservation Work program (IECW) or the Civilian Conservation Corps-Indian Division (ICC-ID). Through labor on roads, forestry work,

⁹⁹ Turtle Mountain Tribe of Chippewa Indian Council, Memorandum of Reports to be presented to the Investigator, 10 Sept. 1931; Complaints; Turtle Mountain Subgroup; RG 75, NARA Kansas City, MO.

¹⁰⁰ Hyde to Commissioner of Indian Affairs, 8 Oct. 1931, Complaints, Turtle Mountain Subgroup; RG 75, NARA Kansas City, MO.

¹⁰¹ Hyde to Commissioner of Indian Affairs, 8 Oct. 1931, Complaints, Turtle Mountain Subgroup; RG 75, NARA Kansas City, MO.

¹⁰² Turtle Mountain Tribe of Chippewa Indian Council, Memorandum of Reports to be presented to the Investigator, Sept. 10, 1931; Complaints; Turtle Mountain Subgroup; RG 75, NARA Kansas City, MO.

construction and other so-called “conservation” efforts, Indigenous people—primarily men—could access cash wages that their hungry families desperately needed.¹⁰³ At Turtle Mountain, the opportunities were primarily roads projects. The council wanted “to give an equal share of the work done, at this Agency project to enrolled members of the Turtle Mountain Tribe of Indians, now being done by unenrolled, Indians from other reservations, which are given to them instead of the Indians of this reservation.”¹⁰⁴ The council appealed specifically to the relational networks that bound together the People, arguing that the agency should make relief work available “to Indians, who are enrolled here, whether, a Trust Patent or a Patent in Fee and give them equal share of the work in the roads.”¹⁰⁵ By spreading the available opportunities evenly, the ogimaag not only honored their obligations as leaders but also reinforced kinship relationships and kept families on the ishkonigan.

In addition to securing control over land and resources, the council argued to protect their sovereignty on principal. When they asked to direct relief, they were trying to reclaim power over daily decisions from Agency officials. They requested “an interpreter that can talk the Indian language, French, Cree, and Chippewa, fluently, so theat [sic] the Indians can understand

¹⁰³ Historian Brian Hosmer provides one of the most insightful discussions of Indian engagement with New Deal relief programs in his study of attitudes toward work relief on the Wind River Reservation. Additionally, Brenda Child discusses how Ojibweg in Wisconsin and Minnesota engaged relief programs and used them to sustain community and seasonal labor practices. Hosmer, “‘Dollar a Day and Glad to Have It’: Work Relief on the Wind River Indian Reservation as Memory,” Child, *Holding Our World Together*, 97-120. Additional work on Indian New Deal work relief include Paul C. Rosier, “The Real Indians, Who Constitute the Real Tribe: Class, Ethnicity, and IRA Politics on the Blackfeet Reservation,” *Journal of American History* 18:4 (Summer 1999): 3-39; Donald Parman, “The Indian and the Civilian Conservation Corps,” *Pacific Historical Review* 40 (1971): 39-56; Calvin W. Gower, “The CCC Indian Division: Aid for Depressed Americans, 1933-1942,” *Minnesota History* 43 (1972): 3-13; Roger Bromert, “The Sioux and the Indian-CCC,” *South Dakota History* 8 (Fall 1978): 340-356.

¹⁰⁴ Turtle Mountain Tribe of Chippewa Indian Council, Memorandum of Reports to be presented to the Investigator, Sept. 10, 1931; Complaints; Turtle Mountain Subgroup; RG 75, NARA Kansas City, MO.

¹⁰⁵ Turtle Mountain Tribe of Chippewa Indian Council, Memorandum of Reports to be presented to the Investigator, Sept. 10, 1931; Complaints; Turtle Mountain Subgroup; RG 75, NARA Kansas City, MO.

themselves” and interact with Settler officials on equal footing.¹⁰⁶ The request was not only practical; it also called attention to Turtle Mountain peoplehood. Hyde recognized the threat to his authority as the council rebuffed internal intrusions. He complained, “At the time the tribal council was formed, it was stated as their purpose to present and push tribal claims but since the council has been formed, I have had evidence of a desire on the part of the council to designate policies of administration.”¹⁰⁷ Hyde correctly ascertained the council’s desire.

On September 15, the council held a meeting without Hyde’s knowledge. Kanick, Brien, and the other ogimaag narrowed their nine-point list to the topic of road work and decided to present their recommendations directly to Hyde. They chose four people, including Brien, to take their proposal to the superintendent. The delegates waited for the one day each week when Hyde held open office hours. In Hyde’s office, Brien explained that the ogimaag wanted “to give some poorer families, some work, who has had no work ever since the work has started here.”¹⁰⁸ According to Brien, the superintendent “sarcastically” responded, “The Commissioner of Indian Affairs, put me here to do as I please, and I will do as I please, and you committee men has nothing to do about it, this is the very words our Superintendent used when we wanted to have an interview with him.”¹⁰⁹ When he recounted the incident to his superiors, Hyde’s response appeared somewhat more measured, but in its essence the same. Hyde claimed to have “advised them [the council] that matters of administration would continue to be handled by this office without interference on the part of the council.” He consented that he would “gladly discuss with

¹⁰⁶ Turtle Mountain Tribe of Chippewa Indian Council, Memorandum of Reports to be presented to the Investigator, Sept. 10, 1931; Complaints; Turtle Mountain Subgroup; RG 75, NARA Kansas City, MO.

¹⁰⁷ J.H. Hyde to Commissioner of Indian Affairs, Sept. 7, 1931, Complaints; Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹⁰⁸ J.G. Brien to Charles H. Berry, Sept. 15, 1931, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹⁰⁹ J.G. Brien to Charles H. Berry, Sept. 15, 1931, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

them at any time matters pertaining to the tribe, or in which the tribe as a whole was interested, but that matters of policy and administration for which I was solely responsible, I could and would not make the subject of Council conferences.”¹¹⁰ Either way, Hyde made his intentions clear. He did not respect Turtle Mountain sovereignty.

Hyde further attacked the Turtle Mountain People’s sovereignty by disparaging their Indianness. “These people here are not Indians of the Sioux, Crow or Navajo type, but are the products of the older French voyageurs and fur traders,” Hyde dismissively wrote to his superiors. He claimed that no more than three hundred of the enrolled Turtle Mountain members had more than half blood quantum, and he blamed the “administrative problems” on “the mixed bloods, who are far more difficult to deal with.”¹¹¹ Brien, Kanick (frequently identified as a so-called full-blood), and the rest of the Turtle Mountain People, however did not understand their peoplehood as dependent on blood but rather on living relationships—relationships that the council strove to protect by confronting Hyde. The ogimaag and Hyde defined “tribal questions” in different terms.¹¹² “[I]s this the way that an Indian Superintendent should have answer[ed] his Indians?” Brien asked after they confronted Hyde across his desk.¹¹³ His answer, and the rest of the council’s answer, was no. “The people are getting indignant,” wrote Brien following the encounter, adding, “we have got to have change.”¹¹⁴

¹¹⁰ J.H. Hyde to Commissioner of Indian Affairs, Sept 17, 1931, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹¹¹ J.H. Hyde to Commissioner of Indian Affairs, Oct. 8, 1931, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹¹² J.H. Hyde to Commissioner of Indian Affairs, Sept. 17, 1931, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹¹³ J.G. Brien to Charles H. Berry, Sept. 15, 1931, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹¹⁴ Charles H. Berry, Sept. 15, 1931, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

The council pursued change by going over Hyde's head to seek Department recognition. Some time in September, around the time of the incident with Hyde, Kanick, Brien, and the other members of the Turtle Mountain Tribe of Chippewa Indian Council sent a copy of their by-laws and a constitution to the Secretary of Interior for review.¹¹⁵ The Secretary of Interior rejected the constitution with no explanation other than that the Department found it “not satisfactory.”¹¹⁶ Moreover, Hyde informed Kanick, Brien, and the other ogimaag that the Turtle Mountain reservation had “no legally recognized council.”¹¹⁷ Hyde had informed Washington officials that the council lacked community support, since it was elected by a mere 86 ballots. Hyde, however, made it seem as though the council had only existed for a few short months, despite dealing with Kanick and the others throughout his tenure. The council’s attempts at affecting change stalled against the barrier of Settler administration, but the ogimaag remained determined.

The next year, the ogimaag tried again to formalize their leadership. Council and community members continued to write letters to Department of Interior officials, lawyers, and Congressmen.¹¹⁸ In 1932, Hyde left the reservation, replaced by Charles Asbury and then Francis J. Scott. On October 6, the *Turtle Mountain Star* profiled the new superintendent, who declared that under his stewardship, “the progress made at Belcourt will prove an eye-opener to those

¹¹⁵ John B. Vandal, Sr, Frank Delorme, Skinner to James H. Hyde, Sept. 11, 1931, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO. No copy of these documents seems to exist. Richotte agrees that all that no copies exist in either the national or regional archives.

¹¹⁶ J.H. Scattergood to J.G. Brien, Dec. 16, 1931, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹¹⁷ J.H. Hyde to Wallette, etc., Nov. 17, 1931, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹¹⁸ “Indian Claim Bill Is Introduced By Frazier,” *Turtle Mountain Star*, 26 Jan. 1933. One of these Congressmen, North Dakota Senator Lynn Frazier, took an interest in sponsoring both the council and their claim. As a former North Dakota governor who grew up in Pembina County where many Turtle Mountain People inawemaagan lived, Senator Frazier would have been familiar with the Anishinaabeg People’s history and struggles. “Finding Guide to the Lynn Frazier Papers,” Lynn Frazier Papers, North Dakota State University Archives, Fargo, ND.

interested.”¹¹⁹ On the same page, likely of more interest to a People weary with overbearing superintendents, the paper announced a meeting “for the purpose of electing tribal officials and adopting a constitution for the tribe.”¹²⁰ The People would get to decide if their ogimaag’s plan for a constitution promised the change they needed.

In October 1932, agency officials presented the constitution and bylaws to the skeptical but determined Turtle Mountain People. Frustrated by several decades of Settler interference that contributed to rising dislocation, overcrowding, hunger, and other daily struggles, the Turtle Mountain People gathered to consider the constitution. They met in October, when the prospect of another long, hungry winter loomed before them. Many families waited on payments from the Depression-hit Settlers who leased their lands in Montana, often one of the few sources of cash income that helped families make it through the winter. The meeting took place in the auditorium of the new elementary school in Belcourt, part of a building project completed the previous fall.¹²¹ Francis J. Scott, who succeeded Asbury's brief tenure as superintendent days earlier, led the meeting along with Stormon, but Turtle Mountain ogimaag quickly directed the conversation to their own purposes and concerns.

Scott, who had twenty years of experience in the Indian Service, opened the meeting. He began forcefully and declaratively, undoubtedly hoping to set the tone of his leadership over an Indigenous community whose activism had wrested authority from his predecessors. Scott explained that their meeting that afternoon had one purpose: “to consider the adoption of bylaws and constitution prepared for an organization to be created on the Turtle Mountain Reservation to

¹¹⁹ S.A. Levine, “Agency Superintendent Sees Interesting Work,” *Turtle Mountain Star*, Oct. 6, 1932.

¹²⁰ “Tribal Meeting Called for Belcourt Saturday,” *Turtle Mountain Star*, Oct. 6, 1932.

¹²¹ “Officials of Both State and Nation Dedicate New School,” *Turtle Mountain Star*, November 19, 1931, p. 1.

handle matters for the tribe.”¹²² Scott presented adopting the constitution as a bureaucratic formality. He called the constitution and bylaws “a course of procedure” that all Native American Peoples had to go through “where the tribe has matters they want to deal with.”¹²³ And the Turtle Mountain People certainly had matters to deal with, as even the recently-arrived Scott knew. For decades, the Anishinaabeg had fought for their claim against the government, and word had spread that the constitution provided the means to achieve that goal. With talk of the claim in the air, Scott emphasized that the proposed form of organization was particularly important “when the tribe feels it has a claim against the Government,” largely because federal officials required some recognized body to sign a contract with attorneys in order to pursue a claim.¹²⁴ Undoubtedly informed of the differing opinions among the People, Scott attempted to forestall debate. Standing in front of the gathered crowd, he announced, “We are not here to discuss the merits or demerits” of the document or the resulting organization but only to vote on the constitution as written.¹²⁵ The Turtle Mountain People, however, proceeded to discuss.

First, the Turtle Mountain People wanted to hear the constitution. Few Turtle Mountain People could read, and many spoke only Ojibwemowin or Michif. Translating the constitution into Ojibwemowin may have helped some in the audience to see the document within the relational networks of their peoplehood. Before Scott could read the document, the people

¹²² Minutes of Meeting Held at the School Auditorium, October 8, 1932, for the Purpose of Electing a Tribal Council for the Turtle Mountain Chippewa Indians, Belcourt, North Dakota, October 8, 1931, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹²³ Minutes of Meeting Held at the School Auditorium, October 8, 1932, for the Purpose of Electing a Tribal Council for the Turtle Mountain Chippewa Indians, Belcourt, North Dakota, October 8, 1931, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹²⁴ Minutes of Meeting Held at the School Auditorium, October 8, 1932, for the Purpose of Electing a Tribal Council for the Turtle Mountain Chippewa Indians, Belcourt, North Dakota, October 8, 1931, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹²⁵ Minutes of Meeting Held at the School Auditorium, October 8, 1932, for the Purpose of Electing a Tribal Council for the Turtle Mountain Chippewa Indians, Belcourt, North Dakota, October 8, 1931, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

attending the meeting voted to have it interpreted in Michif by Haskell-educated elder and long-time council member Louis Marion.¹²⁶ The constitution consisted of six articles, which set up a basic framework for an organized body subordinate to local agency officials and the Department of Interior. The first article established the organization's name as the Turtle Mountain Advisory Committee, suggesting a supporting role. Article II listed the duties as "to promote co-operation of the Turtle Mountain Band of Chippewa Indians with the Superintendent and the plans of the government, and to assist the Superintendent in an advisory way in promoting social, financial, and industrial welfare, and the best interests of the tribe."¹²⁷ The ability to initiate action lay with the superintendent. According to the language of the constitution, the committee would sign papers but not play an active role in generating the paperwork, and the superintendent would decide if a "matter requires actions of the general tribal council."¹²⁸ The third article established procedures for elections and criteria for the nominees. The council consisted of eight "recognized enrolled members," with the additional requirements of being twenty-one years or older, possessing no criminal record, and having at least one quarter Indian blood. Settler officials insisted on the blood quantum requirement for the Turtle Mountain People. While corresponding with lawyers and his superiors in Washington about preparing the constitution, former superintendent Asbury questioned the Indianness of the Turtle Mountain People, arguing that without a minimum degree of Indian blood, the council "might become in a very short time, a

¹²⁶ Marion, born in 1870 in Pembina County, appeared as a council member as early as 1908. He settled in the Turtle Mountain region around 1886. Schwab to J. D. Scherer, August 12, 1908, Copies of Correspondence Sent by the Superintendent, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO; Les LaFontain, Orié Richard, and Scott Belgarde, "Who I Am: A Guide To Your Turtle Mountain Home," Turtle Mountain Community College, no date, 9.

¹²⁷ "Constitution and By-Laws for the organization, Government and Election for an Advosiry [sic] Committee of the Turtle Mountian [sic] Band of Chippewa Indians," Appendix A in Richotte, "'We the Indians,'" 326.

¹²⁸ "Constitution and By-Laws for the organization, Government and Election for an Advosiry [sic] Committee of the Turtle Mountian [sic] Band of Chippewa Indians," Appendix A in Richotte, "'We the Indians,'" 326.

committee of essentially white people.”¹²⁹ Article III also set council terms at two years, with half the council seats up for election each year.¹³⁰ Article IV held that the committee would chose from their number a chairman, vice-chairman, secretary, and treasurer and included the oath of office, which swore to uphold the United States constitution and “co- operate with the superintendent in charge of the reservation to promote and protect the best interests of the Indians of the Turtle Mountain Band of Chippewa Indians.”¹³¹ The fifth article simply stated that the constitution went into effect as soon as a majority vote approved it, and the final article set up a procedure for proposing amendments, which required the approval of the Commissioner of Indian Affairs.¹³²

As soon as Scott finished reading the constitution, the discussion he had tried to prohibit began. Richotte explained, “Well, Nanaboozhoo must have been in the room trying to stir up a little trouble because everybody wanted to talk about it. Lots of folks were unhappy. This constitution did not come from the community, and many realized that it was a bad document that had the potential to take away more authority than it gave.”¹³³ Robert Bruce, whom the local paper described as a “full-blooded Chippewa Indian and one of the leading coronet virtuosos in the United States,” started to ask questions.¹³⁴ He wanted to know who wrote the document and why. Stormon then explained how Senator Frazier had contacted him and asked him to look into preparing a constitution. Stormon said that he modeled the document after “two or three

¹²⁹ C.H. Asbury to Commissioner of Indian Affairs, April 20, 1932, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹³⁰ “Constitution and By-Laws for the organization, Government and Election for an Advosiry [sic] Committee of the Turtle Mountian [sic] Band of Chippewa Indians,” Appendix A in Richotte, ““We the Indians,”” 327.

¹³¹ “Constitution and By-Laws for the organization, Government and Election for an Advosiry [sic] Committee of the Turtle Mountian [sic] Band of Chippewa Indians,” Appendix A in Richotte, ““We the Indians,”” 329.

¹³² “Constitution and By-Laws for the organization, Government and Election for an Advosiry [sic] Committee of the Turtle Mountian [sic] Band of Chippewa Indians,” Appendix A in Richotte, ““We the Indians,”” 330.

¹³³ Richotte, “Telling All of Our Stories,” *Centering Anishinaabeg Studies*, 388.

¹³⁴ “To Dedicate New Belcourt School Thursday November 12,” *Turtle Mountain Star*, November 5, 1931, p. 1.

constitutions and by-laws from other reservations that had been approved,” and like Scott he emphasized that accepting the constitution was the first essential step to pursuing their claim.¹³⁵ Scott interrupted the discussion to remind the gathered crowd that they could always change the problematic contents later, “Unless there is something seriously objectionable, the idea would be to adopt this constitution and by-laws because the principal thing is to get organized.”¹³⁶ According to the meeting minutes, Scott and Stormon’s responses satisfied Bruce. He replied, “There is no objection against the constitution and by-laws. We realize it must be done according to the wishes of the Department.”¹³⁷ No one else asked any clarifying questions, and the meeting adjourned for lunch.

The afternoon session opened with a vote. The People remained divided, and the constitution failed to gain approval. Bruce again objected. Perhaps he had discussed matters during the lunch break, or perhaps the meeting minutes misquoted him. Whatever the explanation, Bruce voiced the concerns of those who opposed the document. He got to his feet and said, “I feel this constitution invests altogether too much power in the hands of the Superintendent.”¹³⁸ He objected to both tone and content, adding, “The various articles all seem to be so constructed as to give the balance of power to the Agency office and on these grounds I think the plan is not only unfair, but unjust.”¹³⁹ From Bruce’s perspective, by placing power in

¹³⁵ Minutes of Meeting Held at the School Auditorium, October 8, 1932, for the Purpose of Electing a Tribal Council for the Turtle Mountain Chippewa Indians, Belcourt, North Dakota, October 8, 1931, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹³⁶ Minutes of Meeting Held at the School Auditorium, October 8, 1932, for the Purpose of Electing a Tribal Council for the Turtle Mountain Chippewa Indians, Belcourt, North Dakota, October 8, 1931, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹³⁷ Minutes of Meeting Held at the School Auditorium, October 8, 1932, for the Purpose of Electing a Tribal Council for the Turtle Mountain Chippewa Indians, Belcourt, North Dakota, October 8, 1931, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹³⁸ “Indians Organize to Present Tribal Claim,” *Turtle Mountain Star*, October 13, 1931, p. 4.

¹³⁹ “Indians Organize to Present Tribal Claim,” *Turtle Mountain Star*, October 13, 1931, p. 4.

the hands of the superintendent rather than the ogimaag who would comprise a council, the proposed constitution threatened his People's sovereignty. He saw little difference between the relationship proposed in this constitution and the intrusive authority against which Turtle Mountain ogimaag had struggled for decades. Speaking of justice, he expected the federal government to recognize his People's autonomy. The gathered Anishinaabeg continued to discuss the constitution.¹⁴⁰

By the time Scott called for a second vote, the opinion in the room shifted. The second poll resulted in 172 votes in favor of the constitution and 38 against.¹⁴¹ No record exists of what Scott said to persuade Bruce and the constitution's other opponents. Nor is it clear whether Bruce voted in favor of the document. The *Turtle Mountain Star* reported vaguely that "the objections of Bruce gave way to approval," but he may have been among the thirty-eight.¹⁴² The October 8 meeting in the schoolhouse was only one afternoon in more than forty years of struggle. The vote took place within the larger context of defending Turtle Mountain peoplehood and evolving leadership. And, perhaps, most importantly for a hungry, struggling People, the constitution and Turtle Mountain Advisory Committee represented the opportunity to finally pursue their claim against the United States. Those who voted yes undoubtedly remembered Scott's words from before the break: "there is no way under the sun that they can get that claim before the proper court without following the procedure set down by the Department."¹⁴³ Approving the constitution was the first step of that procedure, according to Scott.

¹⁴⁰ "Indians Organize to Present Tribal Claim," *Turtle Mountain Star*, October 13, 1931, p. 4.

¹⁴¹ "Indians Organize to Present Tribal Claim," *Turtle Mountain Star*, October 13, 1931, p. 4.

¹⁴² "Indians Organize to Present Tribal Claim," *Turtle Mountain Star*, October 13, 1931, p. 4.

¹⁴³ Minutes of Meeting Held at the School Auditorium, October 8, 1932, for the Purpose of Electing a Tribal Council for the Turtle Mountain Chippewa Indians, Belcourt, North Dakota, October 8, 1931, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

The Advisory Committee elected that afternoon preserved pre-existing relationships with ogimaag. The new members consisted of Robert Bruce, Kanick, John Jeanotte, John Azure (No. 1), Gregory Brien, Louis Marion, Claude Azure, Severt Poitra.¹⁴⁴ At least Kanick, Brien, and Marion sat on earlier councils, and Robert Bruce led the Turtle Mountain Co-Operative Association, an organization intended for “mutual benefit, to educate the residents of the reservation in citizenship and to bring them to a full realization of their responsibilities as voters and citizens.”¹⁴⁵ In the second election, Joe Walette and Louis Gourneau, both of whom served previously with Kanick, joined the Advisory Committee. Kanick, who traced his ogimaa status to his ties to the Little Shell family, continued to head the council, although Robert Bruce had the highest number of votes at the October 8 meeting. Joe Walette nominated Kanick as chairman because “being the only full blood Indian, I think he would be better suited to act as Chairman.” Walette, meanwhile, received the vice chairmanship “for the reason that Mr. Walette can read and write.” Louis Marion’s language skills made him interpreter, and John Jeannotte became

¹⁴⁴ F.J. Scott to Mr. H.W. Swenson, Mar. 9, 1933, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹⁴⁵ “Organization Is Formed On Indian Reservation,” June 2, 1932, *Turtle Mountain Star*. The Turtle Mountain Co-Operative Association emerged in 1931 or 1932. Robert Bruce, one of the leaders of the organization, described its purpose as According to the Co-Operative Association’s bylaws, in addition to good citizenship and “cooperation with Agency officials,” the Association promoted “the Farm program and the work of the Field Nurse and Social Worker.” Superintendent Balmer described them as “rather active in promoting farming, stock raising, etc.” The Turtle Mountain Co-Operative Association defined their membership broadly. Their bylaws stated that “[E]very Indian of the Turtle Mountain Reservation, ward, patent-in-fee, enrolled or non-enrolled Indian man and woman” could join the Association, provided they could demonstrate “good character.” They did not mention blood quantum. These open membership requirements reflected the continued relationships among kin subdivided by Settler categories dating back to the McCumber Commission and offered an alternative to the restrictive criteria of the Advisory Committee’s bylaws. The Co-Operative Association, however, never claimed to serve as a representative body or governing council until after the Turtle Mountain People accepted the problematic but potentially useful constitution and by-laws. Because the leadership of the Advisory Committee and the Co-Operative Association often overlapped, perhaps many of the Co-Operative Association’s leaders thought that the new association could more easily extricate itself from the constitution that made the committee subordinate to the Department of Indian Affairs. The Co-Operative Association highlights the questions about land, resources, and political priorities that continued to shape evolving governance among the Turtle Mountain People. Richotte, “We the Indians,” 331, 332; J.E. Balmer to Commissioner of Indian Affairs, December 13, 1934.

treasurer.¹⁴⁶ With Kanick leading the transition, the new Advisory Council represented not a radical break from Anishinaabe systems of governance but a strategic adaptation intended to preserve the foundation of Turtle Mountain peoplehood.

The council began work on the claim immediately. They convened their first meeting on January 2 and, after swearing in the seven officers and listening to Scott speak about self-determination, the Advisory Committee resumed the work of promoting their People's sovereignty.¹⁴⁷ Along with a large crowd of Turtle Mountain men and women that gathered for the inaugural meeting of the new constitutionally-recognized leaders, the Advisory Committee immediately took up the claims question that had driven interest in the new constitution. The seven-point complaint prepared at the meeting focused on land and resource rights, as well as compensation for the many times the Settler government violated those rights. The first item sought to protect future generations access to their dwindling homeland, renewing the change that their status as one of the People entitled children born after the McCumber Agreement to land via allotments. The complaint also asserted that off-reservation allotments included not only surface rights but also full access to the land's resources reflecting Anishinaabeg understandings of land usage. They asked the federal government to compensate the people for allotment filing fees unfairly charged to hundreds of men and women, interest on ceded lands since the federal government had first asserted rights over Turtle Mountain territory following the executive orders that reduced the *ishkonigan*, and a general statement that the ten cents per acre amounted

¹⁴⁶ Meeting of the Turtle Mountain Advisory Committee, 2 July 1934, Acts of Tribal Councils 1931-1945, , Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹⁴⁷ "Notice," Dec 28, 1932, Acts of Tribal Councils 1931-1945, , Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO; "Turtle Mountain Committee Officers Prepare Claims Against Government," *Turtle Mountain Star*, Jan. 5, 1933.

to little more than theft.¹⁴⁸ The Advisory Committee signed a contract with three attorneys to pursue the claim, and the first meeting adjourned with what looked like momentum and what felt like a strong statement of sovereignty.

Propelled by the promising first meeting, the Advisory Committee pursued the work of peoplehood that previous superintendents had blocked. They received word of a new jurisdictional bill introduced by Senator Frazier at the end of January.¹⁴⁹ At the July 29 meeting, the Advisory Committee discussed interviewing and “Taking testimony of the elder people in order to have the Business Affairs, to show our Government, that our indians [sic] was not Properally [sic] Treated at the time.”¹⁵⁰ Because the jurisdictional bill repeatedly failed in Congress, Scott would not allow them access to the necessary funds. The bill stalled, but meanwhile the Advisory Committee had plenty of governing to occupy their time.¹⁵¹

The Advisory Committee sought to carry out ogimaag’s expected roles in allocating resources. In 1933, one of the Advisory Committee’s main concerns centered on providing and directing relief to their impoverished People. During a September meeting, Joseph Gourneau stated the Advisory Committee’s position “that all of the indians [sic] of the Reservation...should at least have a say to this Relief is put out for the tribe.”¹⁵²

By February, the Advisory Committee had new business that cut to the heart of their concerns. News had arrived from Washington of a new piece of legislation. Turtle Mountain

¹⁴⁸ “Notice,” Dec 28, 1932, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO; “Turtle Mountain Committee Officers Prepare Claims Against Government,” *Turtle Mountain Star*, Jan. 5, 1933.

¹⁴⁹ “Indian Claims Bill Is Introduced By Frazier,” *Turtle Mountain Star*, Jan. 26, 1933.

¹⁵⁰ “Minutes of the Meeting July 29th,” Jul. 29, 1933, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹⁵¹ Frazier introduced another bill in 1937. This bill failed, as did two more in 1938 and 1939. Richotte, “ ‘We the Indians,’ ” 173.

¹⁵² “Minutes of the Meeting of the Tribal Committee at five, Two, five P.M. September 12, 1933,” Sept. 12, 1933, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

ogimaag already governed their People, within Settler constraints, when they learned about a new policy from the most recent administration in Washington. The Turtle Mountain People were not the only Native Americans struggling with poverty and land loss. The 1928 Merriam Report revealed the failures of Settler policies in the U.S., describing education, family, health, and other social concerns, and made clear the need for change. Bureau of Indian Affairs commissioner John Collier, who has provoked strong and often competing opinions from congressmen, Indians, and historians alike, worked with Congress and the Department of Interior to present the Wheeler-Howard Act, named after Montana Senator Burton K. Wheeler and Nebraska Representative Edgar Howard, the bill's sponsors in Congress. The Wheeler-Howard Act, also known as the Indian Reorganization Act or IRA, passed Congress in mid-June 1934. Only five pages remained of Collier's original forty-eight-page opus on self-determination, and those few pages curtailed some of Collier's promise for tribal sovereignty. Stronger in economic development than cultural or political autonomy, the IRA offered several potential solutions to the problems Turtle Mountain ogimaag faced. The legislation not only promised to end allotment but also provided a means of recuperating lost lands, a desperate need on a reservation too small for its population. Collier's vision also provided for federally-recognized self-governance and control of tribal assets, which may have seemed a less compelling feature for a council that had so recently enacted its own constitution. The bill also offered access to educational resources, preferential employment in the BIA, and revolving credit funds.¹⁵³ Turtle Mountain ogimaag

¹⁵³ Rosier, *Rebirth of the Blackfeet Nation*, 92-94.

approached the IRA cautiously, with interest, as a potential tool to support their peoplehood, as they had with the 1932 constitution.¹⁵⁴

The Wheeler-Howard Bill spurred concerns about land. The council members revealed at the February meeting that they disagreed about collective versus individual ownership of land, although they all shared the desire to recoup their territorial losses. The council wanted to present a plan so that “lands lost through patent-fee [sic] be re-allotted outside the limits of the reservation,” preferably in a single block.¹⁵⁵ Gregoire Brien, who farmed his allotment near Belcourt, believed that tribal ownership would mean that “the people would be fighting all the time” over who had the rights to what land.¹⁵⁶ Louis Gourneau responded “that this was the most misrepresented idea and destroyed most of the lands of the Indians.”¹⁵⁷ Where Brien preferred to preserve the status quo that parceled land to individuals, perhaps thinking of his own farm, Gourneau critiqued the allotment system that had carved up the Turtle Mountain People’s reduced land base. John Azure, another council member, suggested that the lands be individually owned but in a single block, preserving the unity of their peoplehood and jurisdiction. The

¹⁵⁴ As legal historian Charles Wilkinson writes, “Tribes possessed their own sovereignty with or without an IRA constitution.” The BIA continued to dominate reservation affairs regardless, and, like the Turtle Mountain People, Peoples such as the Siletz were organized already, if not to federal specifications. Wilkinson sees the 1930s as part of the long trench into which sovereignty fell until the 1970s, even as he recognizes that Siletz leaders and the community more broadly continued to shape and challenge federal policy on the reservation. The IRA did not grant sovereignty to Indian Peoples, and rejecting the legislation did not withhold their sovereignty. For the Turtle Mountain People sovereignty came from the relationships of their peoplehood, which their ogimaag cultivated by experimenting with various forms of organization. The council and the community evaluated the bill in terms of their peoplehood. Both those who supported it and those who opposed it questioned how the legislation might impact the relationships that they had so painstakingly preserved through years of loss and poverty. Wilkinson, *The People are Dancing Again*, 273-275.

¹⁵⁵ Meeting of the Tribal Council Meeting, February 6, 1934, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹⁵⁶ Meeting of the Tribal Council Meeting, February 6, 1934, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO; “Taken Up Notice,” May 26, 1932, *Turtle Mountain Star*.

¹⁵⁷ Meeting of the Tribal Council Meeting, February 6, 1934, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

ogimaag agreed, at least, that it must be “not like it is now.”¹⁵⁸ The council members felt obligated to protect the aki, and they could only understand the Wheeler-Howard Bill in the context of this aspect of their peoplehood.

The council members approached the Wheeler-Howard Act cautiously as a potential mechanism for repairing their fractured lands, a goal toward which ogimaag on various councils had long struggled. The council drafted a petition, starting conservatively with forty acres of land for all those who had lost their allotments “through sale.” This they revised “to extend the reservation to an area of forty by eighty miles,” an area twice as large as the the original Executive Order reservation but considerably smaller than the millions of acres the Turtle Mountain People ceded in the McCumber Agreement, “That way all Indians would have an equal share.”¹⁵⁹ Martin then raised the size of the land to 160 acres for every one of the People. The ogimaag specifically included not only those on the reservation but also those who had no choice but to take allotments on the public domain, regardless of whether they had lost their land or not, and they stipulated that the federal government should provide building supplies to resettle on the hoped-for land. The six council members present at the meeting voted in favor of the petition.¹⁶⁰

The Advisory Committee looked into what the bill could do to promote their peoplehood. Aware of uncertain and dissenting views in Indian Country, Commissioner John Collier called for a series of meetings, the first at Rapid City, North Dakota. The council voted that all eight

¹⁵⁸ Meeting of the Tribal Council Meeting, February 6, 1934, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹⁵⁹ Meeting of the Tribal Council Meeting, February 6, 1934, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹⁶⁰ Meeting of the Tribal Council Meeting, February 6, 1934, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

members should attend the meeting.¹⁶¹ Superintendent Scott secured approval, and on March 1 the council traveled to Rapid City by school bus for the meeting.

Collier opened the four-day congress with a passionate speech. The Commissioner promised a new era of partnership, proclaiming, “It is to be for the Indians themselves to determine what laws Congress shall pass for them.”¹⁶² In a narrative that likely resonated with Kanick and his fellow Turtle Mountain delegates as they sat in the stuffy room, Collier lamented the past century of land loss and poverty, noting that the United States had increased its wealth while “the wealth of the Indians, instead of increasing, has been melting away.”¹⁶³ His solution echoed what the Turtle Mountain People had repeated for decades: “There must be no more land lost. There must be more land obtained.”¹⁶⁴ Following speeches by officials representing the U.S., the forum opened to the Indigenous delegates to ask questions. Kanick and his fellow Advisory Committee members asked no questions but listened during four days of conversations.

The closing statements made by Turtle Mountain delegates reveal their cautious consideration of the Wheeler-Howard Bill in the context of evolving governance on their *ishkonigan*. On March 4, the third day of the gathering, John Azure stated, “At present time our Reservation is twelve miles long and six miles wide and in that Reservation there are more than three people. The better half of this Reservation is now owned by the white people. So we are having a hard time. Something must be done so we can get along better than this.”¹⁶⁵ After three days of listening, however, Azure still had not determined whether the new legislation being

¹⁶¹ Meeting of the Tribal Council Meeting, February 6, 1934, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹⁶² “Minutes of the Plains Congress, Rapid City Indian School, Rapid City, South Dakota, March 2-5, 1934,” *The Indian Reorganization Act: Congresses and Bills*, edited by Vine Deloria, Jr. (Norman: University of Oklahoma Press, 2002), 27.

¹⁶³ “Minutes of the Plains Congress, Rapid City, South Dakota,” *The Indian Reorganization Act*, 27.

¹⁶⁴ “Minutes of the Plains Congress, Rapid City, South Dakota,” *The Indian Reorganization Act*, 29.

¹⁶⁵ Minutes of the Plains Congress, Rapid City, South Dakota,” *The Indian Reorganization Act*, 77.

discussed provided the surest means of achieving his People's goals. He continued, "Now, the way we understand Mr. Collier's explanation, it sounds rather good to us delegates, but we are not going to say that we are in favor of the new policy or against it."¹⁶⁶ He resolved to return to the ishkonigan and share what he had learned and then "if the majority wants to take up this new policy it is up to them."¹⁶⁷ He concluded, "If the Government can work out a plan that helps us out, some way to get us on our feet—that is what we want. I thank you." The statement struck a balance between reminding federal officials of their obligation to the Turtle Mountain People while also emphasizing the Anishinaabeg's autonomy.

Kanick echoed Azure's cautious consideration the next morning. After a customary humble greeting in which he referred to himself as "a poor man" and addressed Collier directly, he says that what he heard during the previous three days "is all for the benefit of the people."¹⁶⁸ Like Azure, he pledged to "tell my people what this great man has told me."¹⁶⁹ He seemed optimistic about the bill's promises to help landless and impoverished Indians. "Concerning this self-government," however, Kanick admitted, "I am not quite ready to accept it yet because my people are not just starting."¹⁷⁰ The ogimaa may have been referring to the new constitution, or to still-pending claims. Kanick suggested that his People had already started governing themselves, and he hesitated to undo what progress they had made.

The congress concluded on Monday March 5. In closing remarks, Walter Woehlke, field representative for the Commissioner of Indian Affairs, promised that federal officials would "find out then from each tribe, from each Reservation whether you want to eat, and what kind of

¹⁶⁶ Minutes of the Plains Congress, Rapid City, South Dakota," *The Indian Reorganization Act*, 77.

¹⁶⁷ Minutes of the Plains Congress, Rapid City, South Dakota," *The Indian Reorganization Act*, 77.

¹⁶⁸ Minutes of the Plains Congress, Rapid City, South Dakota," *The Indian Reorganization Act*, 87.

¹⁶⁹ Minutes of the Plains Congress, Rapid City, South Dakota," *The Indian Reorganization Act*, 87.

¹⁷⁰ Minutes of the Plains Congress, Rapid City, South Dakota," *The Indian Reorganization Act*, 87.

fork you want to use,” metaphorically reaffirming that the United States intended to allow Indian Peoples autonomy in assessing whether the legislation matched their communities’ needs.¹⁷¹ The eight Turtle Mountain delegates boarded the school bus with five days’ worth of information and questions to share with their People.

The Wheeler-Howard Bill highlighted existing tensions surrounding the Turtle Mountain Advisory Committee and its externally-created constitution. Throughout the summer, fall, and winter, Agency officials held several meetings on the reservation to discuss the community’s concerns, primarily about land and the status of allotments.¹⁷² At a council meeting on February 2, 1935, Alex Martin, chairman of the Turtle Mountain Council and the Turtle Mountain Co-Operative Association, called for a study of the bill. The council decided to choose two people for each reservation district to learn about the Wheeler-Howard Act and then “be placed in the field for the purpose of fully acquainting all Indians as to the provisions of the Bill.”¹⁷³ Each council member would select the representatives for their respective areas. Kanick, still a member of the council, noted that he expected many of the people to resist the bill. “It is going to be a hard problem to put this plan over to all the Indians, as practically all the full bloods still believe in the chief,” he said, presumably referring to Chief Little Shell, whose son was now in his thirties and living at Dunseith, “and it is going to be very difficult to convince those living around Dunseith and on the west end of the reservation that the Wheeler-Howard Bill will assist them.”¹⁷⁴ The Dunseith community remained distinct from the main reservation communities.

¹⁷¹ Minutes of the Plains Congress, Rapid City, South Dakota,” *The Indian Reorganization Act*, 97.

¹⁷² “Discuss Features of Self Government Bill,” October 11, 1934, *Turtle Mountain Star*; J.E. Balmer to Lippert, November 25, 1934, Wheeler-Howard, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹⁷³ Minutes of Council Meeting, February 2, 1935, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹⁷⁴ Minutes of Council Meeting, February 2, 1935, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

L.C. Lippert, the superintendent at the Standing Rock agency who helped J.E. Balmer transition to superintendent after Scott transferred to Arizona in 1934, reported, “At no time since then [the 1932 constitution] has a Dunseith Indian been on the council nor do they attempt to obtain representation on the council.”¹⁷⁵ Instead, they formed their own, independent council around an unnamed Little Shell descendent, most likely Kanick’s now-grown adopted son Thomas.¹⁷⁶

Little evidence remains from the perspective of those who opposed the bill, or at least those who chose not to vote for it. Advisory Committee member Alex Martin, who supported the Wheeler-Howard Bill, suggested that people “are all much in favor of the Self-Government.” The controversy came from worries that “this New proposition will effect [sic] their Claims now pending in Congress.”¹⁷⁷ Cutting off the families who most needed land reform might have encouraged others to distrust the bill.¹⁷⁸

Some members of the Turtle Mountain Co-Operative Association including Alex Martin took advantage of the opportunity to promote their organization and leadership, which they believed could better support Turtle Mountain relationships with their lands. Martin, who served simultaneously as chairman of the Co-Operative Association and of the Advisory Committee in 1934, opposed the Advisory Committee even while he supported the bill. He objected to the constitution’s provision that “only Indians that are enrolled at the Agency of Belcourt, N.D., can

¹⁷⁵ L.C. Lippert to J.H. Kaiker, April 24, 1935, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹⁷⁶ L.C. Lippert to J.H. Kaiker, April 24, 1935, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO. The Dunseith community pursued a separate claim against the government and occasionally disagreed with the Turtle Mountain Advisory Committee over their competing claims. Kanick, for instance, referred to the new Little Shell’s followers as “non-enrolled agitators” and fought to quash their claim, discrediting Dunseith leaders as gamblers and liquor sellers. Kanick to Commissioner of Indian Affairs, September 10, 1934, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹⁷⁷ Alex Martin to Mr. Lemke, May 5, 1934, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹⁷⁸ Council file 064, Rehabilitation, January 1935, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

Vote in selecting Officers of the Tribal Council.”¹⁷⁹ Martin preferred to define belonging more expansively and believed that governance on the ishkonigan should include those beyond its boundaries.

Supporters of the bill looked forward to its promises to recover aki and provide financial relief, both essential to advancing their peoplehood. Alex Martin supported the bill because “our Reservation is in bad shape.”¹⁸⁰ The land reform and relief opportunities offered hope of renewal, and the Advisory Committee continued to face resistance from agency officials. At a meeting where they also discussed various relief efforts and community needs—a sanatorium, an x-ray machine and additional physician for the hospital, vocational training for children over sixteen, a new community building, and additional day schools—agency officials told the council that the bill would help the People obtain the necessary funding to achieve their goals. In fact, officials warned that rejecting the bill may disqualify the ishkonigan from relief. Wilson stated, “If you vote yourself out from under that bill it would not look very well to ask for it [aid]. We’ve got to take all of the bill or none of it. If we accept it, these things will be part of it.”¹⁸¹ For the supporters of the bill, as with its opponents, the decision involved more than a question about self government; their very peoplehood, linked to the aki and relief that could fulfill reciprocal kinship obligations, was at stake.

The vote for the bill highlighted tensions that divisive, Settler-imposed statuses caused within the People. Only those on the reservation could vote in the referendum, not the members of the People who lived on homestead allotments, regardless of their ties to the community or

¹⁷⁹ Alex Martin to Mr. Lemke, May 5, 1934, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹⁸⁰ Alex Martin to Mr. Lemke, May 5, 1934, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹⁸¹ Minutes of the Council Meeting Held at the School Monday March 11 1935, March 11, 1935, Acts of Councils.

even distance from its Settler-defined borders.¹⁸² The Turtle Mountain People voted on whether or not to accept the IRA on June 17, 1935. Slightly more than half of the voting population of 1,181 men and women cast their ballots.¹⁸³ The results were overwhelmingly opposed to the new legislation: 257 in favor and 550 against.¹⁸⁴

In the 1930s, the Turtle Mountain People asked many questions about how best to politically defend their sovereignty in the midst of land loss and poverty. The 1932 constitution resolved some questions, but it left many unanswered. In some ways, the 1932 constitution failed. The resulting centralized governing body functioned in a primarily advisory capacity. The hoped-for claim still had not materialized by the 1940s. Many in the community, including the Turtle Mountain Co-Operative, disputed whether the constitution and the Advisory Committee could truly protect and promote Turtle Mountain peoplehood. Nevertheless, through debates and Settler interference, Kanick and other ogimaag continued to lead with the help of their People. Decisions and disagreements occurred within the framework of Turtle Mountain peoplehood, which remained vibrant and active in part because of the conversations surrounding evolving governance.

“The will of the people of this reservation”: Lac Courte Oreilles

Near the center of the Lac Courte Oreilles ishkoniagan at the western end of the new Chippewa Flowage, the community of Akwawewining, the place where they fish through the hole in the ice or Chief Lake, faced a changing landscape. Rising water levels from the Winter

¹⁸² Collier to J.E. Balmer, May 10, 1935, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹⁸³ Collier to J.E. Balmer, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO; Balmer to Indian Office, Jun. 17, 1935, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

¹⁸⁴ Balmer to Indian Office, Jun. 17, 1935, Acts of Tribal Councils 1931-1945, Turtle Mountain Subgroup, RG 75, NARA Kansas City, MO.

Dam destroyed the once-rich manoomin, and logging and land-loss because of the effects of allotment alienated the previously dense woods. Anakwad or Pete Cloud lived on a peninsula that jutted out into the southwestern corner of the lake. His allotment allowed him and his family—his wife Akwetawegiji “Bibi” Cloud, his adult sons Frank and John Pete, and their wives and children—to continue to live in the oodena where his ancestors rested beneath jibegamigoon (grave houses). Politically active, Anakwad served on the Tribal Council as early as 1916.¹⁸⁵ Both his father and grandfather had been ogimaag for Akwawewining, and the community recognized Anakwad as their ogimaa in the early twentieth century. He opened the manoomin harvests among the families who riced at Lake Pahquahwong in ceded territory to the north.¹⁸⁶ He and his family supported themselves on their allotment by raising a garden. Anakwad also owned several horses, chickens, and a cow and calf. Hunting, cutting wood, and seasonal wage labor in the logging and tourist industries provided flexible and much-needed cash for seeds, livestock and other expenses such as doctors.¹⁸⁷ His economic activities also allowed him to live up to his reciprocal obligations as ogimaa. His goddaughter Marie Cloud Morrow remembered, “He was a good humored man who went around cutting wood for people in the area who needed help. He had three gardens in his place and would give visitors anything they wanted from his gardens.”¹⁸⁸ He fought the dam alongside the Wolfs and Oshogay, and his home on the peninsula afforded him a close view of dwindling manoomin and the tourist cabins that soon lined the lake. He wanted to keep the ishkoniagan whole and protect its resources for his

¹⁸⁵ “Proceedings, Tribal Council Lac Courte Oreille Indians held at the Old Trading Post, Dec 28, 1916,” Dec. 28, 1916, General Correspondence, Great Lakes Agency, RG 75, NARA Chicago, IL.

¹⁸⁶ Vennum, *Just Too Much of an Indian*, 21-22, 35. This lake is a different Pahquahwong than the Winter Dam flooded.

¹⁸⁷ “Peter Cloud,” Hayward File, Reports of Industrial Surveys, 1922-1929, RG 75, National Archives Building, Washington, DC.

¹⁸⁸ Rick St. Germaine, “Chief Lake Indian Village,” *Lac Courte Oreilles Journal* (Aug. 1986).

children and grandchildren, and he actively pursued governance beyond his own community to protect his People's needs.

Several miles south and west, Zaagajiw or John Kingfisher lived with his young family. A member of the Name (Sturgeon) doodem, Kingfisher and his wife Lucille Mike Kingfisher built a home just south of Gibaakwa'igan (Billyboy Dam) on the allotment he inherited from his father along Couderay Creek, an offshoot of the Couderay River.¹⁸⁹ They lived near the center of the now-defunct Signor logging operations, responsible for deforesting many allotments. Kingfisher owned a team of horses and two dozen chickens, and he raised a garden and hay on the fifteen acres of his allotment that he had cleared.¹⁹⁰ A veteran of World War I, Kingfisher spoke both Anishinaabemowin and English, occasionally serving as interpreter at general councils. His bilingual skill and active presence in council meetings during the fight against the dam positioned Kingfisher in a leadership role.¹⁹¹ He was young—thirty-five years the junior of Anakwad—but in his life he witnessed changes that negatively impacted his people and their homeland: the dwindling land (Kingfisher sold his own allotment after receiving fee patent); the flooded woods, graves, and manoomin; and long and hungry winters made hungrier by federal officials' seeming indifference.¹⁹² He wanted better for his family and the rest of his People, and he hoped to use his emerging role as a leader to benefit them. He and Anakwad would come to disagree about the details, but they shared the same goal of defending Anishinaabe peoplehood.

¹⁸⁹ "Alberta Fleming Honored as 2007 Anishinaabekwe," *Sawyer County Record*, July 18, 2007; "John Kingfisher," Hayward File, Reports of Industrial Surveys, 1922-1929, RG 75, National Archives Building, Washington, DC.

¹⁹⁰ "John Kingfisher," Hayward File, Reports of Industrial Surveys, 1922-1929, RG 75, National Archives Building, Washington, DC.

¹⁹¹ "Minutes of a General Council of the Lac Courte Oreilles Indians held at Reserve, Wisconsin, October 16, 1920," October 16, 1920, Decimal Correspondence, Hayward Indian School, RG 75, NARA Chicago, IL.

¹⁹² "John Kingfisher," Hayward File, Reports of Industrial Surveys, 1922-1929, RG 75, National Archives Building, Washington, DC.

Kingfisher and Anakwad represented the dominant perspectives about leadership among the Lac Courte Oreilles People. Debates about leadership entangled with the best methods for protecting peoplehood. In the 1930s, when the IRA presented new opportunities, Kingfisher promoted a reorganized system of governance that relied on regular elections and a central council to act as intermediary between the People and the federal government and to enact self-determination. Anakwad, meanwhile, distrusted centralized elective governance and promoted broad, decentralized participation. Federal officials and even Kingfisher, Anakwad, and other Ojibwe cast these debates as a generational rift, with older Anishinaabe such as Anakwad clinging to tradition and Kingfisher's generation rushing headlong into uncertain progress. The lines, however, shifted and blurred, and both perspectives remained committed above all else to sustaining Anishinaabe sovereignty rooted in the relationships of their peoplehood.

Since the end of the nineteenth century, in addition to the ogimaag who continued in their pre-reservation patterns, federal officials had created a Business Committee or Tribal Council. Much like the Business Committee at Turtle Mountain, the Lac Courte Oreilles group had limited, largely undefined power subordinated to the local farmer and later agent. Federal officials designed the Tribal Council to legitimize Settler power in Indigenous homelands, and they expected passive conformists.¹⁹³ Many Ojibweg, frustrated with the lack of progress in asserting the People's shared goals as water and Settler agendas claimed their lands, manoomin, and mitigoog, saw the Tribal Council as an arm of the federal government rather than the People.¹⁹⁴ Even with severely truncated power, however, the Tribal Council fought for the Lac Courte Oreilles People's sovereignty. The Lac Courte Oreilles Council's refusal to accept

¹⁹³ *Survey of Conditions of the Indians in the U.S. (1929)*, 2012.

¹⁹⁴ Redix, *The Murder of Joe White*, 181-182.

constraints frustrated Farmer David Jacobs. “They make a Council meeting of the Business Meeting,” he complained when he only wanted the Business Committee to approve allotment assignments.¹⁹⁵ Their “speeches in Chippewa,” an undeniable expression of peoplehood, particularly provoked him. He wanted to appoint the committee, rather than allow oodena to elect their representatives, and to force them to speak in English. Elections, however, continued sporadically during the next two decades.¹⁹⁶

New reservation challenges meant that patterns of governance continually evolved. Reservation boundaries redistributed power among oodena. Before the 1870s, when Settler officials marked Lac Courte Oreilles’ borderers, Rice Lake dominated the region’s politics. Nena’aangabi, Rice Lake’s primary ogimaa who earned both military and diplomatic respect, led the Lac Courte Oreilles delegation to La Pointe to negotiate the 1854 treaty. When Rice Lake ended up fifty miles southwest of the reservation’s edge, Nena’aangabi’s influence and that of his sons Waabizheshi and Giishkitawag (Joe White), waned, especially after most of the Rice Lake community faced removal to the reservation via coercive allotment policies that forced them to take land within the fixed bounds of the ishkonigan.¹⁹⁷ Through at least the 1930s, Thomas Bracklin, Nena’aangabi’s descendant, continued to claim his role as ogimaa, but Rice Lake and its dwindling manoomin no longer held the same influence in the Lac Courte Oreilles People’s economy, and many residents had taken allotments within the reservation, primarily in

¹⁹⁵ David E. Jacobs to S. W. Campbell, Nov. 20, 1908, General Correspondence, Great Lakes Agency Subgroup, RG 75, NARA Chicago, IL.

¹⁹⁶ Father Gordon to R.C. Craige, Dec. 23, 1918, General Correspondence, Great Lakes Agency Subgroup, RG 75, NARA Chicago, IL; “Council at Pahquahwong,” Oct. 23, 1918, General Correspondence, Great Lakes Agency Subgroup, RG 75, NARA Chicago, IL; Superintendent to Norman Guibord, Mar. 9, 1933, 066, General Correspondence, Great Lakes Agency Subgroup, RG 75, NARA Chicago, IL. It is important not to overstate the power of the Tribal Council, either with the federal government or their own People. As the 1920s had shown, the federal government easily ignored Ojibwe leaders even when they donned the outward expectations of U.S. politicians.

¹⁹⁷ Redix, *The Murder of Joe White*, xv.

the Whitefish Lake region on the western borders of the ishkonigan.¹⁹⁸ Rice Lake remained an integral part of the Lac Courte Oreilles People's homeland, but other oodena such as Pahquahwong, Signor, and Akwawewining shifted toward the center.

Through the 1920s and into the 1930s, many Ojibweg at Lac Courte Oreilles remained distrustful of the Tribal Council. In 1928, the Tribal Council clashed with many of the men and women over a delegation to President Calvin Coolidge, who was vacationing in northern Wisconsin on the Bois Brule River. The Tribal Council wanted to entice President Coolidge to visit their ishkonigan, presumably to help the People's claims regarding the dam and unauthorized logging. They decided to give him an Ojibwe name and stage a tribal induction ceremony, which had become part of the political theater in a tourist-driven local economy.¹⁹⁹ Because names have to come from a we'e, or recognized dreamer, the council approached Zhooniyaagiizhig or John Mink, who had named a number of children. Zhooniyaagiizhig responded, "You want me to dream up a name for some goddamn white man? ... I don't care *what* he is president of."²⁰⁰ Zhooniyaagiizhig believed the council disrespected Ojibwe ceremony, and many others agreed with him preferring Zhooniyaagiizhig's example of leadership rooted in his role as spiritual advisor. Instead of the spectacle of a naming ceremony, Peter Wolf, a member of the Tribal Council and "recognized by the tribe as a headman," traveled to the Bois Brule River and presented President Coolidge with a beaded bandolier bag, belt, and leggings.²⁰¹ The will of the People forced the Business Council to abandon their original plan, demonstrating not only the tensions surrounding emerging forms of leadership but also the

¹⁹⁸ Redix, *The Murder of Joe White*, 179-182.

¹⁹⁹ Norrgard, *Seasons of Change*, 108-127.

²⁰⁰ Venum, *Too Much of an Indian*, 322.

²⁰¹ Commissioner to Everett Sanders, Aug. 13, 1928, 066, General Correspondence, Great Lakes Agency Subgroup, NARA Chicago, IL.

strength of community-based governance that respected essential relationships such as ceremony.

Questions about leadership often coalesced around issues of land and resources. Ogimaag were responsible for distributing resources, and in the context of resources made scarce by Settler colonialism and economic depression, that meant confronting federal, state, and local Settler forces to protect their besieged homelands. Money from timber sales all but stopped in 1928, in part because of larger regional decline in the timber industry and partially because of the rapid clearcutting forced by the flooding of many allotments.²⁰² The Lac Courte Oreilles tribal fund contained twenty-two thousand dollars, most of it from the dam project and timber sales, and various individual funds totaled forty-six thousand dollars.²⁰³ The men and women of Lac Courte Oreilles, however, could not obtain these funds, either as individuals or as a People. Superintendent Ryder and the government farmers who controlled most of the daily interactions from Reserve, restricted access. My great-great-grandmother, Julia Galien Cornelia, experienced what many of her contemporaries did when she wrote to the Superintendent in 1923 about the settlement from her flooded heirship allotment. A mother with young children including my great-grandmother Virginia Cornelia, four years old at the time, Julia had written unsuccessfully several times to inquire after money in her account that would help to feed and clothe her growing family.²⁰⁴ Layers of Settler bureaucrats who assumed they knew better than Ojibwe people like my great-grandmother restricted access to the People's financial resources. Along

²⁰² *Survey of Conditions of the Indians in the U.S. (1929)*, 2009.

²⁰³ *Survey of Conditions of the Indians in the U.S. (1929)*, 2009.

²⁰⁴ Julia Galien Cornelia to R.C. Craige, May 1, 1923, General Correspondence of the Superintendent, 1914-1931, Bureau of Indian Affairs Hayward School/Lac Courte Oreilles Reservation, RG 75, NARA Chicago, IL, Box 5. In 1929 testimony before representatives from Congress, multiple Ojibweg from Lac Courte Oreilles made similar complaints. See *Survey of Conditions of the Indians in the U.S. (1929)*.

with the rising waters and downed trees, the Lac Courte Oreilles People's sovereignty was at risk.

In 1929, Congressional officials visited reservations around the country to investigate conditions on Indian reservations following the Merriam Report in 1928. The tour included a stop in Hayward. Familiar faces including Father Gordon, William Wolf, and Thomas Bracken testified on behalf of their People. They focused on four areas in particular where federal officials and local Settlers had violated their sovereignty and threatened their peoplehood: the dam and the Power Company's unfulfilled promises, especially the flooded graves; land loss and unauthorized logging; hunting and fishing rights; and Ryder's failure to provide aid to sick or needy Ojibweg.²⁰⁵ Additionally, the hearings revealed how urgently Lac Courte Oreilles ogimaag sought to assert their leadership and the uncertainty of the federal government toward these leaders. Thomas Bracklin, for instance, took the stand on the first day of testimony. He held out a medal that dangled from a black ribbon, marked on the back with George Washington's signature and the date of 1789.²⁰⁶ "I want to speak for the tribe, and I want the Indians to speak for them, because I am their chief," he stated, presenting the medal as evidence. He traced his authority as ogimaag to his mother and grandfather, "the Chippewa chief from this district."²⁰⁷ By this district, Bracken meant Rice Lake, now outside the reservation. His grandfather Nena'aangabi signed the Treaty of 1854 at LaPointe, and his mother, Aazhaweyaa, attained fame as a skilled warrior who defended her People's territory against the Dakota.²⁰⁸

²⁰⁵ *Survey of Conditions of the Indians in the U.S. (1929)*, 2022-2024.

²⁰⁶ "Indian Hearings Marked by Humor and Tragedy," *Milwaukee Journal*, July 14, 1929.

²⁰⁷ *Survey of Conditions of the Indians in the U.S. (1929)*, 2022.

²⁰⁸ Redix, *The Murder of Joe White*, 101-123.

“See that medal. Nobody else here has a medal like that,” he proclaimed to the crowded room.²⁰⁹ He seemed to testify primarily to make his claim as ogimaa. He answered no other questions, except to say that he endorsed what his fellow Ojibwe had already said.²¹⁰ Bracklin’s testimony, however suggests the ways that the Lac Courte Oreilles validated leadership. The medal, much like the ones Naynahkawkanape refused to turn over to the DIA, represents the relationships established through negotiating alliances and treaties during the nineteenth century, and they evoked a chain of kin through which he made his claim. Leadership remained enmeshed in the relational network of peoplehood.

William Wolf spoke at the same meeting. Wolf, once a strong, able-bodied hunter, fisher, and guide, suffered from TB that would claim his life within the year and had already left him pale, shrunken, and unable to raise his voice above a whisper.²¹¹ He made no claim to be chief, but he spoke with authority about eighteen thousand dollars worth of stolen timber that disappeared from tribal lands in 1926. He objected not only because no one compensated his People but also because no one bothered to consult them before removing the timber.²¹² Unlike Bracklin, people from Lac Courte Oreilles entrusted Wolf with their charges. He had traveled home from a sanitarium in Iowa to testify.²¹³

Unfortunately, Wolf’s illness, itself a product of colonialism, killed him several months after the hearings, and, despite his symbolic relationships, Bracklin seemed to lack the

²⁰⁹ “Indian Hearings Marked by Humor and Tragedy,” *Milwaukee Journal*, July 14, 1929.

²¹⁰ *Survey of Conditions of the Indians in the U.S. (1929)*, 2022.

²¹¹ “Indian Hearings Marked by Humor and Tragedy,” *Milwaukee Journal*, July 14, 1929.

²¹² *Survey of Conditions of the Indians in the U.S. (1929)*, 2049. The *Milwaukee Journal* provided a more sensationalized version of Wolf’s testimony: “Tragedy fairly shrieked in the silence of the courtroom here Thursday as William Wolf dragged his sick body to the witness chair to whisper to the senators the bitter story of the white man sneaking upon his government allotted territory and cutting it clear of its valuable timber without his knowledge.” “Indian Hearings Marked by Humor and Tragedy,” *Milwaukee Journal*, July 14, 1929.

²¹³ *Survey of Conditions of the Indians in the U.S. (1929)*, 2049.

widespread support required of a successful ogimaa. As the testimony at the hearings reveals, the Lac Courte Oreilles People faced relentless encroachment by Settler forces, both on their internal and external sovereignty. To face those challenges to their peoplehood, they turned to questions of leadership and governance. The multiple ogimaag and emerging adaptations represent not instability but rather the continued vitality of a system of leadership that drew power from peoplehood.

Following the Congressional hearings, Anakwad and Kingfisher became increasingly influential. Initially, they worked together. In October, several months after the Congressional visit, Congress dispatched Charles Smith to visit the reservation and sort through the Lac Courte Oreilles People's complaints. Anakwad and Kingfisher both played prominent roles at the meetings alongside Oshogay and Pete Wolf, whom Ojibweg at a meeting held on February 20 identified as chief.²¹⁴ Kingfisher stepped into the role of spokesperson, reading a previously prepared petition, relaying grievances from those unable to attend, and acting as interpreter.²¹⁵

At the two general council meetings with Smith, the Lac Courte Oreilles People and their leaders connected what the federal government considered petty complaints to the core of their peoplehood. They charged Hayward Superintendent Willis T. Ryder, who earned the distrust of Lac Courte Oreilles men and women almost as soon as he arrived in 1924, and the federal government with overstepping their authority and neglecting reciprocal obligations rooted in treaty relationships.²¹⁶ In addition to Ryder's disregard, the people of Lac Courte Oreilles

²¹⁴ "Council Held at Reserve, Wisconsin, February 20, 1930, Called by Mr. Chas. J. Smith, Field Representative of Secretary of the Interior," Feb. 20, 1930, 064, General Correspondence, Great Lakes Agency Subgroup, RG 75, NARA Chicago, IL.

²¹⁵ "Council Meeting of Lac Courte Oreilles Chippewa Indians Held at Reserve, Wisconsin, February 1, 1930," Feb. 1, 1930, 064, General Correspondence, Great Lakes Agency Subgroup, RG 75, NARA Chicago, IL.

²¹⁶ The Ojibwe perceived him as callously indifferent and actively intent on destroying their People. In 1928, when Ryder disposed of several acres of land without consulting the People, they convened a general council to make

focused on three major concerns: that Ryder refused to provide funds and health care, that their land base continued to erode, and that the state prevented them from exercising their treaty-protected hunting and fishing rights.²¹⁷ Oshogay raised the issue of treaties once the conversation turned to the Wisconsin Conservation Department's arrest of Mike Gokey and Ed Blanchard for trapping beaver on the reservation. Oshogay told Smith that "it was a common understanding that they [the Ojibwe] were allowed to trap outside the reservation on ceded land."²¹⁸ Smith hesitated to support the Lac Courte Oreilles People's rights, promising to check with the Justice Department, which led Louis Quarderer, a fifty-year-old resident of Reserve who worked in the woods during the winter and as a guide during the summer, to ask, "Are these Treaties still in force?" Again, Smith could only promise to check with the Justice Department.²¹⁹

Anakwad rebuked Smith as a representative of the federal government. Standing before his People, he said, "Ever since I have been able to remember there were instances where my ancestors made trips to Washington. They were sitting around a table just like we are here, the Indians and the representatives at Washington. God hears everything that we say here today."²²⁰ Anakwad likened Smith's visit to treaty negotiations, asserting that the general council gathered on the ishkonigan had authority that matched the nation-to-nation negotiations of the previous century. He went on to invoke the Lac Courte Oreilles People's preexisting rights to the land and its resources, emphasizing the importance of hunting and fishing to the People. By calling on the

themselves heard. "Council Meeting Held at Reserve, Wisconsin, Nov. 7, 1928," Nov. 7, 1928, 064, General Correspondence Files, Great Lakes Area, RG 75, NARA Chicago, IL.

²¹⁷ "Council Meeting of Lac Courte Oreilles Chippewa Indians Held at Reserve, Wisconsin, February 1, 1930," Feb. 1, 1930, 064, General Correspondence, Great Lakes Agency Subgroup, RG 75, NARA Chicago, IL.

²¹⁸ "Council Meeting of Lac Courte Oreilles Chippewa Indians Held at Reserve, Wisconsin, February 1, 1930," Feb. 1, 1930, 064, General Correspondence, Great Lakes Agency Subgroup, RG 75, NARA Chicago, IL.

²¹⁹ "Council Meeting of Lac Courte Oreilles Chippewa Indians Held at Reserve, Wisconsin, February 1, 1930," Feb. 1, 1930, 064, General Correspondence, Great Lakes Agency Subgroup, RG 75, NARA Chicago, IL.

²²⁰ "Council Meeting of Lac Courte Oreilles Chippewa Indians Held at Reserve, Wisconsin, February 1, 1930," Feb. 1, 1930, 064, General Correspondence, Great Lakes Agency Subgroup, RG 75, NARA Chicago, IL.

People's relationship with the aki to establish their sovereignty, Anakwad positioned both himself as ogimaa and his People as a sovereign entity within Anishinaabeg peoplehood.

Similarly, Kingfisher advocated for his People's sovereignty. Challenging Ryder's authority, he portrayed Ryder as meyaagizid. He chipped away at the agent's integrity as he presented numerous complaints that he had gathered from his neighbors and supported those who came in person. Ryder "says he is too busy" when Ojibweg made the often thirty-six mile roundtrip to speak with him about their individual money accounts, allotment sales, or even sick relations in need of a doctor. Mrs. David Belille believed that her husband died of pneumonia because Ryder refused her a doctor and she could not obtain one on her own for another week. Ryder refused Anakwad's son Frank Cloud a doctor as well, and his wife Anna "performed the operation" herself in desperation.²²¹ John White, a World War I veteran, accused Ryder of intimidating the Ojibweg he was supposed to serve. When he entered Ryder's office to ask about his accounts, "You had a big six shooter on your desk. When somebody goes up there you chase them out of your office."²²² Kingfisher relayed a similar complaint from a sick elder, translating, "He says we may be ignorant but we are not dumb." To the contrary, Kingfisher asserted, the Ojibwe could take care of their own affairs if they only had a chance.²²³ Kingfisher summarized the charges against Ryder, "That is what he is placed here for to look after the Indians."²²⁴

²²¹ "Council Held at Reserve, Wisconsin, February 20, 1930, Called by Mr. Chas. J. Smith, Field Representative of Secretary of the Interior," Feb. 20, 1930, 064, General Correspondence, Great Lakes Agency Subgroup, RG 75, NARA Chicago, IL.

²²² "Council Held at Reserve, Wisconsin, February 20, 1930, Called by Mr. Chas. J. Smith, Field Representative of Secretary of the Interior," Feb. 20, 1930, 064, General Correspondence, Great Lakes Agency Subgroup, RG 75, NARA Chicago, IL.

²²³ "Council Meeting of Lac Courte Oreilles Chippewa Indians Held at Reserve, Wisconsin, February 1, 1930," Feb. 1, 1930, 064, General Correspondence, Great Lakes Agency Subgroup, RG 75, NARA Chicago, IL.

²²⁴ "Council Held at Reserve, Wisconsin, February 20, 1930, Called by Mr. Chas. J. Smith, Field Representative of Secretary of the Interior," Feb. 20, 1930, 064, General Correspondence, Great Lakes Agency Subgroup, RG 75, NARA Chicago, IL.

Ryder not only trespassed on Lac Courte Oreilles sovereignty but also refused to enact the reciprocal relationships of an ally as representative of the United States government. From the perspective of Kingfisher and the other men and women at the meeting, Ryder's failures negated his authority.

Smith's visit accomplished few immediate changes. Ryder remained employed, and allotments continued to pass out of Ojibwe hands while Wisconsin game wardens persisted in arresting Ojibweg who exercised their treaty rights. The Lac Courte Oreilles People continued to meet in general council and the Tribal Council periodically convened. Meanwhile, the Great Depression weakened already strained economic networks, but it also presented new opportunities. Many Ojibwe, for instance, took advantage of CCC-ID and road project work that provided cash or aid to hungry families.²²⁵

The heavily promoted components of the IRA—land reform, financial aid, and self-government—touched on the Lac Courte Oreilles People's main concerns, as revealed in the 1930 meetings with Smith. The organization component triggered more controversy at Lac Courte Oreilles than it had at Turtle Mountain, although once again the legislation merely highlighted existing questions about governance within Settler colonial constraints. Kingfisher and Anakwad disagreed about how the IRA might affect their People. Kingfisher found a practical tool to support sovereignty in the legislation, while Anakwad feared it would disrupt traditional patterns governance and diminish sovereignty.

In March 1934, the Lac Courte Oreilles People met in general council to discuss the Wheeler-Howard Act. Many men and women distrusted the proposed legislation. A group of elders led by Anakwad, John Mustache, Sr., Dan Homesky, and George James wanted to send a

²²⁵ Child, *Holding Our World Together*, 97-120.

delegation to Washington to meet with federal officials directly, as their fathers and grandfathers had done. They worried that the reorganization and land reform promised by the bill would “interfere with their treaty claims.”²²⁶ Already, state and federal officials ignored or openly violated treaty-protected relationships, arrested hunters and fishers, flooded their manoomin, and restricted manidookewin. Anakwad, Mustache, and many other Lac Courte Oreilles men and women, both old and young, undoubtedly worried that this new law would continue to disrupt relationships with the land and its resources and undermine their peoplehood. They wanted to force the federal government to recognize the sovereign relationships established by earlier treaties, not enter into new agreements with uncertain outcomes. Kingfisher, meanwhile, felt cautiously optimistic about the legislation.²²⁷ When the general council elected representatives from the primary oodena to form a committee to explore the bill, a move promoted by Collier and also taken at Turtle Mountain, Kingfisher not only represented New Post but also served as chairman. The remainder of the representatives included several well-connected Ojibweg such as John Mustache, Jr., son of John Mustache, Sr., and active in the Midewiwin; fifty-year-old Mayme Setter Perkins, originally from Rice Lake; and mixed-descent member of the migizi (eagle) doodem Jim Bisonette, also in his fifties, who drummed and participated in the Midewiwin.²²⁸

A few weeks later, on April 16, nearly seventy Lac Courte Oreilles men and women met at the Whitehead Church to choose delegates for the meeting in Hayward. The “poor representation,” which seemed to consist primarily of people from Signor, Reserve, and New

²²⁶ John Kingfisher to Commissioner, Mar. 30, 1934, General Correspondence, Great Lakes Agency Subgroup, RG 75, NARA Chicago, IL.

²²⁷ John Kingfisher to Commissioner, Mar. 30, 1934, General Correspondence, Great Lakes Agency Subgroup, RG 75, NARA Chicago, IL.

²²⁸ Balbin, Bailey, and Nayquonabe, “Ruth Carley,” *Spirit of the Ojibwe*, 64.

Post, perhaps can be explained by the hesitant mood among the People.²²⁹ The meeting, however, occurred during maple sugaring season when many families had moved to their iskgamiziganan. Kingfisher and Perkins remained as delegates, with Jim Bisonette as an alternate. John Mustache, Sr., replaced his son, and the people also chose Peter Wolf, John Quarderer, and Frank Thayer to represent their interests at the upcoming conference with U.S. leaders in Hayward. The shifts in composition likely reflected changes in who attended, but choosing the elder Mustache and Peter Wolf may have reassured those who shared Anakwad's distrust of the pending legislation. Regardless, the chosen delegates represented a variety of Lac Courte Oreilles interests and communities, reflecting the power of the People in decisions about governance.

Kingfisher and the rest of the delegates attended the two-day regional conference to hear federal officials describe the Wheeler-Howard Bill and report back to the People. On a cold morning in late April, the Lac Courte Oreilles delegates traveled the short distance to the Hayward Indian School, where many of them had likely attended as students, along with Ojibweg and other Indigenous Peoples from Wisconsin, Minnesota, and Michigan. Collier did not attend the meeting, and Assistant Commissioner William Zimmerman, Jr., led in his absence. The morning opened with speeches by Zimmerman and Walter V. Woehlke, the regional field representative. Frank Smart, Bad River Ojibwe from Odanah, interpreted.²³⁰

²²⁹ G.W. Emerson to L.E. Baumgarten, Apr. 16, 1934, General Correspondence, Great Lakes Agency Subgroup, RG 75, NARA Chicago, IL.

²³⁰ "Testimony Taken at Hayward, Wisconsin, April 23 & 24, 1934 where Indians of Wisconsin, Minnesota, and Michigan Gathered for a Two-Day conference to Discuss the Wheeler-Howard Bill of Indian Rights," *The Indian Reorganization Act: Congresses and Bills*, edited by Vine Deloria, Jr. (Norman: University of Oklahoma Press, 2002).

As he listened to the words in both his languages, Kingfisher heard aspects that reassured him and some that he knew would trouble his People. Zimmerman highlighted the main features of the bill: ending the catastrophic policy of allotment, restoring land bases, and organizing “for local self-government and for doing business in the modern, organized way.”²³¹ Zimmerman spoke of power, telling the chilly but receptive room, “Only organized groups have power in the white world.”²³² Kingfisher, who had seen the effects of unequal power relationships when the Winter dam flooded the ishkonigan and in the aftermath when the power company failed to compensate the Lac Courte Oreilles community as promised, may have listened hopefully to a plan for self-determination. When Woehlke took the stage, he emphasized the centrality of land, both stopping and restoring its loss. Woehlke declared that “everything else is an accessory,” presenting the bill as a way to protect Ojibwe lands and resources—the very topic that occupied so many general councils at Lac Courte Oreilles during the previous decades.²³³ He portrayed the self-government proposals as a means to this end, while taking care to point out that organizing remained voluntary.²³⁴ Kingfisher may have felt less receptive to Woehlke’s comment, “But, you must start sometime,” as if Kingfisher had not been exercising self-government as part of the Tribal Council, which itself extended Ojibwe governance from a time long before Settlers arrived to interfere with Ojibwe sovereignty.²³⁵ The meeting broke for lunch, and the subsequent sessions allowed Ojibweg to ask questions and raise concerns.

²³¹ Testimony from Conference at Hayward, Wisc., *The Indian Reorganization Act*, 369.

²³² Testimony from Conference at Hayward, Wisc., *The Indian Reorganization Act*, 369. At one point, federal officials engaged the delegates in exercises to warm up.

²³³ Testimony from Conference at Hayward, Wisc., *The Indian Reorganization Act*, 371.

²³⁴ Testimony from Conference at Hayward, Wisc., *The Indian Reorganization Act*, 373-374.

²³⁵ Testimony from Conference at Hayward, Wisc., *The Indian Reorganization Act*, 373.

Treaties and treaty rights consumed much of the Ojibwe delegates' energies. Many feared that accepting the bill would be like entering into a new treaty, one that potentially erased the agreements that preceded it.²³⁶ Jerome Arbuckle, Bad River, concisely stated Anishinaabeg concerns, "If this bill takes away our hunting and fishing rights it takes everything away from us and will be of no benefit to us."²³⁷ The Ojibweg needed to be sure that this new legislation—presented as an agreement into which they could willingly enter—supported the treaties that protected their peoplehood. Additionally, as concerned the ogimaag of Turtle Mountain, the Ojibweg at the meeting worried that the bill would interfere with pending claims intended to force the federal government to honor the relationships in the treaties their fathers and grandfathers had signed.²³⁸ Despite repeated assurances from present officials, distrust remained.

When the time came for Lac Courte Oreilles delegates to ask their questions, they focused on issues surrounding land. They wanted to know how the government planned to repurchase alienated lands—what prices would the government consent to pay, for instance, and would lakeshore lands be included? They had raised the issue of landless families in general council, including at the February 1930 meetings, and the Lac Courte Oreilles representatives wanted to know, "Does the Government intend to purchase enough land to restore the reservation to its original size?"²³⁹ Zimmerman could make no guarantees, and the delegates undoubtedly carried the hesitant answer home.²⁴⁰

²³⁶ Ronald N. Satz, "Tell Those Gray Haired Men What They Should Know: The Hayward Indian Congress of 1934," *Wisconsin Magazine of History* (Spring 1994): 196-224.

²³⁷ Testimony from Conference at Hayward, Wisc., *The Indian Reorganization Act*, 381.

²³⁸ Testimony from Conference at Hayward, Wisc., *The Indian Reorganization Act*, 384.

²³⁹ Testimony from Conference at Hayward, Wisc., *The Indian Reorganization Act*, 385.

²⁴⁰ Testimony from Conference at Hayward, Wisc., *The Indian Reorganization Act*, 385.

Kingfisher and his fellow delegates questioned whether the bill before them reflected Ojibwe relationships with aki. The delegates listened as the Director of Forestry, Robert Marshall, spoke about timber as “profitable.”²⁴¹ He saw continued logging of ishkonigan mitigoog as the future of Ojibwe resources, suggesting that “most of you could make a living on timberlands if you also had farms to operate.”²⁴² On the second day, in response to a Lac Courte Oreilles question about economic opportunities, officials replied with a range of activities including hunting, fishing, and logging—“in fact any activity that can be carried on,” including off-reservation work. John R.T. Reeves, chief counsel for the Office of Indian Affairs, then returned to timber, which he said the Ojibweg “will find more profitable” once repurchased land consolidated solid blocks.²⁴³ The emphasis on timber likely unsettled Lac Courte Oreilles men and women whose experience with logging on their ishkonigan was marred by exploitation.

Like the majority of the Peoples in attendance, the Lac Courte Oreilles delegates remained undecided when the second day closed. Concern lingered about the security of their treaty rights if they accepted the bill, and they had information about continued logging. They also, however, had the promise of restoring a unified ishkonigan. They seemed most skeptical about the self-government portion of the bill. In one of their final questions, they asked, “What will become of a class of people who after this bill passes will vote themselves out of the self-government feature of the bill?”²⁴⁴ Foreshadowing the final outcome, the Lac Courte Oreilles delegates hesitated to embrace the Wheeler-Howard Act’s version of self-government.

²⁴¹ Testimony from Conference at Hayward, Wisc., *The Indian Reorganization Act*, 375.

²⁴² Testimony from Conference at Hayward, Wisc., *The Indian Reorganization Act*, 373.

²⁴³ Testimony from Conference at Hayward, Wisc., *The Indian Reorganization Act*, 385.

²⁴⁴ Testimony from Conference at Hayward, Wisc., *The Indian Reorganization Act*, 386.

The delegates selected Kingfisher to give the final remarks for the Lac Courte Oreilles People. He began by thanking Zimmerman for the meeting. Rather than limiting his speech to the content of the bill, however, he seized the opportunity to correct the federal government's misconception about the lack of organization at Lac Courte Oreilles. After pointing out that Lac Courte Oreilles men and women functioned effectively in local Settler-dominated town governments, he rebuked federal officials such as Ryder for refusing to recognize the Lac Courte Oreilles People's sovereignty.²⁴⁵ "There has been reason to complain of the fact that there was no say as to the disposition of property and funds" under the current relationship between the federal government and the Lac Courte Oreilles People, he stated, points which the general council had raised on the ishkonigan. He believed that the bill acknowledged "the right to vote their opinions as to what should be done with the property, both real estate and financial," of his People—and to have that voice matter.²⁴⁶ He openly supported the bill, including the self-government aspect. Kingfisher's speech hinted at the resistance the bill would encounter in the ensuing years. To those who opposed the Wheeler-Howard Act, which included Anakwad's close advisor and Kingfisher's fellow delegate John Mustache, Kingfisher expressed hope that "they will be broad-minded enough to submit to the will of the majority."²⁴⁷ Exactly which perspective included the majority of the Lac Courte Oreilles People, however, caused considerable debate among the men and women of the ishkonigan.

²⁴⁵ Testimony from Conference at Hayward, Wisc., *The Indian Reorganization Act*, 391. The Blackfeet People similarly engaged in local and county governance for the communities that bordered their reservation. Like Kingfisher, however, many Blackfeet believed that they needed more than political power in neighboring towns. As a sovereign nation, they needed access to credit, the ability to negotiate with Settlers who rented reserved land, and the ability to negotiate with federal and state governments on equal footing. The federally-recognized organization proposed by the IRA seemed to offer that ability. Rosier, *Rebirth of the Blackfeet Nation*, 90.

²⁴⁶ Testimony from Conference at Hayward, Wisc., *The Indian Reorganization Act*, 391.

²⁴⁷ Testimony from Conference at Hayward, Wisc., *The Indian Reorganization Act*, 391.

During the next several months, the Lac Courte Oreilles People discussed and debated the IRA. Federal officials visited the reservation in October to assess the People's attitude toward the bill. Lac Courte Oreilles was the first reservation they visited, and, according to clerk Frank Smart, who served as interpreter at the Hayward meeting, it "was the only reservation in which we encountered any dissension."²⁴⁸ Two hundred men and women attended the meeting with federal officials, and Anakwad, John Mustache, Dan Homesky, and George James—"the older chiefs of the reservation"—spoke against accepting the act. At least part of their reluctance came from concerns about treaty rights and pending claims. Without identifying who spoke, Smart recorded their speech as follows:

Many years ago our forefathers sat at a table in conference with government officials from Washington, as we are doing today. At that conference our treaties were negotiated with the government. The promises contained that paper were never fulfilled. Today we are being visited by government officials who are bringing with them a new law. I say that before we adopt or accept this new law, let government straighten out those violated treaties that were made with our forefathers.²⁴⁹

They questioned the new legislation's relationship with the alliances that previous generations of Ojibweg had secured to protect their peoplehood, reminding visiting federal officials that the rights the Wheeler-Howard Bill proposed to bestow already resided in their People's sovereignty. Additionally, the men and women at the meeting expressed concern that, according to reports from the delegates at the Hayward conference, the federal government intended to use

²⁴⁸ Summary Report of the Commission Delegated to Visit the Various Reservations in Northern Wisconsin and Michigan in the Interests of the Indian Reorganization Act by Frank G Smart (Easement Clerk) Oct 27, 1934, Wheeler Howard Bill, LaPointe Agency, RG 75, NARA Chicago, IL. Various Ojibweg Peoples had diverse reasons for supporting the IRA. In the same report, Smart noted that Red Cliff expressed interested in the opportunity to grow commercial enterprises such as fisheries and fruit farms. Peoples such as the neighboring St. Croix, landless and unprotected by the treaty of 1854, needed the IRA for the federal government to recognize their sovereign peoplehood. Loew, *Indian Nations of Wisconsin*, 76-77.

²⁴⁹ Summary Report of the Commission Delegated to Visit the Various Reservations in Northern Wisconsin and Michigan in the Interests of the Indian Reorganization Act by Frank G Smart (Easement Clerk) Oct 27, 1934, Wheeler Howard Bill, LaPointe Agency, RG 75, NARA Chicago, IL.

repurchased lands “for forestry purposes and not for the Indians,” which aggravated existing conflicts over land usage and implicated peoplehood.²⁵⁰

On December 15, 1935, the People voted. Out of a voting population of about 870 adults, 381 cast ballots. Kingfisher, enthusiastic in supporting the bill, drove to the surrounding towns of Couderay, Radisson, and Winter to collect ballots, accompanied by two Indian Service officials. When he learned of Kingfisher’s excursion, Anakwad found these visits suspicious and accused Kingfisher and the government officials of manipulating the vote.²⁵¹ A margin of thirty-one votes determined the outcome. The Lac Courte Oreilles People had accepted the IRA, by a vote of 206 in favor to 175 opposed. The close vote revealed the continued uncertainty within the community about how best to protect their peoplehood.

Anakwad, along with John Mustache, Sr., Dan Homesky, and George James, spoke for those who believed that the legislation threatened Ojibwe relationships. Pointing to Kingfisher’s car tour, Anakwad questioned the legitimacy of the vote. He noted one woman in Winter who reported that the officials had suggested that voting yes would “give her assent towards building a town hall in the village of Post,” and they told a man at the newly-built Hayward Indian Hospital that if the bill failed to pass, his job might no longer exist.²⁵² Moreover, although Washington officials instructed that absentee members could vote as long as the “retain[ed] [their] tribal interest,” Anakwad asserted that many of the people Kingfisher visited were “people whose parents or grandparents left the reservation forty years ago, or more, who abandoned their

²⁵⁰ “Summary Report of the Commission Delegated to Visit the Various Reservations in Northern Wisconsin and Michigan in the Interests of the Indian Reorganization Act by Frank G Smart (Easement Clerk),” Oct. 27, 1934, Wheeler Howard Bill, LaPointe Agency, RG 75, NARA Chicago, IL.

²⁵¹ Cloud, et al, to Honorable B.J. Gehrmann, Feb. 15, 1935, Indian Organization Great Lakes, LaPointe Agency, RG 75, NARA Chicago, IL.

²⁵² Cloud, et al, to Honorable B.J. Gehrmann, Feb. 15, 1935, Indian Organization Great Lakes, LaPointe Agency, RG 75, NARA Chicago, IL.

tribal rights and who don't have any intention of getting back on the reservation and whose degree of Indian blood is less than a quarter.”²⁵³ Anakwad linked support of the IRA to lack of belonging in the inawemaagan networks that comprised the People.

Beyond accusations of fraud, however, Anakwad genuinely believed that the People neither wanted nor benefitted from the new legislation. The jurisdictional bill to allow the Ojibwe in Wisconsin to pursue their claims against the US government was pending in Congress at the time of the vote, and it passed the following summer. Anakwad felt that the IRA distracted from the more serious business of obtaining justice for broken treaties and flooded graves.²⁵⁴

While Anakwad tried to undo the vote, Kingfisher worked to help the Lac Courte Oreilles People by moving on to the next step: drafting a constitution. Within a year, the committee, appointed at a general council meeting, had prepared a draft.²⁵⁵ Nevertheless, the process of creating constitutions allowed for considerable flexibility. Kingfisher and other members of the constitution committee made choices that reflected existing governance relationships embedded in peoplehood. Aware of the ogimaag’s dissent and their widespread support, the committee members chose a council rooted in community leadership. Section III of the proposed constitution called for a council of twenty-one, twice the size of the current Tribal Council. They arrived at the number by assigning roughly proportionate representation for the main communities of the ishkonigan: eight from Reserve, four from New Post, four from Signor, two from Whitefish, and one from Barber, Round Lake, and Chief Lake, respectively. Article III also

²⁵³ Cloud, et al, to Honorable B.J. Gehrmann, Feb. 15, 1935, Indian Organization Great Lakes, LaPointe Agency, RG 75, NARA Chicago, IL.

²⁵⁴ William Zimmerman to Honorable B. Gehrmann, May 4, 1937, Indian Organization Great Lakes, LaPointe Agency, RG 75, NARA Chicago, IL.

²⁵⁵ Peru Farver and Henry Roe Cloud to J.C. Cavill, Dec. 2, 1935, Constitution and By Laws, Various Tribes, Great Lakes Area, RG 75, NARA Chicago, IL.

provided for “an Executive Tribal Council composed of the four chief officers elected by the Representative Tribal Council.”²⁵⁶ The Executive Council would possess additional authority to appoint committees and boards, for instance the committee to oversee the new community building at New Post.

The Representative Tribal Council’s powers, outlined in Article VII, included the authority to manage economic endeavors and allocate tribal funds for “public purposes,” as well as establishing a supervisory role regarding tribal lands and resources—all, of course, within the standard deference of IRA constitutions to the Secretary of the Interior’s approval. These powers shifted the responsibility to protect relationships with the land and its resources—foundational aspects of their peoplehood—from decentralized general councils to elected leadership, although the tribal council preserved the central role of the oodenah. Additionally, Article VI stated, “Any action by the Representative Tribal Council under powers given to it by this constitution and by-laws may be subject to a referendum of the people upon a written petition signed by a number of eligible voters equal to 25% of the votes cast at the preceding general election of the reservation.”²⁵⁷ The referendum provision formalized a place for the general council in the written constitution, especially important given Cavill’s reluctant attention to the voices of the People. Six of the ten approved constitutions for Ojibweg Peoples in Wisconsin, Michigan, and Minnesota included popular referendum and, with the exception of Red Cliff, required a petition from thirty percent of eligible voters, not merely those who voted in the most recent election.²⁵⁸

²⁵⁶ Constitution of the Lac Courte Oreilles Band of Wisconsin, no date, Constitutions and By-Laws, Great Lakes Area, RG 75, NARA Chicago, IL.

²⁵⁷ Constitution of the Lac Courte Oreilles Band of Wisconsin, no date, Constitutions and By-Laws, Great Lakes Area, RG 75, NARA Chicago, IL.

²⁵⁸ Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin, “fConstitution and By-laws Constitution and bylaws of the Bad River Band of the Lake Superior Tribe of Chippewa Indians of the State of Wisconsin: approved June 20, 1936” (Washington, DC: U.S. Government Print Office, 1936);

The Lac Courte Oreilles Constitution established a significantly lower threshold to initiate a referendum, which amplified the opportunities for men and women to participate in governing their People.

The constitution also established procedures to keep representation accountable to the People. Article V, which recognized the People's power to remove leaders, required a mere one hundred signatures, or approximately one-eighth of eligible voters, to call a hearing.²⁵⁹ Again, the Lac Courte Oreilles constitution's minimum threshold was lower than the average among Anishinaabeg Peoples in the region, which ranged from fifty names at Keweenaw Bay to two-thirds of eligible voters at Bay Mills.²⁶⁰ Nearly half of the Ojibweg Peoples either had no removal procedures or assigned that power to the governing body.²⁶¹ The Lac Courte Oreilles

Bay Mills Indian Community, Michigan, "Constitution and By-laws of the Bay Mills Indian Community, Michigan. Approved November 4, 1936" (Washington, DC: U.S. Government Print Office, 1936). Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation, Wisconsin, "Constitution and bylaws of the Lac du Flambeau Band of Lake Superior Chippewa Indians of Wisconsin. Approved August 15, 1936" (Washington, DC: U.S. Government Print Office, 1936); Minnesota Chippewa Tribe, Minnesota, "Constitution and By-laws Constitution and Bylaws of the Minnesota Chippewa Tribe, Minnesota. Approved July 24, 1936" (Washington, DC: U.S. Government Print Office, 1936); Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin, "Constitution and By-laws Constitution and Bylaws of the Red Cliff Band of Lake Superior Chippewa Indians, Wisconsin: Approved June 1, 1936" (Washington, DC: U.S. Government Print Office, 1936); Keweenaw Bay Indian Community, Michigan, "Constitution and By-laws Constitution and By-laws of the Keweenaw Bay Indian Community, Michigan. Approved December 17, 1936" (Washington, DC: U.S. Government Print Office, 1937); Saginaw Chippewa Indian Tribe of Michigan, "Constitution and By-laws of the Saginaw Chippewa Indian Tribe of Michigan. Approved May 6, 1937" (Washington, DC: U.S. Government Print Office, 1937); Mille Lacs Band of Chippewa Indians of Minnesota, "Charter of Organization of the Mille Lacs Band of Chippewa Indians. Approved 1939" (Washington, DC: U.S. Government Print Office, 1939); Sokaogon Chippewa Community, Wisconsin, "Constitution and By-laws of the Sokaogon Chippewa Community, Wisconsin. Approved November 9, 1938" (Washington, DC: U.S. Government Print Office, 1939); St. Croix Chippewa Indians of Wisconsin, "Constitution and By-laws of the St. Croix Chippewa Indians of Wisconsin. Approved November 12, 1942" (Washington, DC: U.S. Government Print Office, 1943).

²⁵⁹ Constitution of the Lac Courte Oreilles Band of Wisconsin, no date, Constitutions and By-Laws, Great Lakes Area, RG 75, NARA Chicago, IL.

²⁶⁰ Constitution of the Lac Courte Oreilles Band of Wisconsin, no date, Constitutions and By-Laws, Great Lakes Area, RG 75, NARA Chicago, IL.

²⁶¹ Constitution of the Lac Courte Oreilles Band of Wisconsin, no date, Constitutions and By-Laws, Great Lakes Area, Chicago; Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin, "Constitution and By-laws Constitution and bylaws of the Bad River Band of the Lake Superior Tribe of Chippewa Indians of the State of Wisconsin: approved June 20, 1936" (Washington, DC: U.S. Government Print Office, 1936); Bay Mills Indian Community, Michigan, "Constitution and By-laws of the Bay Mills Indian

constitution committee paid special attention to the role of the People as a whole, undoubtedly influenced by the concerns of Anakwad and many other men and women who shared his views that an IRA constitution would disrupt traditional relationships, thereby undermining the People's sovereignty, which they saw as rooted in the people themselves. From the perspective of Kingfisher, who wanted to preserve his People's sovereignty by attaching it to the scaffold of new federal self-determination policies, the constitution accommodated the ogimaag's concerns while providing a platform for Lac Courte Oreilles sovereignty that could withstand impinging Settler officials and inconsistent policies.

On July 25, 1936, the constitution faced the People. The ballot asked the simple question, "Shall the proposed Federal Tribal Constitution and Bylaws for this reservation be ratified?" and provided a box to mark for yes and one for no.²⁶² Compared to the vote on the IRA, the People presented a more unified opinion. Nearly three hundred people voted, one hundred fewer than in December 1934, and 214 of the voters rejected the constitution. A mere 68 approved.²⁶³ The Lac

Community, Michigan. Approved November 4, 1936" (Washington, DC: U.S. Government Print Office, 1936). Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation, Wisconsin, "Constitution and bylaws of the Lac du Flambeau Band of Lake Superior Chippewa Indians of Wisconsin. Approved August 15, 1936" (Washington, DC: U.S. Government Print Office, 1936); Minnesota Chippewa Tribe, Minnesota, "Constitution and By-laws Constitution and Bylaws of the Minnesota Chippewa Tribe, Minnesota. Approved July 24, 1936" (Washington, DC: U.S. Government Print Office, 1936); Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin, "Constitution and By-laws Constitution and Bylaws of the Red Cliff Band of Lake Superior Chippewa Indians, Wisconsin: Approved June 1, 1936" (Washington, DC: U.S. Government Print Office, 1936); Keweenaw Bay Indian Community, Michigan, "Constitution and By-laws Constitution and By-laws of the Keweenaw Bay Indian Community, Michigan. Approved December 17, 1936" (Washington, DC: U.S. Government Print Office, 1937); Saginaw Chippewa Indian Tribe of Michigan, "Constitution and By-laws of the Saginaw Chippewa Indian Tribe of Michigan. Approved May 6, 1937" (Washington, DC: U.S. Government Print Office, 1937); Mille Lacs Band of Chippewa Indians of Minnesota, "Charter of Organization of the Mille Lacs Band of Chippewa Indians. Approved 1939" (Washington, DC: U.S. Government Print Office, 1939); Sokaogon Chippewa Community, Wisconsin, "Constitution and By-laws of the Sokaogon Chippewa Community, Wisconsin. Approved November 9, 1938" (Washington, DC: U.S. Government Print Office, 1939); St. Croix Chippewa Indians of Wisconsin, "Constitution and By-laws of the St. Croix Chippewa Indians of Wisconsin. Approved November 12, 1942" (Washington, DC: U.S. Government Print Office, 1943).

²⁶² "Ballot," July 25, 1936, CCF 1907-1939, Great Lakes, RG 75, National Archives, Box 7, file 9426c-1936-057.

²⁶³ Collier to James Reve, Feb. 21, 1938, CCF 1907-1939, Great Lakes, RG 75, National Archives, Box 7, file 9426c-1936-057.

Courte Oreilles People would continue without a written constitution. Rather than deciding the question of governance, however, the vote created new questions.

The Lac Courte Oreilles People had rejected a constitution but accepted the IRA. The IRA opened new opportunities for recovering land and accessing economic development funds. Without a constitution or charter, however, the Lac Courte Oreilles People occupied an uncertain position in the eyes of Settler officials. For instance, the IRA offered access to a revolving fund, which allowed for a continuous pool of money for loans, but the revolving funds required a constitution and charter. The tribal fund, meanwhile, resided in the U.S. Treasury, and any loan repayment returned to the Treasury rather than the People, which meant that Congress had to authorize action before the funds could be loaned out again. The lack of a constitution prevented Lac Courte Oreilles from using the aspects of the IRA that they presumably approved when they voted in favor of the legislation.²⁶⁴ Anakwad may have hoped that rejecting the constitution would dissolve the Tribal Council and confirm the authority of ogimaag such as himself, but the Tribal Council remained and officials including Superintendent J.C. Cavill and Agent Blakeslee used the uncertain status to undermine Lac Courte Oreilles sovereignty.

Despite lacking official Settler recognition through a constitution, the Lac Courte Oreilles People governed the ishkonigan through a flexible if occasionally fractious blend of elected council, general council, and community-based ogimaag. In 1937 and 1938, the Lac Courte Oreilles People continued to hold annual elections for the Tribal Council. The 1938 election took place on February 26. A mere 82 people attended the general council, where the election

²⁶⁴ “Proceedings of the Lac Courte Oreilles Tribal Council in their Regular Monthly Meeting, Reserve, Wisconsin, October 30, 1940,” Oct. 30, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, 24241-1937-054.

followed nominations.²⁶⁵ The general council nominated eighteen men, including Kingfisher, John Mustache, Charles Wolf, John Mike, and Tom Miller. Miller, a carpenter, received the most votes at 70, and 68 people voted for Kingfisher, while Mustache earned a mere 17 votes and Charles Wolf 23. The final council of 9 consisted of Miller and Kingfisher, as well as Henry La Rush, Elwood LaRonge, Joe Trepania, Joe Larson, Edward Slater, Frank Setter, and Fred Smith.²⁶⁶

Anakwad objected. He believed the elections essentially imposed the self-government under the Wheeler-Howard Act, which the People had rejected when they voted against the constitution, and he insisted that the federal government recognize the traditional ogimaag, or “chiefs and headmen,” as the true representatives of the Lac Courte Oreilles People.²⁶⁷ The younger John Mustache had attended the poorly-attended general council meeting for the 1938 election, where the attendees nominated but did not elect him, but his father, Anakwad, Dan Homesky, and George James abstained, in part because they refused to legitimate the Tribal Council and also likely in hopes of rendering the election illegitimate because of low voter turnout. Cavill convinced Commissioner Collier to approve a statement in the election notices that said a majority vote by those present would determine the outcome rather than a majority vote of those enrolled, and the BIA confirmed the election.²⁶⁸

Throughout the next two years, tensions continued to simmer regarding the contested visions of Ojibwe governance represented by Kingfisher and Anakwad. In their pursuit of

²⁶⁵ “Registration List of Voters at Tribal Election,” Feb. 26, 1938, CCF 1907-1939, Great Lakes, RG 75, National Archives, Box 7 File 9426c-1936-057.

²⁶⁶ “Minutes of Tribal Council Election Meeting at Reserve, Wisconsin, February 26, 1938,” Feb. 26, 1938, CCF 1907-1939, Great Lakes, RG 75, National Archives.

²⁶⁷ Collier to James Rowe, Feb. 21, 1938, CCF 1907-1939, Great Lakes, RG 75, National Archives.

²⁶⁸ Cavill to Zimmerman, Jan. 10, 1938, CCF 1907-1939, Great Lakes, RG 75, National Archives.

sovereignty, agent J.C. Cavill noted, the Lac Courte Oreilles People earned the distinction of being “one of the most trying groups I have had to work with at this jurisdiction.”²⁶⁹ Although Anakwad objected, Kingfisher, the new Tribal Council president Tom Miller, and the rest of the Tribal Council continued to lead with their authority only tenuously recognized both by the People and by Settler officials. The council, helmed by Miller and Kingfisher, worked to fulfill the promises of the IRA that had most attracted their support: reclaiming lands and resources. Early in 1938, Cavill wrote to his superiors to inquire whether he could override the Tribal Council to grant permission for individuals to build homes on tribal lands.²⁷⁰ The Tribal Council refused to allow any new construction without seeking approval through a general council meeting, a position that remained consistent since the conflict regarding the LaRonges’ store in 1928.²⁷¹ Cavill wrote to Collier, “The Indians contend that this reserve belongs to them. We have repeatedly tried to make them understand that this is Government-owned land and not tribal property,” and the Ojibwe can only live there at the federal government’s will.²⁷² The Tribal Council disagreed, and by insisting on holding a general council meeting before distributing land they recognized the source from which they drew their authority to govern: the People.²⁷³ Land, the foundation of their peoplehood, was a resource whose access continued to be governed by a particular set of relationships that could not be delegated to a central authority.

²⁶⁹ J.C. Cavill to Collier, Aug. 9, 1940, Lac Courte Oreilles, General Records Concerning Indian Organization, ca. 1934-1956, Great Lakes Agency, RG 75, National Archives.

²⁷⁰ J.C. Cavill to John Herrick, Jan. 25, 1930, Lac Courte Oreilles, General Records Concerning Indian Organization, ca. 1934-1956, Great Lakes Agency, RG 75, National Archives.

²⁷¹ J.C. Cavill to John Herrick, Jan. 25, 1930, Lac Courte Oreilles, General Records Concerning Indian Organization, ca. 1934-1956, Great Lakes Agency, RG 75, National Archives.

²⁷² J.C. Cavill to Collier, Aug. 9, 1940, Lac Courte Oreilles, General Records Concerning Indian Organization, ca. 1934-1956, Great Lakes Agency, RG 75, National Archives.

²⁷³ At a December 28 meeting in 1939, the Tribal Council discussed reacquiring four pieces of land in the same township, including Pipestone Falls on Pipestone Creek near New Post, a sacred site that provided the miskopwaaganasin (red pipestone or catlinite) for making the opwaaganag (pipes) used in daily and seasonal ceremonies. “Minutes of the Meeting of the Lac Courte Oreilles Tribe of Chippewa held on December 28, 1938,” Dec. 28, 1938, CCF 1907-1939, Great Lakes, RG 75, National Archives, 24241-1937-054.

In 1939, a series of disagreements related to land use and resource distribution heightened the conflict. In September, Agency employee William Obern threatened to remove the pump financed by revolving funds on John, Jr., and Nellie Mustache's land if the Mustaches failed to immediately repay their loan. "This well is located at the site of the semi-annual medicine dance grounds and at the time provides water for many people," the younger Mustache protested.²⁷⁴ Moreover, Obern's demands violated the agreement with the Council that deferred payments until the summer ceremony, when the Mustaches intended to collect money from those who gathered and used the well.²⁷⁵ Federal officials transgressed ceremonial and kinship networks by demanding immediate payment, and both Anakwad and Kingfisher objected to the violation of their peoplehood.

The underlying disagreement involved who had the right to spend tribal funds and for what purpose. Distributing resources remained a function of *ogimaaaag*, established by *aadizookanag* and entangled in reciprocal relationships of *inawemaagan*. At a special meeting on August 8, 1939, Cavill asked the Tribal Council to transfer unexpended balances from the past three years' agriculture and domestic aid accounts to the building fund, implying that this surplus remained after individual Ojibweg had already received aid. They transferred a total of \$711.72 from funds originally intended to help individual Ojibweg with buying seeds and plants, plowing, canning, and sewing supplies.²⁷⁶ The next winter, during a series of open meetings, the men and women of Lac Courte Oreilles came up with the idea of purchasing a tractor using

²⁷⁴ Statement by John Mustache to Phinney, enclosed in Phinney to the Commissioner of Indian Affairs, Aug. 6, 1940, Lac Courte Oreilles, General Records Concerning Indian Organization, ca. 1934-1956, Great Lakes Agency, RG 75, National Archives.

²⁷⁵ Statement by John Mustache to Phinney, enclosed in Phinney to the Commissioner of Indian Affairs, Aug. 6, 1940, Lac Courte Oreilles, General Records Concerning Indian Organization, ca. 1934-1956, Great Lakes Agency, RG 75, National Archives.

²⁷⁶ "Special Meeting, Aug. 8, 1939," Aug. 8, 1939, Meeting Minutes, CCF 1907-1939, Great Lakes, RG 75, National Archives, 24241-1937-054.

available funds. Miller explained, “We have such a hard time here every year to get any plowing done.”²⁷⁷ The BIA released the money, three thousand dollars, and two men headed out to pick up the machine. At the last minute, however, the Extension Agent turned down the proposal, for the funds were intended strictly for private loans. Anakwad demanded to know what happened to the money set aside for seeds and planting—the funds that the Tribal Council had, with insufficient information, transferred to the building fund several months prior. According to Miller, “this act by the office in my opinion has retarded all that we have accomplished along with the other group” by undermining how the general council had decided to distribute the People’s money.²⁷⁸

At approximately the same time, in mid-February, Blakeslee asked the Council to “discuss making suggestions” about customary marriages.²⁷⁹ Again, Anakwad and others who opposed the Tribal Council saw the Council’s involvement in Anishinaabeg marriage as violating what little authority the Tribal Council possessed. It proved to Anakwad that the Tribal Council threatened the foundational relationships of their peoplehood.

On the evening of April 24, 1940, tensions peaked. Anakwad, both John Mustache Sr. and Jr., and George James, Dan Homesky, and “[q]uite a number” of community members crowded into the hall along with the Tribal Council.²⁸⁰ Lawrence Obern, the Farm and Extension

²⁷⁷ Statement by Tom Miller to Phinney, enclosed in Phinney to the Commissioner of Indian Affairs, Aug. 6, 1940, Lac Courte Oreilles, General Records Concerning Indian Organization, ca. 1934-1956, Great Lakes Agency, RG 75, National Archives.

²⁷⁸ Statement by Tom Miller to Phinney, enclosed in Phinney to the Commissioner of Indian Affairs, Aug. 6, 1940, Lac Courte Oreilles, General Records Concerning Indian Organization, ca. 1934-1956, Great Lakes Agency, RG 75, National Archives.

²⁷⁹ Statement by Tom Miller to Phinney, enclosed in Phinney to the Commissioner of Indian Affairs, Aug. 6, 1940, Lac Courte Oreilles, General Records Concerning Indian Organization, ca. 1934-1956, Great Lakes Agency, RG 75, National Archives.

²⁸⁰ “Regular Monthly Meeting of Tribal Council of the Lac Courte Oreilles Reservation, Reserve, WI, April 24, 1940,” Apr. 24, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, 24241-1937-054.

Agent, tried to rally support for a committee to support new farm projects. Norman Guibord asked from where Obern intended to obtain the money for such projects. The Extension Division had no money. Bern planned to draw on tribal funds—the People’s money. Guibord replied, “Before we appoint that Committee, I think it would be proper that we ask the people whether they want that money spent that way or not.”²⁸¹ Tom Miller quickly agreed. At open meetings, the men and women of Lac Courte Oreilles had discussed purchasing a tractor with their shared resources, much of which came from the dam payments. The tractor would be available for the use of all the People, rather than benefiting a few individuals. “Instead of getting this,” Miller objected, “we see this big farm project being put over on us.”²⁸²

Anakwad went a step further. He “questioned the validity of the Council in expending Tribal funds,” regardless of the purpose.²⁸³ Blakeslee dismissed the ogimaa, replying that both the Department and Congress recognized the Tribal Council as “clothed with the authority to act for their Band in all matters pertaining to their interests.”²⁸⁴ He stated that only Congress had the power to release the Lac Courte Oreilles People’s funds, for they were the “official guardians of the Indians.” Only an act of Congress could grant access to the flowage money, deposited by the Northern States Power Company, formerly the Wisconsin-Minnesota Light and Power

²⁸¹ “Regular Monthly Meeting of Tribal Council of the Lac Courte Oreilles Reservation, Reserve, WI, April 24, 1940,” Apr. 24, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, 24241-1937-054.

²⁸² “Regular Monthly Meeting of Tribal Council of the Lac Courte Oreilles Reservation, Reserve, WI, April 24, 1940,” Apr. 24, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, 24241-1937-054.

²⁸³ “Regular Monthly Meeting of Tribal Council of the Lac Courte Oreilles Reservation, Reserve, WI, April 24, 1940,” Apr. 24, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, 24241-1937-054.

²⁸⁴ “Regular Monthly Meeting of Tribal Council of the Lac Courte Oreilles Reservation, Reserve, WI, April 24, 1940,” Apr. 24, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, 24241-1937-054.

Company.²⁸⁵ The ogimaag and the elected Tribal Council agreed in their outrage regarding this denial of their autonomy.

Both groups believed they best fulfilled the obligations of ogimaag among the People. An exasperated Kingfisher “pointed out the fact that if this tribe had not rejected the Constitution and By-laws... which would have enabled us to secure separate appropriations for the purposes mentioned in this request for the use of the Tribal Funds, it would not have made it necessary to touch the Tribal Fund.”²⁸⁶ He insisted that individual loans were “the next best thing” to per capita payments. The elder Mustache, who did most of the speaking for Anakwad’s perspective, accused Kingfisher and the Tribal Council of “taking food right out of the mouths of the little ones who have had nothing from the Government.”²⁸⁷ Kingfisher, who felt equally confident that he had the People’s collective interest in mind, retorted that “it was the old faction who have continuously opposed and objects every constructive program designed to better the living conditions of our young people who was doing the robbery of the little ones, not the council.”²⁸⁸ Although their views about how to do so remained diametrically opposed, Kingfisher and Mustache both emphasized the importance of honoring relational obligations.

Both Kingfisher and Anakwad emerged from the community building seething and determined to protect Lac Courte Oreilles sovereignty. The following day, Anakwad, Mustache, and several others drove one hundred miles to Centuria, Wisconsin, where their kinsman Father Gordon now lived and worked. Gordon described the ogimaag as “violently opposed to the

²⁸⁵ “Regular Monthly Meeting of Tribal Council of the Lac Courte Oreilles Reservation, Reserve, WI, April 24, 1940,” Apr. 24, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, 24241-1937-054.

²⁸⁶ “Regular Monthly Meeting of Tribal Council of the Lac Courte Oreilles Reservation, Reserve, WI, April 24, 1940,” Apr. 24, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, 24241-1937-054.

²⁸⁷ “Regular Monthly Meeting of Tribal Council of the Lac Courte Oreilles Reservation, Reserve, WI, April 24, 1940,” Apr. 24, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, 24241-1937-054.

²⁸⁸ “Regular Monthly Meeting of Tribal Council of the Lac Courte Oreilles Reservation, Reserve, WI, April 24, 1940,” Apr. 24, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, 24241-1937-054.

Reorganization set-up,” which they felt the People had rejected when they decided against the constitution. Anakwad enumerated several distinct complaints. First, wrote Father Gordon, “The Indians allege that the so-called ‘tribal lands’ are no longer tribal but ‘government’ lands. The Indians have been requested to vacate.”²⁸⁹ Additionally, they protested the use of tribal funds without the People’s approval—and they considered the Tribal Council an illegitimate mouthpiece for the People. To support this point, Anakwad submitted a petition signed by one hundred people, more than had voted in the last election, that stated, “We the undersigned members of the Lac Courte Oreilles tribe of Chippewa Indians did not give the tribal council of the Lac Courte Oreilles Reservation the right by vote to ask Congress or Indian Department for tribal funds to be used on the Reservation and it is understood that this money is being used against the will of the people of this Reservation.”²⁹⁰ They demanded the Commissioner of Indian Affairs halt all expenditures “till permission is granted by the tribe by vote.”²⁹¹ Finally, Anakwad believed that the Superintendent refused to acknowledge his authority as an ogimaa.

The three complaints highlighted Anakwad’s vision of governance and its relation to Ojibwe peoplehood: protecting the aki and resources, respecting the reciprocal relationships set out by aadizookanaag that valued decentralized decision-making, and the kinship relationships that underwrote the power of an ogimaa. Gordon demonstrated respect for these relationships when he transcribed the ogimaag’s complaints with a sense of urgency, warning Collier against

²⁸⁹ Gordon to Collier, April 26, 1940, Indian Organization Great Lakes, LaPointe Agency, RG 75, NARA Chicago, IL.

²⁹⁰ Gordon to Collier, April 26, 1940, Indian Organization Great Lakes, LaPointe Agency, RG 75, NARA Chicago, IL.

²⁹¹ Gordon to Collier, April 26, 1940, Indian Organization Great Lakes, LaPointe Agency, RG 75, NARA Chicago, IL.

responding with “the bureaucratic routine method.”²⁹² Instead, he asked for a federal representative to visit and meet with the ogimaag and the rest of the People.²⁹³

The ogimaag and the Tribal Council had the opportunity to meet with federal officials a few months later. In 1940, Collier sent Nez Perce anthropologist, activist, and Indian Service field agent Archie Phinney to Lac Courte Oreilles in response to Anakwad’s petition.²⁹⁴ Collier wrote to Father Gordon that Phinney’s visit would “explain the reorganization program,” but the disagreements among Lac Courte Oreilles leaders derived not from questions about the IRA but rather from differing visions of the best form of governance to protect Lac Courte Oreilles sovereignty.²⁹⁵ Phinney investigated by conducting individual interviews and meeting with general councils. Kingfisher presided over the first meeting on June 20. At this general council, the Tribal Council members defended their leadership. Kingfisher directed the focus of the conflict away from the perceived factionalism to Cavill and other federal officials. He suggest that the feelings of neglect expressed by Anakwad arose in part “because the Superintendent refuses to come out and visit them, even after they have invited him.”²⁹⁶ Kingfisher and the other Tribal Council members expressed willingness to share authority with or at least to consult elders and the People at large, and they suggested that, rather than internal disfunction, Settler officials’ narrow understandings of Ojibwe peoplehood fueled the conflict on the reservation.

²⁹² Gordon to Collier, April 26, 1940, Indian Organization Great Lakes, LaPointe Agency, RG 75, NARA Chicago, IL.

²⁹³ Gordon to Collier, April 26, 1940, Indian Organization Great Lakes, LaPointe Agency, RG 75, NARA Chicago, IL.

²⁹⁴ Phinney, who trained under anthropologist Franz Boas, helped to found the National Congress of American Indians. Thomas Cowger, *The National Congress of American Indians: The Founding Years* (Lincoln: University of Nebraska Press, 1999), 31-39.

²⁹⁵ Collier to Gordon, May 23, 1940, Indian Organization Great Lakes, LaPointe Agency, RG 75, NARA Chicago, IL.

²⁹⁶ “Special Meeting of the Lac Courte Oreilles Tribal Council, Reserve, Wis., June 20, 1940,” Jun. 20, 1940, Lac Courte Oreilles General Correspondence Files, Great Lakes Area, RG 75, NARA Chicago, IL, Box 22.

Phinney's investigation revealed the reasons that Anakwad opposed the Tribal Council emerged in sharper detail. Like the Turtle Mountain People, the ogimaa and his supporters insisted on a view of Ojibwe-Settler relations rooted in a long history of reciprocity and alliances. They objected that relief benefits required work.²⁹⁷ Moreover, they believed that Blakeslee and Cavill, representatives of the United States, were "arbitrarily denying the use of reserve lands to Indian families."²⁹⁸ They worried that the IRA would eventually result in the taxation of Ojibwe lands, a direct violation of their sovereign relationships with the land they had reserved. The most recent iteration of federal policies that thus far had only hurt, to Anakwad the IRA embodied U.S. interference.

Later interviews and meetings with Phinney further illustrated that the questions surrounding governance at Lac Courte Oreilles resulted not from petty, personal factionalism but rather from external attacks on their sovereignty. In both interviews and general council meetings, Kingfisher, Tom Miller, Anakwad, Mustache, and others could not separate the conflict between the Tribal Council and the "older group" from complaints against BIA officials. At a well-attended meeting held on July 2, the group opposed to the Tribal Council spoke first. Anakwad stood and stated that "the old-time leadership and activity on the reservation had been effective and good."²⁹⁹ Tom Miller agreed and blamed the problems on "the irregular manner of handling tribal funds in which the wishes of the Business Council and the Indians were being

²⁹⁷ "Minutes of Meeting of General Representatives from the Lac Courte Oreilles Band of Reserve, Wisconsin, July 2, 1940," Jul. 2, 1940, Indian Organization Great Lakes, LaPointe Agency, RG 75, NARA Chicago, IL.

²⁹⁸ Phinney to the Commissioner of Indian Affairs, Aug. 6, 1940, Indian Organization Great Lakes, LaPointe Agency, RG 75, NARA Chicago, IL.

²⁹⁹ "Minutes of Meeting of General Representatives from the Lac Courte Oreilles Band of Reserve, Wisconsin, July 2, 1940," Jul. 2, 1940, Indian Organization Great Lakes, LaPointe Agency, RG 75, NARA Chicago, IL.

ignored by the Indian service personnel.”³⁰⁰ Using the example of tribal funds and the tractor incident, he argued that if only Cavill and Blakeslee had “adjusted to the situations of the Indian people” by allowing the Lac Courte Oreilles People to spend tribal funds for community investments rather than individual loans, then “other difficulties would not have arisen.”³⁰¹ Mustache made a nearly identical argument. According to the meeting’s minutes, he objected that the BIA expended tribal money “for individual purposes (Reimbursable Funds) in disregard of the general welfare of the band, indicating that the funds were originally intended for per capita payments.”³⁰² He spoke against the Tribal Council, which he referred to as “mixed bloods” and not “the real Indian element,” but he criticized the lack of protection on the part of the federal government against state game wardens and the fact that the federal government required work to access relief benefits, which resulted in Ojibwe men and women “being deprived of their legitimate rights on the reservation.”³⁰³ Like Miller, Mustache’s argument circled back to Settler officials undermining Ojibwe decision-making and sovereignty.

The elder ogimaag met during lunch to prepare their vision of Ojibwe governance. The plan they presented to the People matched their arguments throughout the past six years. The first two points concerned treaty rights. They wanted to send a delegation to Washington to resolve the matter of unfulfilled treaties in a way that would “promote tribal interests.”³⁰⁴ The ogimaag also proposed to replace the Tribal Council with the “older group” as “a reservation

³⁰⁰ “Minutes of Meeting of General Representatives from the Lac Courte Oreilles Band of Reserve, Wisconsin, July 2, 1940,” Jul. 2, 1940, Indian Organization Great Lakes, LaPointe Agency, RG 75, NARA Chicago, IL.

³⁰¹ “Minutes of Meeting of General Representatives from the Lac Courte Oreilles Band of Reserve, Wisconsin, July 2, 1940,” Jul. 2, 1940, Indian Organization Great Lakes, LaPointe Agency, RG 75, NARA Chicago, IL.

³⁰² “Minutes of Meeting of General Representatives from the Lac Courte Oreilles Band of Reserve, Wisconsin, July 2, 1940,” Jul. 2, 1940, Indian Organization Great Lakes, LaPointe Agency, RG 75, NARA Chicago, IL.

³⁰³ “Minutes of Meeting of General Representatives from the Lac Courte Oreilles Band of Reserve, Wisconsin, July 2, 1940,” Jul. 2, 1940, Indian Organization Great Lakes, LaPointe Agency, RG 75, NARA Chicago, IL.

³⁰⁴ “Minutes of Meeting of General Representatives from the Lac Courte Oreilles Band of Reserve, Wisconsin, July 2, 1940,” Jul. 2, 1940, Indian Organization Great Lakes, LaPointe Agency, RG 75, NARA Chicago, IL.

committee,” while “the younger people” would remain “as an advisory element.”³⁰⁵ Finally, they wanted all committee meetings to be open to the People as a whole, reflecting the zagaswe’idiwin. Settler notions of governance constrained the IRA’s imagining of Indigenous self-government as too narrow and inflexible to embrace the dynamic relationships of peoplehood. Phinney dismissed the ogimaag system as undemocratic. “Let the voters decide who shall represent them,” he said, as if championing the will of the People.³⁰⁶ Kingfisher, however, knew the network of relationships that comprised the Lac Courte Oreilles People. He responded in a more conciliatory manner, assuring Anakwad that the Tribal Council was “more than anxious to bring the Indians to an united stand and cooperative effort. Anakwad and Mustache applauded his sentiment, and the meeting ended with talk of harmonious relations.”³⁰⁷

Following Phinney’s visit, the Lac Courte Oreilles People moved forward with their evolving system of governance. Anakwad, Mustache, and their fellow ogimaag remained skeptical of the Tribal Council as the best way to promote the People’s sovereignty, and the Tribal Council carried on with their monthly meetings and annual elections. The meeting held on October 30, a few short months after Phinney left, typified the tenuous cooperative leadership that continued to evolve. The regular meeting, led by Kingfisher at president Tom Miller’s request, attracted a large crowd—large enough that Cavill remarked on the size.³⁰⁸ Cavill raised the issue of customary marriages. The Council, whether because the crowd was watching or because of a genuine commitment to decentralized government, responded that “it was difficult

³⁰⁵ “Minutes of Meeting of General Representatives from the Lac Courte Oreilles Band of Reserve, Wisconsin, July 2, 1940,” Jul. 2, 1940, Indian Organization Great Lakes, LaPointe Agency, RG 75, NARA Chicago, IL.

³⁰⁶ “Minutes of Meeting of General Representatives from the Lac Courte Oreilles Band of Reserve, Wisconsin, July 2, 1940,” Jul. 2, 1940, Indian Organization Great Lakes, LaPointe Agency, RG 75, NARA Chicago, IL.

³⁰⁷ “Minutes of Meeting of General Representatives from the Lac Courte Oreilles Band of Reserve, Wisconsin, July 2, 1940,” Jul. 2, 1940, Indian Organization Great Lakes, LaPointe Agency, RG 75, NARA Chicago, IL.

³⁰⁸ “Proceedings of the Lac Courte Oreilles Tribal Council in their Regular Monthly Meeting, Reserve, Wisconsin, October 30, 1940,” Oct. 30, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, 24241-1937-054.

for the Council at this time to give any definite answer, as it would require a meeting with the general public and sound off the people as to what they think about the matter.”³⁰⁹ They deferred “the people at large,” clearly acknowledging the bounds of the Tribal Council’s authority.

Throughout the fall, the Tribal Council assigned land, approved small appropriations for wells and fences, and oversaw building projects, but when significant land or financial questions arose they again respected the people at large. In December, Guibord asked that Superintendent Cavill call a general council meeting to discuss the nine thousand dollars of their tribal funds that Congress had made available and to consider several enrollment applications. Moreover, when two reimbursement loan recipients fell behind on payments, Miller suggested that the question of adjudicating their repayment should “be referred to the General Council of the Indians as all are interested in these loans.”³¹⁰ Much to Superintendent Cavill’s annoyance, the Lac Courte Oreilles People continued to convene zagaswe’idiwinan to discuss matters of governance. In 1941, as a dispute between the Lac Courte Oreilles People and the state of Wisconsin regarding treaty-protected hunting and fishing rights demanded the People’s attention, the Tribal Council agreed to include Anakwad or another of the ogimaag in the delegation that traveled to Madison to meet with state representatives. Although he remained committed to the Tribal Council, Kingfisher had learned that respecting the ogimaag and the People was the only way to protect Lac Courte Oreilles sovereignty.

During the first decades of the twentieth century, the Lac Courte Oreilles People evaluated evolving systems of governance from the perspective of their peoplehood. In the heat

³⁰⁹ “Proceedings of the Lac Courte Oreilles Tribal Council in their Regular Monthly Meeting, Reserve, Wisconsin, October 30, 1940,” Oct. 30, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, 24241-1937-054.

³¹⁰ “Proceedings of the Lac Courte Oreilles Tribal Council, Reserve, Wisconsin, December 27, 1940,” Dec. 27, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, 24241-1937-054.

of the moment, fearing the destruction of their peoplehood that had already survived so much, Kingfisher and Anakwad overlooked their convergences. Both agreed that Ojibwe governance remained essential to protecting their sovereignty. While both Kingfisher and Anakwad agreed that the authority to govern derived from relationships with the People, they envisioned differing conduits for that leadership.

With the chief's medals entrusted to the care of the People, Naynahkawkanape found a way to lead and to protect Saulteaux sovereignty from the Settler forces that sought to diminish it. The contested election propelled Naynahkawkanape into action, and in 1932 he prepared to lead his People back to the haylands of their former ishkonigan where they planned to reclaim their homeland in the face of ethnic cleansing. Similarly, Kanick, Kingfisher, and Anakwad were at the forefront of evolving governance on their own ishkoniganan. At Turtle Mountain, the People experimented with new constitutional forms of organization, favoring a written constitution in 1932 and rejecting the Indian Reorganization Act three years later, while continuing the daily work of administering and protecting land, resources, and kinship networks. The occasionally acrimonious debates between ogimaag like Anakwad and elected representatives such as Kingfisher at Lac Courte Oreilles likewise demonstrate the continued dynamism of Anishinaabe leadership. The men and women of Lac Courte Oreilles asked not if the People should lead but how, and in between federal investigations and votes about the IRA, both ogimaag and elected council continued to contest the intrusive authority of Settler officials. Throughout Anishinaabewaki, the People never stopped governing. Their active, uninterrupted efforts to defend their ishkoniganan positioned the Lac Courte Oreilles, Turtle Mountain, St.

Peter's Peoples in the 1940s and 1950s to insist on a dynamic vision of Anishinaabe peoplehood enshrined in the treaty relationships of the previous century.

Chapter 7

Gaaenakowinid:¹ Enacting Sovereignty, 1930-1954

Gitchi Manitou, the Creator, breathed life through a Sacred Shell into Anishinaabe, the first man from whom the People take their name, and then the Creator placed Anishinaabe into the world. Long ago, the Anishinaabe lived far away on the eastern shores of Turtle Island, and Gitchi Manitou sent seven prophets to the Anishianabeg People to tell them that it was time to move west to the land where there was “the food that grows on water.” It took some convincing—the People were prosperous and happy—but most of the Anishinaabe decided to go. Gitchi Manitou sent a Miigis shell to lead them home again. Finally, after four or five hundred years of migration, they reached Mooningwanekaaning-minis, where manoomin grew in abundance and fish swarmed in the waters. The maple trees provided the Anishianabeg with sugar, and asemaa (tobacco) offered itself in order for the People to give thanks to the Spirits and maintain the balance. This place, extending from the Great Lakes to the prairies, was Anishianabewaki, the homeland of the Anishinaabeg People. When the light-skinned newcomers arrived, foretold by the same prophets who initiated the chibimoodaywin, new generations of Anishinaabeg protected the aki, the manoomin, and the asemaa—and the manidookewinan and aadizookanag they invoked. The People negotiated treaties that preserved on paper, in aadizookanag, and in lived experiences the relationship between the Anishinaabeg and their homeland.

Anishinaabe peoplehood survived a century of Settler colonialism aimed at erasing their existence. By the early twentieth century, the People had survived starvation, ethnic cleansing,

¹ Gaaenakowinid means “that which was given to anishinaabeg to live by.” Scott Richard Lyons, *X-Marks: Native Signatures of Assent* (Minneapolis: University of Minnesota Press, 2010), 87.

flooding, and divided ishkoniganan. The Anishinaabeg had done more than merely survive; the men and women of St. Peter's, Turtle Mountain, and Lac Courte Oreilles actively shaped their Peoples' futures in ways that supported their peoplehood. Evolving systems of governance in the 1920s and 1930s positioned Anishinaabeg communities to continue to defend their sovereignty against corrosive Settler colonialism. In the 1930s and 1940s, Settler governments in the United States and Canada pursued new strategies to erase the existence of Indigenous Peoples. The Anishinaabeg, however, knew that alliance-making in the previous century connected them in living relationships that demanded certain obligations from Settler nations. Treaties became part of the People's aadizookanag. Aadizookanag comprise one of the five pillars of peoplehood, and in the 1930s-1950s, Anishinaabeg evoked that sacred history to claim haylands, defy termination, and pursue hunting and fishing rights.

By 1954, one hundred years following the creation of the first ishkonigan, the Anishinaabeg Peoples were not in decline. They faced new challenges and threats to their very existence from Settler colonial powers still bent on erasing Indigenous presence. On the edge of the northern prairie, Settler colonialism endangered the Saulteaux of St. Peter's existence as a distinct People. Amidst the ongoing process of ethnic cleansing, leadership on the ishkonigan passed from the Saulteaux to the Maškēkowak, and ogimaag such as Naynahkawkanape and Angus Prince feared that an election unravel the relationship that bound together the People. Naynahkawkanape had refused to hand over the medals as a way to void the election, and now he and Prince planned to occupy their former ishkonigan and reassert their rights under Treaty One. They defended the treaty and the land it recognized in Settler courts, and, when that strategy failed, with their labor.

To the south, the Turtle Mountain People likewise encountered a Settler attempt to erase their People: termination. The Turtle Mountain People had managed to cling to the two remaining townships of their homeland through a century of Settler policies that aimed to exterminate their peoplehood. The men and women of Turtle Mountain spoke up against termination, and leaders such as Patrick Gourneau represented the People in formal testimony before Congress to prevent the disastrous policy from erasing their existence.

Termination policies threatened the Lac Courte Oreilles People as well, but in the form of a state hungry for the People's rich resources. The fight to protect Lac Courte Oreilles sovereignty against the state occurred at the local level, in confrontations between individual Ojibweg and state officials, but the underlying questions about resources, jurisdiction, and sovereignty affected the People as a whole. The St. Peter's, Turtle Mountain, and Lac Courte Oreilles Peoples all returned to their treaties, which had become part of aadizookanag, to hold Settler governments accountable for the agreements that allowed the United States and Canada to exist. In courtrooms, haylands, and forests, the Anishinaabeg Peoples drew on the rights and relationships of nineteenth century treaties, which remained living relationships that sustained the People.

“Because the ground is mine”: The St. Peter's People Reclaim Their Ishkonigan

On a cold day in the early spring of 1932, a group of about twelve Saulteaux families, including Angus Prince and Naynahkawkanape, led their sleighs and wagons along the high ground of a half-frozen marsh, trudging through patches of slush as deep as ten inches. They were coming home to the land that held their ancestors' bones, the land from which the Dominion of Canada had illegally separated the St. Peter's People in 1907. Saulteaux men traveled every spring to trap wazhashkoog or muskrats on the St. Peter's marsh from their new

reserve several hundred miles north, but this year, they had hidden mowers and building material under their horses' hay and other supplies. This year, they were going to stay and reclaim the hay lands for the St. Peter's People.²

The confrontation in the haylands grew out of a century of Settler encroachment on Saulteaux sovereignty. When the St. Peter's People negotiated Treaty One, or the Stone Fort Treaty, in 1871, they ceded much of their homeland for Settler agricultural use, but they reserved resource access and enough land to support themselves and future generations at their *ishkonigan* on the Red River. Despite their ethnic cleansing via the so-called surrender in 1907, the present generation of Saulteaux had not forgotten the promises enshrined in Treaty One. They had legal victories in 1912 that declared the surrender void, although the Settler government had implemented ethnic cleansing anyway, and for the past twenty-five years Prince, Naynahkawkanape, and other Saulteaux *ogimaag* had reminded the Canadian and Manitoban governments of the sovereign relationships enacted in Treaty One. Saulteaux defeat in the election of 1932 immediately precipitated the decision to occupy the haylands, which built on Naynahkawkanape's defiant stand against turning over the medals. As the first signs of the March thaw began to loosen frozen waters, Naynahkawkanape, Angus Prince, and their fellow Saulteaux returned home.

The supposedly-erased *ishkonigan* remained part of the St. Peter's People's homeland. In addition to the families who continued to live on patented lands, Naynahkawkanape and many

² Naynahkawkanape, Charles A. Thompson, John Manningway, Alfred Charles Flett, and Albert Alex to His Royal Highness King George V of England, 27 July 1932, "Correspondence Regarding Grazing Lands and the Prosecution of Indians Who Have Not Accepted the 1907 Surrender of St. Peter's Reserve and Have Remained on It," Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181; "Fisher River Tribe Prepare For Winter at Old Reserve," *Winnipeg Tribune*, Sept. 21, 1932, St. Peter's Indian Reserve scrapbook, St. Peter's Indian Reserve, Canada Department of Indian Affairs, Archives of Manitoba, Folder 3.

others camped in the marsh during the warmer months to access resources such as berries, hay, and muskrats. The “surrender” set aside approximately 3,000 acres of hay land near Netley Creek “for the members of the band having land in the present reserve or entitled to receive land under this agreement.”³ Current Peguis First Nation councillor Mike Sutherland, whose grandfather trapped near Netley Creek after the surrender, remembered, “There used to be hundreds of rat houses through that marsh.”⁴ Every spring, as the ice began to break up, Saulteaux trappers and their families loaded sleighs and wagons and trekked south to Netley Marsh. They camped on the hay lands through the fall, where they cut hay to feed their livestock when they returned to the new Peguis Reserve.⁵ Through their labor—erecting shelters, trapping muskrats, cutting hay—Saulteaux men and women enacted living relationships that connected them to their homeland and continued to practice the rights preserved in their treaty.

Although Saulteaux men and women used the hay lands continuously since their ethnic cleansing, trouble began in 1918. Five hundred sixty-one St. Peter’s men, women, and children still lived within the erased boundaries of their former reserve.⁶ Nevertheless, that spring, the DIA leased the hay lands to local businesses and Settlers.⁷ Inspector John R. Bunn informed those camping in the marsh that their “privileges”—as he called their access rights—had lapsed.

³ St. Peter’s Surrender.

⁴ Manitoba Clean Environment Commission, “Transcript of the Proceedings Held at Fort Garry Hotel, Winnipeg, MB, Thursday, March 19, 2015,” *Lake Winnipeg Regulatory Review under the Water Power Act*, vol. 7, <http://www.cccmanitoba.ca>, accessed Oct. 14, 2015.

⁵ Naynahkawanape, Charles A. Thompson, John Manningway, Alfred Charles Flett, and Albert Alex to His Royal Highness King George V of England, 27 July 1932, “Correspondence Regarding Grazing Lands and the Prosecution of Indians Who Have Not Accepted the 1907 Surrender of St. Peter’s Reserve and Have Remained on It,” Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

⁶ “Indians of the old St. Peter’s Reserve who still have their home on the reserve,” 1917, “Correspondence Regarding the Leasing of Grazing Land on St. Peter’s Reserve,” Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

⁷ J.D. McLean to J.R. Bunn, 3 Apr. 1918, “Correspondence Regarding the Leasing of Grazing Land on St. Peter’s Reserve,” Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

Bunn encouraged the families to move to the new Peguis Reserve, but they replied that “they thought they could not go this year.”⁸ St. Peter’s families continued to access the marsh. By the early 1930s, 165 individuals lived on patented lands within the old reserve, and another 130 squatted in the area.⁹ In 1931 amidst the worsening economic situation of the Great Depression, a group of Saulteaux living at St. Peter’s requested permission to cut additional hay to sell to local Settlers. The Department refused, and rumors circulated that the Department intended to sell the last portion of their homeland that the St. Peter’s People had reserved for themselves and their children.¹⁰ That winter, Naynahkawanape lost the election to a Maškēkowak, and he and his fellow ogimaag led their People in a dramatic, public assertion of their sovereignty in the St. Peter’s haylands, using both the legal system and their labor.

The Saulteaux disseminated their position in a series of petitions and interviews with local newspapers. They refused to recognize the election of Maškēkowak leaders and instead retained Naynahkawanape as their primary ogimaa, along with the Saulteaux members of his council, and designated English-educated Angus Prince as their speaker. In a letter to the Superintendent General of the Department of Indian Affairs, the Saulteaux at St. Peter’s declared, “We the chief, council and band of Indians have reclaimed and took possession of our

⁸ J.R. Bunn to D.C. Scott, 29 Mar. 1918, "Correspondence Regarding the Leasing of Grazing Land on St. Peter's Reserve," Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

⁹ Inspector Christianson, "Inspector Christianson's Report on the Clandeboye Agency," 19 Jun. 1931, "Correspondence Regarding Grazing Lands and the Prosecution of Indians Who Have Not Accepted the 1907 Surrender of St. Peter's Reserve and Have Remained on It," Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

¹⁰ M. Christianson to Mr. Graham, 19 Jun. 1931, "Correspondence Regarding Grazing Lands and the Prosecution of Indians Who Have Not Accepted the 1907 Surrender of St. Peter's Reserve and Have Remained on It," Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181; D.C. Scott to Graham, 24 Jul. 1931, "Correspondence Regarding Grazing Lands and the Prosecution of Indians Who Have Not Accepted the 1907 Surrender of St. Peter's Reserve and Have Remained on It," Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

Reserve back.”¹¹ They acted not as a faction or a fractured group but rather as a unified People. They insisted that the hay lands had not been included in the surrender, and, anyway, the removal agreement was “made through fraud in robbing us of our reserve and a great deal of our treaty rights.”¹² They warned the federal government to stop leasing the hay lands because the “band of Indians are going to make use of the whole marsh this season.” Asserting their sovereignty, Naynahkawkanape wrote, “If you fail to comply with this request, proceedings will be taken in order to have matters adjusted.”¹³

The 1871 treaty remained central to their argument. Naynahkawkanape’s father Thomas Greyeyes, then ninety, had participated in the Stone Fort negotiations, and he told his son and grandson what he had witnessed. The relationships represented by the treaty extended back through aadizookanag, and Treaty One preserved the Saulteaux People’s Creator-given right to the aki. The elder Greyeyes carried these sacred relationships forward when he joined his son and grandson in the hay lands.¹⁴ Naynahkawkanape drew on his father’s knowledge when he addressed the living descendent of the Settler alliance-makers, the king, “We would quote the stipulations of our treaty: That if we ever get tired of our reserve, first of all we would lay the matter before the Crown of which was not fulfilled when the surrender of St Peters [sic] was

¹¹ Chief Nanahkawkonape and Angus Prince to H.M. McGill, 26 Dec. 1932, “Correspondence Regarding Grazing Lands and the Prosecution of Indians Who Have Not Accepted the 1907 Surrender of St. Peter's Reserve and Have Remained on It,” Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

¹² Chief Nanahkawkonape and Angus Prince to H.M. McGill, 26 Dec. 1932, “Correspondence Regarding Grazing Lands and the Prosecution of Indians Who Have Not Accepted the 1907 Surrender of St. Peter's Reserve and Have Remained on It,” Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

¹³ Chief Alex Greyeyes to A.G. Hamilton, 22 Jun. 1932, “Correspondence Regarding Grazing Lands and the Prosecution of Indians Who Have Not Accepted the 1907 Surrender of St. Peter's Reserve and Have Remained on It,” Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

¹⁴ “Fisher River Tribe Prepare for Winter at Old Reserve,” *Winnipeg Tribune*, Sept. 21, 1932, St. Peter’s Indian Reserve scrapbook, St. Peter’s Indian Reserve, Canada Department of Indian Affairs, Archives of Manitoba, Folder 3.

made, of which we consider null and void.”¹⁵ In leveling his ultimatum about the haylands at the DIA, Naynahkawkanape acted intentionally to “make a stand for what he considered a violation of the treaty of 1871, by which the Indians were assured possession of lands and rights in perpetuity.”¹⁶ In addition to speaking and writing about the treaty, embedded in aadizookanag, Naynahkawkanape and the other thirty to thirty-five families lived out the sacred relationships in the 1871 agreement as they got to work, cutting poplar poles to erect shelters, trapping, and making hay to assert their inherent rights as Saulteaux to access their ishkonigan resources.¹⁷

The Department responded immediately, threatened by the display of sovereignty from a supposedly contained First Nation. Officials agreed on the need for “force,” although they desperately hoped to avoid press coverage. While the Saulteaux People understood that the 1907 removal agreement protected the reservation of the hay lands, the DIA argued that only those who retained patented land had rights to the marsh. Inspector of Indian Agencies A. G. Hamilton called in the Royal Canadian Mounted Police to issue eviction notices.¹⁸ After stern talking-tos and open threats from DIA officials failed to convince the Saulteaux to abandon the haylands, the R.C.M.P. arrested Greyeyes and eighteen Saulteaux men under Section 116 of the Indian Act, which granted the Department of Indian Affairs the jurisdiction to arrest Indians for

¹⁵ Chief Nayna[?] to the Governor General, May 9, 1932, C-13510, Elections and Resignations of Chiefs and Councillors, Fisher River Agency, Library and Archives Canada, Ottawa, ON.

¹⁶ “Fined \$150 and Ordered to Move Tribe Off St. Peter’s Reserve,” no date, St. Peter’s Indian Reserve scrapbook, St. Peter’s Indian Reserve, Canada Department of Indian Affairs, Archives of Manitoba, Folder 3.

¹⁷ Article fragment, no date, St. Peter’s Indian Reserve scrapbook, St. Peter’s Indian Reserve, Canada Department of Indian Affairs, Archives of Manitoba, Folder 3; “Chief Grey Eyes and the Peguis Election,” *Winnipeg Tribune*, Apr. 13, 1932, St. Peter’s Indian Reserve, Canada Department of Indian Affairs, Archives of Manitoba, Folder 3.

¹⁸ A.G. Hamilton to Secretary of the Department of Indian Affairs, Apr. 10, 1933, “Correspondence Regarding Grazing Lands and the Prosecution of Indians Who Have Not Accepted the 1907 Surrender of St. Peter’s Reserve and Have Remained on It,” Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

trespassing on Crown lands and issue a fine of \$5 per day.¹⁹ The trials were held in Exchequer Court between 1932 and 1934, prolonged by a series of stays and appeals. Department lawyer Theo A. Hunt at first agreed to suspend sentences and drop charges against anyone who moved off the hay lands and returned to Peguis, believing that making an example of two or three individuals would frighten the others into submission. Hunt was wrong. Hamilton and Fisher River Indian Agent G.W. Lavender, meanwhile, withheld treaty payments from the returned families, depriving them of the means to fund their legal defense.²⁰ The St. Peter's People continued to occupy the marsh despite threats and coercion.

The Saulteaux used the trials to frame the dispute as a disagreement between sovereigns. In a petition to Canadian Governor General Lord Bessborough, Naynahkawanape and Angus Prince began by telling the story of the 1871 treaty negotiations, which confirmed that “we are the Saulteaux Indians, the nation which made the treaty with the British Empire.”²¹ Presenting themselves as a nation with a treaty-protected relationship with the Settler government supported their claim to authority over their lands and people as federal policy sought to erase their existence. They protected their jurisdiction by denying the R.C.M.P's authority. Angus Prince demanded before the Exchequer Court, “Who has given you the authority to bring us to court

¹⁹ “Copy of Exhibit ‘1,’” *The King vs. Alex Greyeyes*, Jun. 10, 1933, St. Peter's Indian Reserve, Canada Department of Indian Affairs, Archives of Manitoba, Folder 3.

²⁰ R.C.M.P. Report, “Re: Indians, Peguis Indian Reserve,” Jul. 22, 1932, “Correspondence Regarding Grazing Lands and the Prosecution of Indians Who Have Not Accepted the 1907 Surrender of St. Peter's Reserve and Have Remained on It,” Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

²¹ Naynahkawanape and Angus Prince to Governor General Bessborough, Jun. 4, 1933, “Correspondence Regarding Grazing Lands and the Prosecution of Indians Who Have Not Accepted the 1907 Surrender of St. Peter's Reserve and Have Remained on It,” Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

like this?”²² He argued that the 1871 treaty only allowed Dominion interference in cases of rape, murder, and theft.²³ As 40-year-old member of the reoccupation Henry Pahkoo asserted, the Settlers were “doing the biggest stealing.... We own that land and that is why we go and cut” the hay.²⁴ Additionally, the Saulteaux refused to acknowledge the Indian Act, which officials used to justify their arrest. The Indian Act “conflicts with the stipulations of our Treaty.” Prince argued, “As we have a chief and councillors, our heads, representing the band of Indians, they are the men to consult before any law could be made.”²⁵ The St. Peter’s People operated their own government distinct from—and equal to—Canadian institutions. With leaders such as Prince who studied not only Anishinaabe *inaakonegewin* (law) but also Settler legal systems, the Saulteaux strategically made the case for their sovereignty in terms Settler officials understood—nation, jurisdiction, and democratic representation—while relying on their treaty for support.

By centering Treaty One, the St. Peter’s People protected an expansive, relational understanding of sovereignty rooted in the relationships of peoplehood. They understood their removal in terms of living relationships. In their formal list of complaints presented in court, in the press, and in petitions, Saulteaux *ogimaag* objected “that the new Reserve has segregated them away from their relatives, friends, and associates of long-standing,” straining vital kinship

²² Theo A. Hunt to A.G. Hamilton, Jun. 13, 1933, “Correspondence Regarding Grazing Lands and the Prosecution of Indians Who Have Not Accepted the 1907 Surrender of St. Peter’s Reserve and Have Remained on It,” Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

²³ G.H. Lavender to A.G. Hamilton, Jun. 14, 1933, “Correspondence Regarding Grazing Lands and the Prosecution of Indians Who Have Not Accepted the 1907 Surrender of St. Peter’s Reserve and Have Remained on It,” Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

²⁴ “Department of Indian Affairs Prosecution of Indians for Trespass on Old St. Peters Reserve,” CDIA - Pegis Indian Reserve, Archives of Manitoba, Folder 2.

²⁵ Angus Prince, “Saulteaux Indians and the St. Peter’s Reserve,” Sept. 24, no year, St. Peter’s Indian Reserve Scrapbook, St. Peter’s Indian Reserve, Canada Department of Indian Affairs, Archives of Manitoba, Folder 3.

networks.²⁶ The Saulteaux men on trial for trespassing and the women who refused to move their families from their hay lands while their husbands awaited trial in jail drew on the understanding of *ishkonigan* as *aki* set aside for the People when they insisted that “no man under the sun could ever take it away from us.”²⁷ The place where Netley Creek met the Red River held their ancestors’ bodies. The Creator had made it for them as their “birth-right,” as Angus Prince declared in a lengthy speech during Naynahkawanape’s trial. Treaty One was more than a piece of paper signed by two sovereigns; an embodiment of *aadizookanag*, it evoked living relationships with ancestors, resources, and the Creator.²⁸

The trial’s climax came in the summer of 1933, when Angus Prince put the federal government on trial for abrogating Treaty One. Prince turned a local trial about minor trespassing fines into a sweeping indictment of Settler colonialism and defense of Saulteaux sovereignty. The young Peguis descendant stood in a crowded courtroom on a hot July day and declared to DIA officials and the closest representative of the Crown he could find that a fraudulent surrender agreement could not break the living relationships embodied by Treaty One and inherent in Saulteaux peoplehood “as long as that sun shines and the river stream runs and the green grass grows.”²⁹ Prince, whom the DIA had never charged, opened his statement “to argue that their ancient treaty be adhered to by the white man who have followed the

²⁶ John L. Williams to Theo A. Hunt, May 25, 1933, “Correspondence Regarding Grazing Lands and the Prosecution of Indians Who Have Not Accepted the 1907 Surrender of St. Peter’s Reserve and Have Remained on It,” Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

²⁷ “Statement Made by Angus Prince,” *The King v. Alex Greyeyes*, Jun. 9, 1933, “Correspondence Regarding Grazing Lands and the Prosecution of Indians Who Have Not Accepted the 1907 Surrender of St. Peter’s Reserve and Have Remained on It,” Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

²⁸ “Statement Made by Angus Prince,” *The King v. Alex Greyeyes*, Jun. 9, 1933, “Correspondence Regarding Grazing Lands and the Prosecution of Indians Who Have Not Accepted the 1907 Surrender of St. Peter’s Reserve and Have Remained on It,” Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

²⁹ “Statement Made by Angus Prince,” *The King v. Alex Greyeyes*, Jun. 9, 1933, “Correspondence Regarding Grazing Lands and the Prosecution of Indians Who Have Not Accepted the 1907 Surrender of St. Peter’s Reserve and Have Remained on It,” Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

representation of Queen Victoria in the dealings with the red men.”³⁰ The *Winnipeg Tribune*, which had covered the case extensively during the previous year, recorded Prince’s monologue:

“Your Worship,” he began, “I am very much surprised today in the way this court has been settled in regard to our question—very, very badly surprised. Never once did I thought ever such a thing could take place, under the sun, because as regards to my treaty the establishment of the treaty in 1871 still exists today as long as the sun shines and the river stream runs and the green grass grows. That is the emblem of our understanding. That is what is our defence [sic], the token which was taken when the late Queen Victoria—our most gracious, noble Queen Victoria—made treaty with the Indians. And ever since that time, after the treaty was made, finished, completed, everything, the book was right there. Everybody was given a chance to speak. The governor who represented the Queen of England at that time he had the book right open. Now he says, ‘if anybody wishes to say a few words it will be open for about n hour and whoever wants to speak, or say any more should come up.’ And so the book was open, and after that hour expired and it was closed....And now today how much amendmets after amendmets has been amended on the top of this great transaction, which is the real foundation of our treaty. This is the only defence [sic] we have. It is nothing else and we are going to speak for justice if there is any justice to go in Canada at all.”³¹

Prince portrayed the Settler state as the criminals for violating the treaty. The courtroom heard—and much of Winnipeg later read—how the Saulteaux “will never forget it as long as we live, the awful, dirty, mean way they always have treated us these last many years, ever since the winter of 1907 which was worse. Of course it was bad enough before that, but it was a thousand million times worse since.”³² Drawing on the treaty, as well as the preexisting Saulteaux “birthright,”

³⁰ Frank T. Bownes, “Salteaux Indians Continue Fight to Retain the Lands Occupied by Forefathers,” *Winnipeg Tribune*, Jul. 1, 1933, St. Peter’s Indian Reserve Scrapbook, St. Peter’s Indian Reserve, Canada Department of Indian Affairs, Archives of Manitoba, Folder 3.

³¹ Frank T. Bownes, “Salteaux Indians Continue Fight to Retain the Lands Occupied by Forefathers,” *Winnipeg Tribune*, Jul. 1, 1933, St. Peter’s Indian Reserve Scrapbook, St. Peter’s Indian Reserve, Canada Department of Indian Affairs, Archives of Manitoba, Folder 3.

³² Frank T. Bownes, “Salteaux Indians Continue Fight to Retain the Lands Occupied by Forefathers,” *Winnipeg Tribune*, Jul. 1, 1933, St. Peter’s Indian Reserve Scrapbook, St. Peter’s Indian Reserve, Canada Department of Indian Affairs, Archives of Manitoba, Folder 3. Local reaction to the case was strong and mixed. Lavender and other federal officials wrote editorials against the Saulteaux. Prince’s rhetorical skills and Naynahkawanape’s defiance elicited sympathy from many in Winnipeg and surrounding communities. One pro-“rebels” Settler-penned editorial in the *Winnipeg Tribune* read, “Canada is rightfully proud of the way she has treated her Indians, but the way the Saulteaux of Manitoba have been and are being treated is a disgrace.” The St. Peter’s People’s vocal stand in the

Prince claimed that the ishkoniigan “exists today as our own, and everybody knows it everywhere.”³³ Prince knew that Saulteaux sovereignty was a living and legal reality. By presenting a defense rooted in aadizookanag about the 1871 treaty and fraudulent 1907 surrender, he hoped to force the court to acknowledge the reality of Saulteaux peoplehood.

Neither Prince’s speech nor the People’s testimony convinced the judge. With the Red River still flowing outside the courtroom’s windows, the court convicted Naynahkawkanape and the other defendants for trespassing and fined Naynahkawkanape \$150 or three months in jail.³⁴ Magistrate Welsford, the judge who heard the case, believed that he lacked the authority to contradict the removal agreement, whatever arguments the St. Peter’s People and their ogimaag made.³⁵ Because of the Dominion’s refusal to recognize Saulteaux calls to honor their treaty, the St. Peter’s People found themselves in the untenable position of defending national issues on a local stage. Legal remedies failed to protect the St. Peter’s People, as had happened with the Royal Commission and the St. Peter’s Act of 1916. Nevertheless, the St. Peter’s People used

haylands challenged the nationalist narrative that cast Canada in a benevolent role. This writer understood the epistemic violence of Settler colonialism, adding, “The white man erects monument to their ancestor, Peguis, but will not try to understand their grievances.” “Failure to Re-elect Chief Blamed For Trek of Indians,” *Winnipeg Tribune*, Sept. 22, 1932; “Indians Do Well on the Peguis Reserve,” Jun. 15, 1933; “Justice for Salteaux,” *Winnipeg Tribune*, no date, St. Peter’s Indian Reserve Scrapbook, St. Peter’s Indian Reserve, Canada Department of Indian Affairs, Archives of Manitoba, Folder 3.

³³ Frank T. Bownes, “Salteaux Indians Continue Fight to Retain the Lands Occupied by Forefathers,” *Winnipeg Tribune*, Jul. 1, 1933, St. Peter’s Indian Reserve Scrapbook, St. Peter’s Indian Reserve, Canada Department of Indian Affairs, Archives of Manitoba, Folder 3.

³⁴ *The King v. Alex Greyeyes*, Jun. 9, 1933, “Correspondence Regarding Grazing Lands and the Prosecution of Indians Who Have Not Accepted the 1907 Surrender of St. Peter’s Reserve and Have Remained on It,” Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181.

³⁵ During Albert Pahkoo’s trial, Welsford said, “I want you to understand I have not got the power to set aside the surrender that was made in 1907 and more than that I am bound by it. I must assume that it is all correct. You may have the best reasons in the world to have it set aside by a Court but I cannot set it aside and as long as it is not set aside by a Court of competent jurisdiction it is binding on me and I must apply it.” *His Majesty the King vs. Indians, trespassing on Old St. Peter’s Reserve, Manitoba*, Jul. 20 and 27, 1934, and Aug. 4, 1934, Department of Indian Affairs re Prosecution of Indians for Trespass on Old St. Peter’s Reserve, Manitoba, Canada Department of Indian Affairs - St. Peter’s Reserve, Archives of Manitoba, Folder 2, 24.

other strategies of active resistance. The men and women of St. Peter's used their labor to renew their claim to the *ishkonigan*.

At his trial, Henry Pahkoo, arrested for trespassing on his People's reserved lands, addressed the political nature of his and his relations' *anokiiwin*. The prosecutor asked Pahkoo, "Who does the Hay land or marsh belong to?" Without hesitation, Pahkoo replied, "It belongs to the Indian tribe," clarifying that he meant the *Saulteaux* and not the *Maškēkowak*.³⁶ Referencing his *Saulteaux* ancestors, he explained his People's claim to the land, "My great grandfather owned this from the start."³⁷ Like Prince and *Naynahkawkanape*, he explicitly referenced the 1871 treaty. Investigators asked Pahkoo whether he had a permit to cut hay from the marsh. "No, we don't need any," Pahkoo answered. He explained, "I am not trespassing because the ground is mine.... Yes, I did cut hay and will cut more to [sic]."³⁸ The act of cutting hay was the labor of sovereignty—sovereignty that remained vital despite Settler attempts to erase the St. Peter's People from their homeland.

Supported by their labor in the marshes and hay lands, however, the St. Peter's People remained in their homeland. *Naynahkawkanape* moved off the 3,000 acres—but only far enough

³⁶ *His Majesty the King vs. Indians, trespassing on Old St. Peter's Reserve, Manitoba*, Jul. 20 and 27, 1934, and Aug. 4, 1934, Department of Indian Affairs re Prosecution of Indians for Trespass on Old St. Peter's Reserve, Manitoba, Canada Department of Indian Affairs - St. Peter's Reserve, Archives of Manitoba, Folder 2, 42.

³⁷ *His Majesty the King vs. Indians, trespassing on Old St. Peter's Reserve, Manitoba*, Jul. 20 and 27, 1934, and Aug. 4, 1934, Department of Indian Affairs re Prosecution of Indians for Trespass on Old St. Peter's Reserve, Manitoba, Canada Department of Indian Affairs - St. Peter's Reserve, Archives of Manitoba, Folder 2, 43.

³⁸ Pahkoo maintained defiant sarcasm throughout his testimony. When Hunt referenced Fisher River, Pahkoo quipped, "Well, it is not altogether a river, it is a creek," highlighting the St. Peter's People's complaint that the new reserve provided inadequate resources. He challenged the 1907 surrender, insisting that he had "never seen a patent in his life." Hunt responded, "I didn't ask you that?" "Well, I am telling you," Pahkoo replied. Throughout the trial, Pahkoo and other *Saulteaux* repeatedly told Settler officials why they were wrong and why *Saulteaux* sovereignty persisted. Unfortunately, Hunt and other officials seemed uninterested in listening, especially since *Saulteaux* sovereignty contradicted the Settler hegemony they worked to maintain. After being sentenced to a \$2,015.00 fine or three months in jail, Pahkoo got the last word: "You won't keep me in gaol very long." *His Majesty the King vs. Indians, trespassing on Old St. Peter's Reserve, Manitoba*, Jul. 20 and 27, 1934, and Aug. 4, 1934, Department of Indian Affairs re Prosecution of Indians for Trespass on Old St. Peter's Reserve, Manitoba, Canada Department of Indian Affairs - St. Peter's Reserve, Archives of Manitoba, Folder 2, 49.

to put up a rough log structure on a road allowance over which the DIA had no jurisdiction. Other families relocated their tents to the road allowance or moved at least temporarily to surrounding Anishinaabe communities such as Brokenhead or the new Peguis reserve. Eighty-year-old Murdo Sutherland built a shack “[i]n the bush on the bank of the river. I am not lying in the marsh where the grass is growing,” he told officials. It was far enough outside the DIA’s jurisdiction to grant him a stay.³⁹ Some families squatted for years on the lands of relatives or sympathetic Settlers, and at least a dozen retained their patented land within the reserve’s former boundaries.⁴⁰ John Pahkoo, one of the so-called trespassers, made camp on the land owned by a Settler named Elliott Ratt. “Never as long as I live” would he return to Peguis.⁴¹ Angus Prince likewise refused to accept the Peguis Reserve. He moved to Brokenhead, where he continued to advocate for his People and served as chief on the Brokenhead council in the 1950s.⁴²

Convicted for trespassing in his homeland, Albert Pahkoo captured the attitude of his People at his sentencing in 1934. “We have been waiting for twenty-six years,” he said, “and I

³⁹ *His Majesty the King vs. Indians, trespassing on Old St. Peter’s Reserve, Manitoba*, Selkirk Police Court, 20th and 27 July 1934 and 4 August 1934, Department of Indian Affairs re Prosecution of Indians for Trespass on Old St. Peter’s Reserve, Manitoba, Archives of Manitoba, Folder 2, 77.

⁴⁰ Inspector Day, R.C.M.P. Report, “Re: Alec Greyeyes, et. al, St. Peters, Manitoba (Indian) Trespassing on St. Peters Hay Land. Section 116, Indian Act,” 19 Jun. 1933, “Correspondence Regarding Grazing Lands and the Prosecution of Indians Who Have Not Accepted the 1907 Surrender of St. Peter’s Reserve and Have Remained on It,” Clandeboye Agency, RG 10, Library and Archives Canada, Microfilm Reel C-10181; A.G. Hamilton to Secretary General of the Department of Indian Affairs, 13 Mar. 1940, 2061829.

⁴¹ *His Majesty the King vs. Indians, trespassing on Old St. Peter’s Reserve, Manitoba*, Selkirk Police Court, 20th and 27 July 1934 and 4 August 1934, Department of Indian Affairs re Prosecution of Indians for Trespass on Old St. Peter’s Reserve, Manitoba, Archives of Manitoba, Folder 2, 73.

⁴² Angus Prince, “Manitoba Elders,” edited by Vi Chalmers, Mary-Rose Olson, and Moses Bigness, Manitoba Indian Cultural Education Center, 1981; Felix Keuhn, “Brokenhead Reserve,” St. Clement’s Heritage, <https://stclementsheritage.com>, accessed Mar. 1, 2016. Prince lived to be 103 years old. An obituary published in *Indian Record* remembered the leader, “With his passing the Indian people lost an articulate spokesman with an extensive knowledge of the history of the reserve and the ways of his people. He did not think of himself as an instructor but when he told stories, passing on the way of his people, he was indeed a fine teacher in cross-cultural education of long ago and now.” Anne Lester, “Tribute to a Prince,” *Indian Record*, Apr. 1986.

guess we can fight another twenty-six years.”⁴³ Even after the Department sold the hay lands in 1947, the St. Peter’s People—sometimes known today as the Little Peguis People—remained in their homeland, unrecognized at least for the time but drawing strength from the relationships of their peoplehood.

“We have our rights that we should keep”: The Turtle Mountain Fight against

Termination

In the summer of 1953, David P. Delorme returned home to the Turtle Mountain ishkonigan. Delorme, a studious young man of 35, had been in Texas working toward his PhD in economics. Delorme grew up in a two-story frame house in South Belcourt, where his father Francis and his mother Margaret ran a small restaurant and pool hall. His parents’ business comfortably supported the family with an income of one thousand dollars per year, well above average for the impoverished, overcrowded ishkonigan.⁴⁴ Francis and Margaret Delorme, who each had eight years in the boarding school system, valued education. David and his sisters attended public school and David left the ishkonigan to attend college by the time he turned twenty-one.⁴⁵ With a loan from his sister and another from the Turtle Mountain Advisory Committee, David worked his way through school first in Oklahoma and then at the University

⁴³ *His Majesty the King vs. Indians, trespassing on Old St. Peter’s Reserve, Manitoba*, Selkirk Police Court, 20th and 27 July 1934 and 4 August 1934, Department of Indian Affairs re Prosecution of Indians for Trespass on Old St. Peter’s Reserve, Manitoba, Archives of Manitoba, Folder 2.

⁴⁴ Turtle Mountain Industrial Survey, Reports of Industrial Surveys, 1922-1929, RG 75, National Archives Washington, D.C., Box 45.

⁴⁵ Turtle Mountain Industrial Survey, Reports of Industrial Surveys, 1922-1929, RG 75, National Archives Washington, D.C., Box 45.

of Texas. In 1953, as the sun warmed the northern plains, he headed home, as so many Native scholars have done, to conduct fieldwork amongst his People.⁴⁶

Delorme's research investigated the economic and social conditions among Ojibweg on and around the ishkonigan.⁴⁷ Perhaps sheltered by his family's relative wealth, Delorme found that poverty ran deeper and opportunity much more shallow than he expected when he first began talking with his fellow Turtle Mountain men and women.⁴⁸ In addition to the lack of resources, another topic alarmed both the scholar and his inawemaaganag. A few months earlier, word had arrived of legislation to withdraw already insufficient federal services and break up the reduced ishkonigan. Delorme talked to a lot of people—87 of the 692 families living on the ishkonigan—and they collectively opposed this new attack on their existence as a People.⁴⁹ Through his research Delorme spoke with Patrick Gourneau, a gregarious fifty-year-old with a dancer's physique.⁵⁰ Gourneau, who had an eighth grade education and spoke his prayers in Ojibwemowin, served as the current chairman of the Advisory Committee.⁵¹ He ran a successful

⁴⁶ United States, Congress, Senate, Committee on Interior and Insular Affairs, *Termination of Federal Supervision Over Certain Tribes of Indians: Joint Hearings, Eighty-third Congress, Second Session*, Part 12 (Washington: U.S. Government Print Office, 1954), 1533.

⁴⁷ David P. Delorme, "A Socio-Economic Study of the Turtle Mountain Band of Chippewa Indians and a Critical Evaluation of Proposals Designed to Terminate Their Federal Wardship Status" (Ph.D. diss., University of Texas, 1955).

⁴⁸ United States, *Termination*, 1440.

⁴⁹ Delorme, "Socio-Economic Study," 202.

⁵⁰ Patrick Gourneau is the grandfather of Turtle Mountain authors Louise and Heid Erdrich. Although Gourneau would in the next decade be at the center of a community-wide dispute that led to the replacement of the 1932 constitution and the Advisory Committee that Gourneau chaired, Louise Erdrich describes him as "defiant, but he was a wonderful politician as well. He made friends with everyone who set foot on the reservation," including a North Dakota governor. She credits him with preventing their People's termination, and, recalling his letters, wonders, "How did this man with an eighth-grade education write so beautifully? How did he know when to act? How did he understand so much about the political climate? I don't know. He saw the downside [of termination], and he acted." It was Patrick Gourneau who encouraged Erdrich's parents to enroll his granddaughter at a time when Indian identity often led to discrimination, and watching him pray with his pipe in the woods inspired Erdrich to learn Ojibwemowin as an adult. Henry Louis Gates, *Faces of America: How Twelve Extraordinary People Discovered Their Pasts* (New York: New York University Press, 2010), 81-82.

⁵¹ Gates, *Faces of America*, 81-82.

farm for twenty-three years until the Great Depression, and in 1953 he worked at the nearby Turtle Mountain Ordnance Plant that produced jewel bearings.⁵² Gourneau knew well his People's challenges and hopes for the future. Gourneau, along with Delorme, emerged as his People's main defender against the termination legislation that moved forward the following winter. They both knew, as Gourneau's granddaughter Louise Erdrich later explained, that the Turtle Mountain People "had only two townships left on this tiny, tiny morsel of land, but the people of Turtle Mountain would not leave. They wanted their homeland."⁵³ In the year that followed Delorme and Gourneau's conversation, they protected that homeland by proactively asserting their People's inherent sovereignty.

By 1953, when both Delorme and rumors of termination arrived on the Turtle Mountain ishkonigan, the People had experienced some recent successes in their ongoing effort to protect their peoplehood. Overcrowding and scarce resources strained economic conditions. Nearly half of the 8,938 enrolled members lived on the reservation or in its immediate vicinity, and few with enough food on the table and even fewer with electricity or running water.⁵⁴ Turtle Mountain and Dakota activist Leonard Peltier, currently imprisoned for the murder of two FBI agents at Pine Ridge in 1975, recalled the "brutal poverty" on the ishkonigan. As a child, he helped to put meat in the soup by killing birds and squirrels. His family was too poor to afford bread and milk, and Peltier grew up believing "that gnawing ache in my belly was just the way I was supposed to feel."⁵⁵ Despite its failures and continued questions about the organization's legitimacy, the

⁵² United States, *Termination*, 1488, 1531-2.

⁵³ Gates, *Faces of America*, 85.

⁵⁴ United States, *Termination*, 1429.

⁵⁵ Peltier also remembered how his grandparents connected him to Turtle Mountain peoplehood. He learned Michif, and "Gamma taught me the old songs and stories and even a little medicine. Gramps would take me out hunting,

Advisory Committee remained active.⁵⁶ In the early 1940s, the Advisory Committee helped to direct a land recovery program, which required special legislation from the federal government because the Turtle Mountain People had rejected the IRA and its potential land programs.⁵⁷ In 1941 and 1942, the Advisory Committee acquired 33,700 acres of land in and adjacent to the reservation, which became tribal property protected by trust and which the Advisory Committee divided into 184 farmable units to lease to its many landless people.⁵⁸ Hundreds of families remained without access to land, but the Advisory Committee increased tribal landholdings from a mere 167 acres, which Settler officials used for the agency building and school.⁵⁹ The People recovered at least part of their *ishkonigan*.

Perhaps the most serious threat to that yet-unbroken sovereignty of the past one hundred years came in the form of federal termination policies in the 1950s.⁶⁰ Termination extended the

show me how to make things, how to survive on my own out in the wild.” Leonard Peltier, *Prison Writings: My Life Is My Sundance* (New York: St. Martin’s Press, 1999), 58-77.

⁵⁶ Keith Richotte calls the 1932 constitution and the Advisory Committee a failure because neither managed to “alleviate the burdens created by the McCumber Agreement and the exodus of community members it produced” or the resultant land shortage, which were the concerns that led to the constitution in the first place. Richotte, ““We the Indians,”” 171-173.

⁵⁷ The Advisory Committee played an active role in determining where to select land and what type of land to purchase, as well as assigning newly acquired land. Mr. Baxter to Mr. Weber, Aug. 22, 1942, Division of Resources Branch of Land Records Relating to Land Tenure and Acquisition, 1914-1949, RG 75, National Archives, Turtle Mountain, Box 28.

⁵⁸ George W. Hedden to Lee Wathen, Oct. 12, 1948, CCF 1940-1957, RG 75, National Archives, Turtle Mountain, Box 32. Congress passed a bill on May 23, 1940, that also called for a new census and opened tribal rolls for the first time since 1907, although it still excluded any Turtle Mountain people residing in Canada. J.M. Stewart to Simeon Gingras Giroux, Oct. 8, 1940, CCF 1940-1957, RG 75, National Archives, Turtle Mountain, Box 3; 77th Congress, 1st Session, House of Representatives, Report No. 148, Amending Act of May 23, 1940, Feb. 25, 1941. North Dakota Governor John Moses supported taking the land into trust, calling the situation at Turtle Mountain “nothing short of a calamity.” John Moses to Hon. Gerald P. Nye, May 16, 1941, CCF 1940-1957, RG 75, National Archives, Turtle Mountain, Box 3.

⁵⁹ “Analytical Report Relating to Land and Allied Problems on the Turtle Mountain Indian Reservation, Feb. 1937, Turtle Mountain Agency, Belcourt, North Dakota,” Feb. 1937, Division of Resources Branch of Land Records relating to Land Tenure and Acquisition, 1914-1947, RG 75, National Archives, Box 28.

⁶⁰ Scholars are almost universally critical of termination policy, viewing it as not only a failure but also disastrous for Indigenous people. Perhaps the most famous rebuke comes from Vine Deloria, Jr., in his chapter on the then-ongoing termination policy in *Custer Died for Your Sins*. Wilkinson and Biggs call it a failure and expose its anti-Indian origins. Warren Metcalf writes of “the long night of termination.” Valandra is scathingly critical of personal

previous century of assimilation policies to the logical conclusion inherent in Settler colonialism: eliminating Indigenous Peoples as distinct Peoples.⁶¹ Despite advances in land recovery and self-governance, as at Turtle Mountain, the underfunded IRA failed to ameliorate the economic conditions on reservations that had prompted Collier's reforms.⁶² Working from radicalized, politicized assumptions that reservation life—or Indigenous peoplehood—inhibited the so-called progress of Native Americans, Settler officials such as BIA commissioner Dillon Myer and Senator Arthur Watkins developed a policy to withdraw federal services, trust status, and recognition of Indian sovereignty, passing control to land-hungry states.⁶³ Although termination involved a broad range of legislation and administrative acts, the cornerstone piece was House Concurrent Resolution 108. HCR 108 proclaimed that “it is the policy of Congress, as rapidly as possible to make the Indians within the territorial limits of the United States subject to the same laws and entitled to the same privileges and responsibilities as are applicable to other citizens of the United States, to end their status as wards of the United States, and to grant them all of the

motivations. Deloria, *Custer Died for Your Sins*, 55-77; Wilkinson and Biggs, “The Evolution of the Termination Policy,” *American Indian Law Review* (Jan. 1977): 139-184; Warren Metcalf, *Termination's Legacy: The Discarded Indians of Utah* (Lincoln: University of Nebraska Press, 2002), 204; Edward Valandra, *Not Without Our Consent: Lakota Resistance to Termination, 1950-1959* (Urbana and Chicago: University of Illinois Press, 2006).

⁶¹ Most scholars see termination as a new iteration of assimilation policy. Charles F. Wilkinson and Eric R. Biggs call termination the “most extreme extension of assimilation” and show the policy's origins extending back through 150 years. White Earth historian Jean O'Brien traces the roots of termination's assimilationist impulse to efforts in Massachusetts, Connecticut, and Rhode Island to “terminate” the system of guardianship established during the colonial period under the rhetorical guise of “‘liberating’ Indians from the perceived shackles of tribalism.” Wilkinson and Biggs, “The Evolution of the Termination Policy,” 139-184; O'Brien, “State Recognition and ‘Termination’ in Nineteenth-Century New England,” *Recognition, Sovereignty Struggles, and Indigenous Rights in the United States: A Sourcebook*, edited by Amy E. Den Ouden and Jean M. O'Brien (Chapel Hill: University of North Carolina Press, 2013), 149. Other scholars who link termination and relocation include the following: Philp, *Termination Revisited*; Wilkinson, *Blood Struggle*; Clarkin, *Federal Indian Policy in the Kennedy and Johnson Administrations, 1941-1969* (Albuquerque: University of New Mexico Press, 2001); Fixico, *Termination and Relocation*; Warren Metcalf, *Termination's Legacy*; Kenneth R. Philp, ed., *Indian Self-Rule: First-Hand Accounts of Indian-White Relations from Roosevelt to Reagan*; Valandra, *Not Without Our Consent*; Prucha, *The Great Father*, 1017-1059.

⁶² Philp, *Termination Revisited*, 15.

⁶³ Valandra, *Not Without Our Consent*, 8. Historian Warren Metcalf argues that race and identity were at the center of termination policy. Perceptions of Indian identity “created both the ideological motivation for termination and political climate that resulted in the actual division of the Ute tribe.” Metcalf, *Termination's Legacy*, 15-16; 19-20.

rights and prerogatives pertaining to American citizenship....”⁶⁴ It continued to list a preliminary group of Peoples including those in California, Florida, New York, and Texas that “should be freed from Federal supervision and control and from all disabilities and limitations specifically applicable to Indians”—“*at the earliest possible time.*”⁶⁵ Alongside the Menominee People of Wisconsin and several others, Congress included the poor, hungry, and overcrowded Turtle Mountain People as targets to terminate.⁶⁶

Their inclusion in HCR 108 shocked the Turtle Mountain People. The first inklings of termination policy had reached the ishkonigan several years earlier, in 1947. Late that summer, the *Turtle Mountain Star* reported on “the move in congress [sic] to emancipate Indians.”⁶⁷ The Turtle Mountain People had appeared on then-commissioner William Zimmerman’s list of Native American Peoples “ready to be cut loose from federal control at once.”⁶⁸ Zimmerman’s criteria included degree of assimilation, which comprised racialized factors such as blood quantum and “business ability,” economic conditions, willingness on the part of the People, and consent from the surrounding state, which would take over many of the services the federal government provided.⁶⁹ North Dakota dissented, as did the Turtle Mountain People.⁷⁰ Agent J.L. Diddick quickly advised his superiors that the action seemed “much too drastic” and “does not at

⁶⁴ House Concurrent Resolution 108, 83d Cong., 1st sess. (1953).

⁶⁵ House Concurrent Resolution 108, 83d Cong., 1st sess. (1953).

⁶⁶ House Concurrent Resolution 108, 83d Cong., 1st sess. (1953).

⁶⁷ “Special Assistant of Senate Committee Visits County: Turtle Mountain Tribe Listed for Early Emancipation,” *Turtle Mountain Star*, Aug. 21, 1947.

⁶⁸ “Special Assistant of Senate Committee Visits County: Turtle Mountain Tribe Listed for Early Emancipation,” *Turtle Mountain Star*, Aug. 21, 1947.

⁶⁹ U.S. Congress, *Report*, 163 - H. Rpt. 2503. Also others about Zimmerman

⁷⁰ “Special Assistant of Senate Committee Visits County: Turtle Mountain Tribe Listed for Early Emancipation,” *Turtle Mountain Star*, Aug. 21, 1947.

the present time fit in with the plans of the people of the reservation.”⁷¹ What the people needed was additional funding, not less. Diddick added that the goal of self-government and local control already directed his actions as agent.⁷² Diddick’s response reflected the statement released by the Advisory Committee in December. The Turtle Mountain People supported gradually rolling back federal involvement, but they knew that conditions on the ishkonigan prevent meaningful autonomy if the already scanty services disappeared. Moreover, as they made clear in pursuing their claim, Advisory Committee members such as Edward Jollie, Louis Marion, and Alex Martin believed the federal government remained obligated to support the “rehabilitation” of the People, who only needed rehabilitating because of Settler actions going back to the Ten Cent Treaty.⁷³ After drawing attention to the Advisory Committee’s ongoing governance, they chastised the federal government for “the plight of this tribe,” including “economic distress” because of overcrowding on the two townships left to the People.⁷⁴ Undoubtedly, Jollie, Marion, and Martin believed that their statement not only reminded federal officials of Turtle Mountain sovereignty but also proved that Zimmerman had made a mistake in ever placing them on his list.

Termination moved forward with little regard for Turtle Mountain sovereignty. Nearly six years later, in 1953, the Turtle Mountain People learned that Congress had passed legislation to terminate their People by reading the news in local papers.⁷⁵ Despite talk about Indigenous consent, the Settler Congress imposed termination on Indigenous Peoples, ignoring concerns like

⁷¹ J.L. Diddick to H.M. Crittenfield, Nov. 25, 1947, CCF 1940-1957, Turtle Mountain, RG 75, National Archives, Box 1.

⁷² J.L. Diddick to H.M. Crittenfield, Nov. 25, 1947, CCF 1940-1957, Turtle Mountain, RG 75, National Archives, Box 1.

⁷³ “Resolution,” Dec. 1, 1947, CCF 1940-1957, Turtle Mountain, RG 75, National Archives, Box 1.

⁷⁴ “Resolution,” Dec. 1, 1947, CCF 1940-1957, Turtle Mountain, RG 75, National Archives, Box 1.

⁷⁵ United States, *Termination*, 1437.

those of the Turtle Mountain in 1947 and involving such little consultation that the Ojibweg only read about the Turtle Mountain termination bill after it had been drafted.⁷⁶

The Turtle Mountain People acted swiftly to oppose the legislation and protect their People. Leonard Peltier remembers how news of impending termination swept through the ishkonigan. He captured the attitude of his People when he described termination policies as “an assault on our very existence as a people, an attempt to eradicate us.”⁷⁷ Throughout the summer of 1953, now-chairman Patrick Gourneau and graduate student Delorme talked about the potentially disastrous legislation with other Ojibweg. In addition to crippling poverty, Delorme encountered staunch opposition among his inawemaaganag. In an appendix to his dissertation, Delorme included many of the responses to his questionnaire. Two thirds of the men and women he spoke to objected outright to ending their relationship with the federal government. Among the third that considered abolishing the Indian Service, many responded that federal officials had already broken that relationship. A typical respondent answered, “The Indian Service has never done me a darn bit of good. Instead, it’s been harmful.”⁷⁸ The majority worried about the still-unsettled claim. They also pointed to the threat to their peoplehood. One person stated, quite simply, “We have our rights that we should keep,” and another said, “I don’t want to be white.”⁷⁹ The men and women of Turtle Mountain recognized that termination threatened to undermine their peoplehood, which mobilized the community.

⁷⁶ The issue was consent. Historian Nicholas C. Peroff shows that the Menominee played no real role in the decision to terminate. Peroff, *Menominee Drums: Tribal Termination and Restoration* (Norman: University of Oklahoma Press, 1982).

⁷⁷ Peltier, *Prison Writings*, 80.

⁷⁸ Delorme, “Socio-Economic Study,” 252.

⁷⁹ Delorme, “Socio-Economic Study,” 256.

One underlying argument against termination invoked the long-ignored treaty relationship between the People and the United States. On October 19, 1953, Patrick Gourneau opened a meeting in the crowded agency building, where as many as four hundred men and women had gathered to convince visiting federal officials to halt the legislation.⁸⁰ Area director John M. Cooper read through the draft of the Turtle Mountain termination bill that the BIA had prepared in cooperation with Congress, despite his assurances that the People would have “amply opportunity for full expression.”⁸¹ Gourneau opened the floor to the People, who eagerly expressed their disdain for the legislation. Alex Martin asked the federal officials to explain, as simply as possible, the effects of the bill. One official summarized, “Simply, once and for all, it provides that there won’t be any more Indian Service for Turtle Mountain. There won’t be any more trust land and the Indians will be just exactly like the whites as far as the Government is concerned.”⁸² Mrs. Toby Martin rose to speak, stating, just as simply, “This bill does not suit her people.”⁸³ Her People lived in poverty. Mrs. Martin then spoke of recent land agreements in terms that echoed generations of Ojibweg calling on their treaties: “They [the Ojibweg] were told the Government was buying land for them to live on as long as they lived; then it can be turned to their children to be in charge of it and take care of it.”⁸⁴ Francis Poitra, a middle-aged Ojibwe, agreed. His People “want to be just as they are and so do I,” he said, reminding the audience of his People’s sovereignty and its inherent rights.⁸⁵ He pointed to other Native American Peoples who had received money from the federal government, suggesting that Congress do the same for

⁸⁰ “Turtle Mountain Indians Opposed to Emancipation—Express Objections to Proposed Bill at Meeting,” *Turtle Mountain Star*, Oct. 22, 1953.

⁸¹ United States, *Termination*, 1434.

⁸² United States, *Termination*, 1435.

⁸³ United States, *Termination*, 1435.

⁸⁴ United States, *Termination*, 1435.

⁸⁵ United States, *Termination*, 1435.

the Turtle Mountain People—again emphasizing that the federal government remained bound in a network of obligation. Several speakers asked to postpone the legislation, to give the People more time to improve their circumstances—and then they requested more aid, rather than less. Eli Marion, recently appointed judge for the ishkonigan, suggested that the solution to the lack of law enforcement was not to open the ishkonigan to the state but to actually pay to support Turtle Mountain police and judges.⁸⁶ One unidentified Ojibwe stated, “You know the only solution to the Indian problem—it is for the Government not to try to duck out from its obligations as promised to us long, long ago, but to appropriate enough money so we can live better.... We don’t want to lose what benefits we have—we want more.”⁸⁷ And the Turtle Mountain People’s treaty relationship with the United States obliged the United States to provide it.

Many men and women spoke of their ties to the aki. “We have a little place we call home,” one Ojibwe stated, “and we want to keep it.”⁸⁸ Another unidentified Ojibwe recognized the legislation’s underlying Settler colonial intent, commenting, “They are just going to take our land away from us. In 5 years all the land on the Turtle Mountain Reservation would be in white hands and we would be trudging up the road with our children, trying to find a place to light.”⁸⁹ Similarly, Ojibwemowin speaker Louis St. Claire admonished federal officials, “Ever since the white man came to America, they have taken our riches. They have taken everything from us and what have they given us in return? Now they want to take this from us.”⁹⁰ These speakers

⁸⁶ United States, *Termination*, 1436.

⁸⁷ “Chippewa Indians Sign Protest Petitions,” *Turtle Mountain Star*, Nov. 5, 1953.

⁸⁸ “Chippewa Indians Sign Protest Petitions,” *Turtle Mountain Star*, Nov. 5, 1953.

⁸⁹ “Chippewa Indians Sign Protest Petitions,” *Turtle Mountain Star*, Nov. 5, 1953.

⁹⁰ United States, *Termination*, 1436.

invoked a sense of sovereignty rooted in the aki and its relationship to Turtle Mountain peoplehood.

Turtle Mountain peoplehood strengthened the Ojibweg's resolve. Leonard Peltier, then a teenager who had recently returned to the reservation from boarding school, remembered vehement opposition and frequent meetings during this period. He contrasted this vigor with his own memories of constant hunger. "[T]here was hunger for everybody every day," he recalled.⁹¹ His hunger brought the young Peltier to a meeting one day, where he hoped to get something to eat afterward when the men and women discussing the fate of their People pooled groceries to close the meeting with a meal. The impassioned speeches of Ojibwe women, many crying from anger and generations of pain, drew him inside. He heard his inawemaagan Celia Decouteau. She rose "to speak with tears in her eyes, pleading for someone to help because her children were at home slowly starving to death. She asked if there were no more warriors among our men. She said if there was, why did they not stand up and fight for their starving children?"⁹² Delacourt's plea revealed not only the urgency and human costs of Settler colonial policies but also the vitality of Turtle Mountain peoplehood, which continued to tie generation after generation of Ojibweg together. Peltier felt his inawemaagan's words fill his body, which moments before had ached with hunger pangs. The words inspired him to realize that he, as a young Ojibwe, could fight for his People. "Yes," he thought, "there was something more important than your poor miserable self: your *People*."⁹³ At the same time that termination threatened Turtle Mountain

⁹¹ Peltier, *Prison Writings*, 82.

⁹² Peter Matthieson, *In the Spirit of Crazy Horse* (New York: Viking, 1991), 47.

⁹³ Emphasis in original. Peltier, *Prison Writings*, 82.

peoplehood, the men and women who fought against the legislation reignited their peoplehood as they rose up in defense of their People.

If termination required Indigenous consent, the Turtle Mountain People's unanimous resolve should have halted the process in October 1953. At the October 19 meeting, Francis Poitra declared, "We are going to fight it down."⁹⁴ Alex Martin warned, "The Turtle Mountains hold a large number of votes. We will use a little politics before we go into this."⁹⁵ Sensing the resolve among his People, Gourneau called for a vote. He asked, "Do you want to dispense with the services of the United States Government on this reservation?"⁹⁶ Not a single man or woman answered yes.⁹⁷

The Turtle Mountain People clearly and unanimously opposed termination, but Congress showed no signs of dropping the bill. Congress scheduled hearings on the legislation in March of the following year. Again, despite assurances to seek Indigenous input, Settler officials betrayed their underlying contempt of Indigenous Peoples by failing actively to seek such input.⁹⁸ If the Turtle Mountain People wanted to testify on their own behalf, they had to pay their own way, and they would receive no legal representation. Delorme, who had earned his People's trust as he spoke with many of them during his summer of research, secured the blessing of many in the community to represent their interests, and the Association of American Indian Affairs paid for

⁹⁴ United States, *Termination*, 1436.

⁹⁵ United States, *Termination*, 1436.

⁹⁶ United States, *Termination*, 1436.

⁹⁷ United States, *Termination*, 1436. The vote was 47 against, 0 in favor, but other sources suggest that at least 400 people attended the meeting. "Turtle Mountain Indians Opposed to Emancipation—Express Objections to Proposed Bill at Meeting," *Turtle Mountain Star*, Oct. 22, 1953.

⁹⁸ Many Native people leveled more serious accusations against the United States. Leonard Peltier accused the BIA of withholding food aid to force the Turtle Mountain People to accept termination. Peltier, *Prison Writings*, 81. Vine Deloria, Jr., likewise discusses various instances of coercion such as threatening to block the Klamath People's multimillion dollar claim payment until the Klamath consented. Deloria, *Custer Died for Your Sins*, 61, 63-65.

his trip to Washington.⁹⁹ Gourneau and the Advisory Committee resorted to fundraising, organizing a boxing match to cover their travel expenses.¹⁰⁰ Perhaps demonstrating the depth of opposition in both the ishkonigan and surrounding Settler communities, they raised the necessary funds, and Gourneau, Edward Jollie, and Leo Jeannotte arrived in Washington for the March 2 and 3 hearings.¹⁰¹

Like Leonard Peltier, his People's resolve inspired Patrick Gourneau to fight for Turtle Mountain sovereignty. He and Delorme were the only two Turtle Mountain people to testify during the hearings, although they came armed with a petition with hundreds of signatures.¹⁰² The bulk of testimony came from Settler representatives of county and state organizations, as well as BIA officials including Cooper. Although their concern may have focused more on their own financial stability, the Settler spokesmen agreed that the Turtle Mountain People had no business on Zimmerman's list and that termination would devastate the already-impooverished Ojibweg as well as surrounding communities tasked with absorbing them.¹⁰³ Gourneau faced questions from Watkins and South Dakota Senator E.Y. Berry about his identity and the Indianness of his People. In particular, Watkins seemed obsessed with the question of whether or not the Turtle Mountain Ojibwe were "real Indians," which explains why Watkins targeted the

⁹⁹ United States, *Termination*, 1440, 1533.

¹⁰⁰ United States, *Termination*, 1467, 1485; "Minutes of the Special Meeting of the Turtle Mountain Advisory Committee of the Turtle Mountain Band of Chippewa Indians," Feb. 23, 1954, CCF 1940-1957, Turtle Mountain, RG 75, National Archives, Box 4.

¹⁰¹ United States, *Termination*, 1485.

¹⁰² After stating the undersigned's opposition to termination, the petition continued, "We respectfully represent that the Turtle Mountain Band of Chippewa Indians have no tribal property or asset, except land purchased for rehabilitation, and have never had a settlement of their claims against the United States, and that they would suffer irreparable loss and hardship if the Federal services given to them in the way of education, health and general welfare by the United States through the Bureau of Indian Affairs and the Turtle Mountain Reservation were to be withdrawn or terminated, as proposed by said resolution." United States, *Termination*, 1439.

¹⁰³ United States, *Termination*, 1444, 1483; "Turtle Mountain Reservation Proposal Gets Cool Reception," *Fargo Forum*, Oct. 23, 1953. Richotte likewise concludes that state and county concerns most heavily influenced Watkins and other members of Congress. Richotte, "We the Indians," 189-190.

Turtle Mountain People for termination despite their obvious lack of economic resources.¹⁰⁴ Gourneau defended his Peoplehood. In early questions before his turn to testify, Gourneau corrected Senator Young when he referred to the Turtle Mountain ancestors as French-Canadians. “I believe you are talking about the Indians of French extraction,” Gourneau interjected, rephrasing Young’s incorrect language.¹⁰⁵ He also pointed out that the descendants of these men and women spoke Michif, not French.¹⁰⁶ Later, at the end of the chairman’s testimony, Watkins asked Gourneau to state his own blood quantum. Gourneau answered, “Well, one time during the depression years, when it was common for white-collar workers to work side by side with pick-and-shovel men, I worked with a guy who told me he was a genealogist. So I had him climb my family tree. And he figured out that it was seven-sixteenths.”¹⁰⁷ Watkins clarified, “Well, less than half.”¹⁰⁸ But Gourneau went on to say that the ditch-digging genealogist made a mistake, because Gourneau’s great-grandmother “was also a fullblood.”¹⁰⁹ Gourneau, who questioned the accuracy of often incomplete government records, highlighted the flaws of defining Indianness based on blood quantum. As a practicing member of the Midewiwin who spoke Ojibwemowin and raised Ojibwe granddaughters, it must have seemed absurd to Gourneau to define peoplehood in terms of blood. His testimony before Congress defended the existence of his People through language and kinship.

¹⁰⁴ United States, *Termination*, 1481. Richotte argues that Watkins believed in the superiority of whites and that mixed-descent status made Turtle Mountain a target, rather than an honest assessment of the Ojibweg’s so-called preparedness. Richotte, ““We the Indians,”” 185-187. Historian Warren Metcalf makes a similar argument about racial identity and the mixed-descent Ute population in Utah, another People who found themselves in Watkins’s crosshairs. Warren Metcalf, *Termination’s Legacy: The Discarded Indians of Utah* (Lincoln: University of Nebraska Press, 2002).

¹⁰⁵ United States, *Termination*, 1457.

¹⁰⁶ United States, *Termination*, 1457.

¹⁰⁷ United States, *Termination*, 1489.

¹⁰⁸ United States, *Termination*, 1489.

¹⁰⁹ United States, *Termination*, 1490.

Gourneau focused on how termination would harm his People and violate the federal government's obligations to his People. He started his testimony by stating that he had authority to speak for his People as a whole. Firmly and clearly, he repeated what his people had been saying for the past six years: "The Turtle Mountain Band of Chippewa Indians is strongly opposed to the termination measures in their present form now under your consideration."¹¹⁰ He criticized the relocation program that formed a central tenet of the Turtle Mountain termination plan.¹¹¹ He acknowledged that the program might help younger people, but he insisted that it left the older population vulnerable, "Instead of terminating its trusteeship, we feel that the Government should treat the economic plight of the Turtle Mountain Band of Chippewa Indians as a special problem."¹¹² By emphasizing his People's needs, he reminded the federal government of its obligations to provide for the People in exchange for Settler access to Anishinaabewaki. And yet Gourneau phrased this support in terms of autonomy. He argued, "This self-sufficiency can be achieved only with the assistance of the Federal Government and over a much longer period than 5 years as provide[d] for in this bill."¹¹³ According to Gourneau, the United States' obligations were ongoing, and the relationship between the two nations demanded that the United States respect Turtle Mountain self-governance. Gourneau highlighted U.S. failures to honor these relationships without conceding Turtle Mountain sovereignty.

Gourneau refused to abandon his People's ties to their homeland, suggesting as men and women had testified in October that many did not want to relocate. He pointed out that "there are

¹¹⁰ United States, *Termination*, 1485.

¹¹¹ United States, *Termination*, 1486.

¹¹² United States, *Termination*, 1488.

¹¹³ United States, *Termination*, 1489.

a lot that would rather go into farming.”¹¹⁴ Watkins responded dismissively by saying that Indians “just didn’t want to farm” and were more inherently suited for mechanical labor.¹¹⁵ But Gourneau refused to break with the land. He insisted, “What tillable land we have on the reservation is farmed by Indian farmers, the largest part of it.”¹¹⁶ On the surface, Gourneau’s testimony fell into line with earlier assimilationist visions of Indian labor. However, in the context of assimilation and relocation policies aimed at severing Turtle Mountain relationships with their already-reduced homeland, Gourneau demonstrated his People’s active relationship with their land as a defense against termination.

David Delorme likewise defended his People’s sovereignty against termination by drawing attention to the United States’ failures. He emphasized that the social and economic conditions on the ishkonigan should have inspired federal support, not termination.¹¹⁷ The plan for withdrawal, he asserted, would “result in acute distress.”¹¹⁸ In a prepared letter submitted before he testified, he criticized the federal government for underfunding the relocation program, as well as health and education. He blamed the lack of so-called preparation on Settler neglect.¹¹⁹ Delorme rejected Watkins’ attempt to portray aid as dependency. The Senator congratulated Delorme on his education, adding, “That shows what an be done with when you have the ambition,” suggesting of course that Delorme’s People’s struggles resulted from moral deficiency rather than the United States’ failure to behave as inawemaagan. “Well,” Delorme

¹¹⁴ United States, *Termination*, 1487.

¹¹⁵ United States, *Termination*, 1488.

¹¹⁶ United States, *Termination*, 1488.

¹¹⁷ United States, *Termination*, 1533.

¹¹⁸ United States, *Termination*, 1533.

¹¹⁹ United States, *Termination*, 1441.

responded, “ambition combined with a little help.”¹²⁰ He had paid for college with help from his sister as well as an educational loan through the Advisory Committee.¹²¹ In defense of his People, Delorme asserted a narrative of mutual obligations in which progress depended on support—the very kind of support that Watkins hoped to terminate.

Gourneau and Delorme supplemented the underfunded delegation by calling on friends to testify on behalf of their People. Before the hearing, Gourneau spoke with Martin T. Cross, a Gros Venture from Fort Berthold in Washington for a National Congress of American Indians conference. Gourneau showed Cross the petitions from the Turtle Mountain People, and he allocated time for Cross to testify.¹²² Cross explained to Congress his relationship with the Turtle Mountain People, which existed “through the neighbors, through good friends of two of the delegates, Edward Charley [Jollie?] and Pat Garner [Gourneau?], with whom I went to Government school. These groups of people there have intermarried with some of our members and some of our people have intermarried with some of their members so the relationship in that basis is very good.”¹²³ These relationships also positioned Cross within Ojibwe relational networks that enabled Gourneau to call on his aid to represent the Turtle Mountain People. Before Congress, Cross admonished, “These delegates from North Dakota do not have a lawyer with them on their side to advise them. They are very fearful of making any open statements or

¹²⁰ United States, *Termination*, 1537.

¹²¹ United States, *Termination*, 1537-8.

¹²² United States, *Termination*, 1537. For information on the National Congress of American Indians’ active involvement in termination, see Thomas Cowger, “‘The Crossroads of Destiny’: The NCAI’s Landmark Struggle to Thwart Coercive Termination,” *American Indian Culture and Research Journal* (1996), 121-144; Cowger, *The National Congress of American Indians: The Founding Years* (Lincoln: University of Nebraska Press, 1999), Chapter 5.

¹²³ United States, *Termination*, 1537.

comments.”¹²⁴ Cross implied that he and Peterson voiced what Gourneau lacked the freedom to express. He explained why the Turtle Mountain People fought termination from a more positive perspective. He said, “I know these People. I know their reservation....I believe you see some of the pictures of their houses and it is a mansion to them. They are happy there. Any disruption would indicate the abuse of some of the rights of these people.”¹²⁵ Cross highlighted the strength that the People drew from their relationships within their homeland.

The advocates Gourneau recruited openly addressed Turtle Mountain peoplehood. Cross entered into the Congressional record a point made by Ojibwe men and women on the *ishkonigan*, that “their life and death or existence as a tribe is at stake.”¹²⁶ Testimony from another ally, NCAI executive director Helen Peterson, reiterated Cross’s comment about “tribal existence.”¹²⁷ Her objection to termination deviated from economic circumstances to include aspects “we can’t measure in terms of dollars and cents. Tribal existence, tribal life, pride in Indian culture are among those.”¹²⁸ Gourneau might not have spoken the words, but the official congressional record reflected the continued vitality of Turtle Mountain peoplehood as an argument against termination.

Gourneau and Delorme may not have been the warriors that Celia Decouteau or Leonard Peltier envisioned. They were not Naynahkawkanape and Angus Prince camped in a half-frozen marsh and making defiant speeches to judges while risking jail time. Nevertheless, Gourneau and Delorme brought their People’s fight to Washington, and they won. Congress never terminated

¹²⁴ United States, *Termination*, 1538.

¹²⁵ United States, *Termination*, 1538.

¹²⁶ United States, *Termination*, 1539.

¹²⁷ United States, *Termination*, 1538. Peterson testified that Gourneau and the Turtle Mountain Advisory Committee had asked her to speak on behalf of the Turtle Mountain People.

¹²⁸ United States, *Termination*, 1539.

the Turtle Mountain People. The concerns of local Settlers likely influenced a racially and culturally biased Congress, but the Turtle Mountain People reacted quickly and unequivocally to remind the federal government of their obligations to the People and to defend Turtle Mountain sovereignty against exterminatory Settler colonial termination policies.

“That was what we were told by our forefathers”: Lac Courte Oreilles Treaty Rights and the State of Wisconsin

In the spring of 1940, John Martin and Mitchell Mustache were out fishing on Two Boy Lake when they noticed an unfamiliar boat with a motor. They recognized state conservation wardens from the state of Wisconsin. The two men, both members of the same drum, waited until the wardens had left, and they rowed over to the spot by the shore where they found a net in the water, set by the wardens to catch spawning walleye and collect the females’ eggs. Martin and Mustache, furious that state officials entered reservation waters and placed a net when they routinely confiscated Ojibwe nets, pulled the net out of the water and threw it on the shore. So there would be no mistake about who had removed the net and why, they wrote a note, in pencil, objecting to the state’s violation of Lac Courte Oreilles waters and resources. They addressed, “To Whom It May Concern,” and left the note with the net for the state workers to find on their return. Then Martin and Mustache found Anakwad to inform the ogimaa of the most recent incursion by state officials on Lac Courte Oreilles sovereignty.¹²⁹

The men and women of Lac Courte Oreilles had a long history with state game wardens limiting their rights. In 1929, many People protested violations of treaty-protected hunting and

¹²⁹ George H. Blakeslee to Cavill, May 28, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, Box 58.

fishing rights, both on and beyond the ishkonigan, at Congressional hearings in Hayward included. Despite arrests, Ojibweg throughout Wisconsin continued to access the resources the Creator had provided for them, and the state of Wisconsin built a contentious case law on broken treaties.¹³⁰

The Anishinaabeg, however, remembered their rights. As at Turtle Mountain and St. Peter's, generations of Ojibweg kept the aadizookanag of the treaties alive. At the general council meetings with Charles Smith in 1929, Anakwad rose to defend his People. Rebuking Smith as a representative of the federal government, the ogimaa said,

I want to talk to you, you claim to come from Washington. That old fellow (Pointing to John Mink) is one of the oldest fellows we have here, I am young along side of him. All our fathers and mothers have died and there are only a few of us remaining here. Ever since I have been able to remember there were instances

¹³⁰ The state established its position on jurisdiction early on. Whereas territorial Wisconsin judge James Doty had ruled that jurisdiction only extended to the territorial courts when a non-Indian was involved, in *State v Doxtater* (1879), the state asserted its power. *Doxtater* involved an Oneida who committed adultery with a non-Indian within the boundaries of the Oneida reservation. Doxtater appealed his initial conviction, arguing that his status as an Indian exempted him from state laws. The court ruled that Doxtater was indeed subject to state jurisdiction because no treaty, constitution, or act of the United States had specifically granted an exemption. In the absence of such an exemption, the state must be assumed to have jurisdiction. In the case of the Oneida reservation, which fell entirely within state boundaries, no federal exemption existed. Therefore, the state was entirely within its rights to convict Doxtater—or any other Indian on any reservation within the boundaries of Wisconsin—of a crime.

Future federal cases contradicted Wisconsin's assumptions. An 1885 law enacted by Congress extended federal criminal jurisdiction to Indian lands across the country. The next year, *United States v. Kagama* worked its way through the courts. The Supreme Court decided that because tribal governments "owe all their powers to the statutes of the United States conferring on them the powers which they exercise, and which are liable to be withdrawn and modified, or repealed at any time by Congress," the legislature therefore had the power to decide crimes committed on reservations—even when no non-Indian was involved. Calling Indians "wards of the nation," the Supreme Court threatened tribal sovereignty as clearly as *Doxtater*. In addition, however, *Kagama* also challenged Wisconsin's conception of its own absolute sovereignty within its borders. Technically, *Kagama* nullified the *Dotater* decision. Nevertheless, Wisconsin persisted in asserting its sovereign jurisdiction, falling back on the *Doxtater* ruling as the Attorney General did in its advice to the Ashland agency. In an 1898 case, *Stacy v LaBelle*, the Wisconsin Supreme Court drew on *Doxtater* to argue for the extension of jurisdiction over a Menomonee who broke a contract with a white store owner. The court referred to "the absence of any federal statute or treaty to the contrary," blatantly overlooking a number of federal trade and intercourse laws. In *Schriber v Town of Langdale* (1886), the court again used *Doxtater* to argue that the state's authority empowered it to incorporate the Menomonee reservation within the boundaries of a town, further enshrining its sense of sovereignty. Brian Vanderwest, "The Wisconsin Legal System and Indian Affairs in the Nineteenth Century: A Lost Chapter in Wisconsin's Legal History," *Marquette Law Review* 83 (2003): 380. For a discussion of the different conceptions of political space, see S.E. Silvern, "Negotiating Ojibwe Treaty Rights: Toward a Critical Geopolitics of State-Tribal Relations," *American Indian Culture and Research Journal* 32 (2008): 153-176.

where my ancestors made trips to Washington. They were sitting around a table just like we are here, the Indians and the representatives at Washington. God hears everything that we say here today. At that time the representatives of the Office informed the Indians of certain lands they were privileged to use outside of their reservation. That wild game is mine, it doesn't belong to you. Ever since I have been able to remember and been able to hunt, we have always killed deer and wild game after the reservation was established and no one had any objections. That was the source of our living. There are agreements with the Indians that the Indian reserves the right to hunt fish and game. That is the reason I feel sorry to see how the Indians cannot hunt and kill game for their own personal use.¹³¹

Anakwad's speech, which began by deferring to his elders, called on Ojibwe relationships with kin, the land, and the sacred relationships with the land's resources granted to Ojibweg by the Creator. He explicitly integrated treaties into aadizookanag, providing a powerful expression of peoplehood. Neither the federal nor the state government could disrupt these relationships, even as they encroached on the ishkonigan. Nor could they erase the "agreement with the Indians that reserves the right to hunt fish and game."¹³² At a 1931 meeting with representatives of the various Wisconsin Ojibweg Peoples to discuss pending claims, Anakwad replicated the language of the 1864 petition when he insisted that "according to the knowledge received from his grand fathers [sic], that game and fish were reserved in the ceded territory and that only mineral was sold."¹³³

Anakwad knew the content of those treaties—he lived the relationships every day, as did men and women throughout Lac Courte Oreilles such as Frank and Frances Denasha. The young married couple from New Post raised four children on a diet that consisted primarily of deer

¹³¹ "Council Meeting of Lac Courte Oreilles Chippewa Indians Held at Reserve, Wisconsin, February 1, 1930," Feb. 1, 1930, 064, General Correspondence, Great Lakes Agency Subgroup, RG 75, NARA Chicago, IL.

¹³² "Council Meeting of Lac Courte Oreilles Chippewa Indians Held at Reserve, Wisconsin, February 1, 1930," Feb. 1, 1930, 064, General Correspondence, Great Lakes Agency Subgroup, RG 75, NARA Chicago, IL.

¹³³ "Minutes of the General Council," Nov. 3 to Nov. 6, 1931, Ojibwa General Council Papers, Governor's Commission on Human Rights, Wisconsin Historical Society.

meat and berries from the mitigoog of the ishkonigan.¹³⁴ “We grew up on deer meat,” remembered their daughter Delores, and they fulfilled essential kinship obligations by sharing deer, ducks, and fish with family and neighbors.¹³⁵ Anakward’s speech and the daily labor of Ojibweg such as the Denashas were both linked directly to the nineteenth century treaties and supported the Lac Courte Oreilles People’s dynamic sovereignty.

An 1896 case involving two Red Cliff Ojibweg affected the Lac Courte Oreilles People’s relationships with the state. By the 1890s, the state already had a history of denying Ojibweg treaty rights and imposing state jurisdiction on Indigenous Peoples. Two years before the Red Cliff case, Wisconsin game wardens murdered respected Lac Courte Oreilles ogimaa Giishkitawag or Joe White with no consequences.¹³⁶ In the 1896 case, ogimaa Antoine Buffalo and Michael DePerry placed their nets in Lake Superior as their fathers and grandfathers and great-grandfathers had done before them. In this simple action, they acted in accordance with a clearly articulated sense of their rights as members of an Ojibwe Nation. They went to check on their nets off the shore of the Red Cliff reservation in Lake Superior, only to find that the state game wardens had removed them. Not only did this cause Buffalo and DePerry “great inconvenience” because they planned to cure the fish “for their own use in the wintertime,” but it also inconvenienced the two further when the wardens arrested them and insisted on a trial for violating state fishing laws.¹³⁷ Buffalo and DePerry enlisted the aid of W. A. Mercer, the acting agent at the Ashland agency, who obtained a lawyer and appealed to the state attorney general on

¹³⁴ Balbin, Bailey, and Nayquonabe, *Spirit of the Ojibwe*, 74. Frances belonged to the waazisii doodem. Frank’s doodem is unknown.

¹³⁵ Balbin, Bailey, and Nayquonabe, *Spirit of the Ojibwe*, 74.

¹³⁶ Redix, *The Murder of Joe White*, 179-182.

¹³⁷ W.A. Mercer to H.E. Briggs, 6 June 1896, Wisconsin Closed Case Files, Wisconsin Historical Society, Box 5, Folder 36.

their behalf. Although the legal fate of Buffalo and DePerry remains unclear, the attorney general's office explained the state's position in no uncertain terms. Attorney General William Mylrea wrote, "the Indians in the state are amenable to state laws. The power of the state to regulate and control the taking of the fish and game is unquestioned."¹³⁸ Mylrea cited the recent United States Supreme Court case *Geer versus Connecticut* (1896), which granted police the power to constrain hunting of certain animals to a limited time frame in order to prevent their extermination. This case did not address Native American treaty rights, but Mylrea assumed that the state law superseded any rights claimed by the Ojibwe. He proclaimed the 1854 treaty moot because it was "abrogated by the acts of Congress creating the sovereign state. The state of Wisconsin being a sovereign one must have exclusive power over its territory."¹³⁹ Wisconsin's concept of its sovereignty remained so absolute that statehood nullified the treaties of all Indians within its borders. In an extreme statement of sovereignty, the Wisconsin Supreme Court ruled in 1927 that President Zachary Taylor's Removal Order of 1850—which Bizhiki had returned from Washington with a promise that President Fillmore would rescind—effectively revoked the "President's pleasure clause of the 1837 and 1842 treaties, thereby terminating Ojibwe usufructuary rights."¹⁴⁰

In 1938, George James, a sixty-two-year-old Lac Courte Oreilles hunter, used the 1837 treaty to defend his People's rights when targeted by the state. James, a friend of Anakwad who occasionally worked in the tourist resort industry as a guide, trapped small fur-bearing animals, likely muskrat and rabbit, and Wisconsin game wardens arrested him under suspicion of having

¹³⁸ W. H. Mylrea to G. H. McCloud, 26 June 1896, Wisconsin Closed Case Files, Wisconsin Historical Society, Box 5, Folder 36.

¹³⁹ W. H. Mylrea to G. H. McCloud, 26 June 1896, Wisconsin Closed Case Files, Wisconsin Historical Society, Box 5, Folder 36.

¹⁴⁰

trapped the animals on non-Indian land.¹⁴¹ After his arrest, James wrote to Wisconsin Congressman Bernard J. Gehrman, “I am a member of the Lac Courte Oreilles Chippewa Indian Band and am being held on a game charge by the Conservation Wardens.”¹⁴² He contended that the state had no right to confine him, for, as a Lac Courte Oreilles Ojibwe, “I do not think I came under state laws.”¹⁴³ James referred to the 1837 treaty, but he did more than simply mention it. In an attempt to make the treaty that he already knew real to the Settler Congressman, James invoked aadizookanag and included a copy of the treaty in the letter, specifically Article 5 which read, “The privilege of hunting, fishing, and gathering the wild rice, upon the lands, the river and the lakes included in the territory ceded, is guaranteed to the Indians, during the pleasure of the President of the United States.”¹⁴⁴ The treaty document represented a relationship that he expected Congressman Gehrman to honor, one that tied directly to Lac Courte Oreilles peoplehood. “According to the knowledge of the Indian no one remembers or knows of a record as to when or if this was altered,” he wrote, and therefore the state had no power to charge him. Gehrman forwarded James’s letter to the Office of Indian Affairs, and James received a passive reply that said state law applied beyond the ishkonigan and encouraged James to “observe as much as practicable the laws which have been adopted [by the state] to prevent wasteful destruction of fish and game.”¹⁴⁵ James likely had to pay his fine, but

¹⁴¹ James owned a resort at Post until the village was flooded. State officials arrested James in the 1920s for fighting the desecration of Ojibweg graves related to the Winter Dam. *Survey of Conditions of the Indians in the U.S. (1929)*, 2029.

¹⁴² George James to B.J. Ghermann, Mar. 29, 1938, CCF 1930-1947, Great Lakes, RG 75, National Archives, Box 67.

¹⁴³ George James to B.J. Ghermann, Mar. 29, 1938, CCF 1930-1947, Great Lakes, RG 75, National Archives, Box 67.

¹⁴⁴ 1837 Treaty.

¹⁴⁵ Fred H. Daiker to George James, Apr. 18, 1938, CCF 1930-1947, Great Lakes, RG 75, National Archives, Box 67.

the copy of the 1837 treaty served as tangible evidence of Lac Courte Oreilles sovereignty and their sacred history.

When state officials dropped their nets in Lac Courte Oreilles waters during the 1940 walleye spawning season, the People reminded Settler officials of their treaty-protected rights. Anakwad, George James, John Martin, John Mustache, Sr., Jim Bennett, and several other of Anakwad's supporters met with state conservation wardens about the incident. "They wanted to know," reported Field Representative George Blakeslee, "who had given permission for the State Conservation Wardens to operate within the reservation," for neither they nor the Tribal Council had granted that authority.¹⁴⁶ P.E. Weaver, who worked with the state at a fish hatchery in Spooner, Wisconsin, explained that they "proceeded on the assumption that they had the right, and that their operations were for the ultimate benefit of all residents of the reservation." Confronted with actual residents of the reservation who did not consider his unauthorized work beneficial, however, Weaver "conceded that it would have been the courteous thing for their department to have applied to the Indian Service for such permission."¹⁴⁷ Even face-to-face with a room full of Ojibweg, Weaver seemed unable to recognize the presence of their sovereignty, deferring to federal officials. Anakwad and the others believed, according to Ojibweg understandings of land rights and resource access, that only the Lac Courte Oreilles People themselves could grant permission. The state had failed to cultivate the necessary relationships.

¹⁴⁶ George H. Bakeslee to J.C. Cavill, May 28, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, Box 58.

¹⁴⁷ George H. Bakeslee to J.C. Cavill, May 28, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, Box 58.

“It was an infringement on their rights as a matter of principle,” the Ojibweg insisted.¹⁴⁸ They refused to concede the ishkonigan to the state.

The delegation led by Anakwad considered the next incident part of a broader state attack on Lac Courte Oreilles sovereignty. When explaining why they objected to the state nets, the Ojibweg pointed out that many among them had faced prosecution by the state for the same activity. For instance, John Frogg, a makwa doodem member in his sixties who supported his family, including eleven growing children with the ishkonigan’s resources, set a net in Squaw Lake. The boundary line of the reservation ran through the lake, and when a few inches of the net crossed that line, state conservation wardens confiscated it.¹⁴⁹ Why, they asked, should the Ojibweg not do the same on their side of the line? Moreover, Anakwad complained “that arrests had been made from time to time of Indians found hunting or fishing outside the boundaries during closed seasons,” labor that the nineteenth-century treaties protected.¹⁵⁰ George James experienced this extension of state authority first-hand, as had fellow delegate Mike Gokey, who, in 1930, had seven beaver hides confiscated although he trapped the beaver on the ishkonigan.¹⁵¹ The delegates also believed that non-Indians received more benefit from the fish hatchery than the Ojibweg. According to Cavill, non-Indians considered the ishkonigan an “open area.”¹⁵² “The white man years ago had no right to come into this reservation,” said John Frogg. The state

¹⁴⁸ George H. Bakeslee to J.C. Cavill, May 28, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, Box 58.

¹⁴⁹ George H. Bakeslee to J.C. Cavill, May 28, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, Box 58; Balbin, Bailey, and Nayquonabe, *Spirit of the Ojibwe*, 86.

¹⁵⁰ George H. Bakeslee to J.C. Cavill, May 28, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, Box 58.

¹⁵¹ “Council Meeting of the Lac Courte Oreilles Chippewa Indians Held at Reserve, Wisconsin, February 1, 1930,” Feb. 1, 1930, 064, Great Lakes Agency, RG 75, NARA Chicago, Box 2.

¹⁵² “Report on Wildlife: Lac Courte Oreilles,” Apr. 8, 1940, CCF 1940-1957, Great Lakes, RG 75, National Archives, Box 67.

intruded both in terms of imposing jurisdiction and accessing resources to which they lacked rights.

The Ojibweg, especially those like James who had faced arrests, fines, and confiscations, also knew that Cavill and Blakeslee dismissed Ojibwe treaty rights and favored state jurisdiction. “State Fish and Game Laws should be extended to all lands within the Reservation boundaries,” Cavill wrote to his superiors the month before the meeting with state officials, although he did allow for “enforcement by State employed Indians.”¹⁵³ Anakwad, Frogg, and the others considered the two nets set by the state that spring in the larger context of an encroaching Settler state.

The Ojibwe delegates defended their impermeable sovereignty in the language of treaty-making. When Conservation Warden Leon Plante and Blakeslee read from the Wisconsin constitution “showing that the State was granted concurrent jurisdiction of tributaries of the Mississippi River”—and Little Couderay Lake drained into the Mississippi through the Couderay River and then the Chippewa River—John Martin objected.¹⁵⁴ He singled out Blakeslee, “claiming that as an Indian Service employee it was no part of my day to refer to State of Wisconsin laws.”¹⁵⁵ Blakeslee’s relationship with the People existed through the alliances represented by nineteenth century treaties, and the state of Wisconsin had no place in these relational networks.

¹⁵³ “Report on Wildlife: Lac Courte Oreilles,” Apr. 8, 1940, CCF 1940-1957, Great Lakes, RG 75, National Archives, Box 67.

¹⁵⁴ George H. Bakeslee to J.C. Cavill, May 28, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, Box 58.

¹⁵⁵ George H. Bakeslee to J.C. Cavill, May 28, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, Box 58.

Anakwad invoked treaty relationships. He talked through an interpreter using Ojibwemowin. The language expressed Ojibwe peoplehood and emphasized that state officials remained meyaagizid as a symbolic gesture of sovereignty. “The rules are when anything goes to be done here on the lakes all the Indians were to be consulted first,” he said, situating treaties within aadizookanag, “Our forefathers tried to preserve our reservation in such a state that no white man was to molest them in any way. These words and laws were made in Washington where they are today and no one can destroy them.”¹⁵⁶ Anakwad spoke of treaties—the actions of his ancestors, the words of negotiations, and the written, tangible laws—as a source of power.

Following the 1940 meeting between Ojibwe ogimaag and state officials, the state continued to override Lac Courte Oreilles sovereignty as guaranteed by earlier treaties. For Anakwad and the other ogimaag, the May meeting had symbolic value. They wanted the state to recognize Ojibwe rights on the ishkonigan. At the end of the meeting, “George James spoke for the delegation to the effect that they would not commit themselves until they had heard from the Washington Office, but that they could leave their nets in place until such information was obtained.”¹⁵⁷ Now that the state had asked the Ojibweg directly to permit the net, the state had resolved the main conflict, at least for the time being. It was, as the Ojibweg had said, a matter of principle.

A 1945 letter from Jim Bennett, one of Anakwad’s group, reflects the continued tensions. The letter opens, “I am writing to you as a member of the Couderay Reservation of Chippewa Indians regarding certain rights, privileges, and possessions which have been flagrantly violated

¹⁵⁶ George H. Bakeslee to J.C. Cavill, May 28, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, Box 58.

¹⁵⁷ George H. Bakeslee to J.C. Cavill, May 28, 1940, CCF 1907-1939, Great Lakes, RG 75, National Archives, Box 58.

in many ways over a period of many years.”¹⁵⁸ Much like Naynahkawkanape and Angus Prince’s letters and testimony that situated treaties within aadizookanag, Anakwad used the “old treaties” to indict the previous century of Settler colonialism and to present Lac Courte Oreilles peoplehood. He told of neglect on the reservation—homes “in ruins,” “destitute old people,” “inferior medical care” in government hospitals.”¹⁵⁹ Bennett focused on Ojibwe relationships with the land and their rights to access resources. Bennett continued, “The treaties stated that we could hunt, fish, and trap on the Reservation without license. Also that we could do these things on adjacent lands to the Reservation without license.”¹⁶⁰ Conversely, non-Indians could access Ojibwe resources “without permission from any tribal authority.”¹⁶¹ Bennett also mentioned both mitigoog and manoomin, arguing that because the treaties made no mention requiring permits neither the federal government nor the state possessed the power to impose them. Meanwhile, the right to manoominkwe went unenforced. “No one has ever abrogated these provisions,” he wrote, emphasizing the relational nature of the treaties, “and we would like to know why such conditions prevail.”¹⁶²

Bennett understood federal support in similar terms as the Turtle Mountain People: an obligation derived from treaty relationships. Bennett included schools and health care among federal services required by treaties. In his lengthy response to Bennett’s letter, Commissioner

¹⁵⁸ Jim Bennett to Alvin E. O’Konski, Jun. 27, 1945, CCF 1940-1957, Great Lakes, RG 75, National Archives, Box 67.

¹⁵⁹ Jim Bennett to Alvin E. O’Konski, Jun. 27, 1945, CCF 1940-1957, Great Lakes, RG 75, National Archives, Box 67.

¹⁶⁰ Jim Bennett to Alvin E. O’Konski, Jun. 27, 1945, CCF 1940-1957, Great Lakes, RG 75, National Archives, Box 67.

¹⁶¹ Jim Bennett to Alvin E. O’Konski, Jun. 27, 1945, CCF 1940-1957, Great Lakes, RG 75, National Archives, Box 67.

¹⁶² Jim Bennett to Alvin E. O’Konski, Jun. 27, 1945, CCF 1940-1957, Great Lakes, RG 75, National Archives, Box 67.

William Zimmerman suggested, “Mr. Bennett shares a popular misconception as to the role of the federal government in Indian affairs, a misconception which has produced much trouble and misunderstanding. Congress does not appropriate money for distribution among Indians except in fulfillment of specific treaty obligations.”¹⁶³ Zimmerman separated education and health care, as well as money for roads, law and order, and other forms of aid from specific treaty obligations, and he presented them as charitable extras, the kind of services “white communities pay for” via taxes.¹⁶⁴ Bennett, however, saw the money for such programs as no different from “tribal money,” and he believed his People deserved a say in how the money was spent—ishkonigan-based schools versus more distant schools, for instance.¹⁶⁵ The treaties that granted Settlers access to Anishinaabewaki while guaranteeing Ojibwe resources also created this relationship of obligation with the federal government.

Impending termination policies threatened that relationship. Lac Courte Oreilles remained safe from Zimmerman’s list, but related administrative actions brought termination to the Lac Courte Oreilles People. In 1947, the Department of Interior began restructuring the Office of Indian Affairs. Along with changing the name to the Bureau of Indian Affairs, the Department proposed consolidating local agencies into five regional offices. The same year, Commissioner William Brophy opened his Annual Report by declaring that the BIA was responsible for managing Indian resources in a way that would allow the Bureau to “remove

¹⁶³ William Zimmerman to O’Konski, Aug. 23, 1945, CCF 1940-1957, Great Lakes, RG 75, National Archives, Box 67.

¹⁶⁴ William Zimmerman to O’Konski, Aug. 23, 1945, CCF 1940-1957, Great Lakes, RG 75, National Archives, Box 67.

¹⁶⁵ Jim Bennett to Alvin E. O’Konski, Jun. 27, 1945, CCF 1940-1957, Great Lakes, RG 75, National Archives, Box 67.

itself as trustee and withdraw the public services which it now provides for the Indian population.”¹⁶⁶ The restructuring aimed to reduce BIA services.

When the Lac Courte Oreilles People heard that the BIA intended to withdraw the Field Representative and Indian Police from the ishkonigan, they fought the decision. “If the plan to abolish our Sub-Agency goes through trouble and strife will prevail most of the time,” the People declared in general council. As much as the men and women complained about local BIA officials and Superintendent Cavill in Ashland, they feared that a more distant authority would be even less responsive to the People’s needs. That was why complaints such as the 1945 letter so often insisted that Cavill attend council meetings on the ishkonigan.¹⁶⁷

As at Turtle Mountain, rumors of termination brought out large crowds in protest. Two hundred people attended a general council meeting on July 14, 1947. The meeting resulted in a resolution asking Cavill to “appear before the Department or person in authority and represent out [sic] Tribe to have our Field Representative and our Indian Police restored. We are being left without any Representation on our own Reservation.”¹⁶⁸ From the perspective of treaty as rooted in relationships, that representation remained essential to protecting Lac Courte Oreilles sovereignty. Some the People’s concerns involved practical issues, such as when they pointed out that withdrawal “means our people with 1,760 enrolled members here are going to have to do business directly with the Minnesota Office where many of our problems which are local ones

¹⁶⁶ Annual Report of the Commissioner Bureau of Indian Affairs to the Secretary of the Interior, 1947, 345.

¹⁶⁷ Jim Bennett to Alvin E. O’Konski, Jun. 27, 1945, CCF 1940-1957, Great Lakes, RG 75, National Archives, Box 67.

¹⁶⁸ “Resolution,” July 14, 1947, File 41527-1944-057, CCF 1940-1957, Great Lakes, RG 75, National Archives, Box 8.

cannot be taken care of.”¹⁶⁹ More importantly, the People suspected an underlying threat to their very existence as a People. “Our people do not come under State Law and Order,” they reminded Cavill, highlighting the fear that when the federal government withdrew, the state—unencumbered by treaty relationships—would step in.¹⁷⁰ “All trouble and grief to our Tribe can be prevented if the present set-up is allowed to continue,” the People declared.¹⁷¹ The present set-up remained in place, at least for the moment.¹⁷²

The Lac Courte Oreilles People continued to enact their treaty rights and the state of Wisconsin continue to try to eliminate Ojibwe peoplehood. Ojibwe and Settler sovereignty clashed again in the woods along the ishkonigan’s border when state game wardens lying in wait arrest Frank Denasha on three charges: “killing game out of season, transporting game out of season, and carrying a loaded gun in the car.”¹⁷³ As a guide for nearly two decades, Denasha would have known which parts of the reservation were trust land and under Lac Courte Oreilles jurisdiction and which had passed out of his People’s control. In 1942, Frank and Frances Denasha moved to Chicago. Both Frank and Frances found jobs—Frank in a defense plant and Frances in a candy factory and later in an airplane parts factory.¹⁷⁴ The Denashas, however,

¹⁶⁹ “Resolution,” July 14, 1947, File 41527-1944-057, CCF 1940-1957, Great Lakes, RG 75, National Archives, Box 8.

¹⁷⁰ “Resolution,” July 14, 1947, File 41527-1944-057, CCF 1940-1957, Great Lakes, RG 75, National Archives, Box 8.

¹⁷¹ “Resolution,” July 14, 1947, File 41527-1944-057, CCF 1940-1957, Great Lakes, RG 75, National Archives, Box 8.

¹⁷² H.P. Davis to J.C. Cavill, Mar. 2, 1949, CCF 1940-1957, Great Lakes, RG 75, National Archives, Box 11. In 1949, Ray Simpson, president of Simpson Electric Company, adjacent to the Lac du Flambeau ishkonigan, wrote to the BIA to complain about wild, lawless Indians. Cavill replied, “For the past fourteen years I have tried to have legislation enacted that would bring the Indians of Wisconsin under State jurisdiction.” Previous attempts had failed, but Cavill felt optimistic about the future. J.C. Cavill to Ray Simpson, Jan. 25, 1949, CCF 1940-1957, Great Lakes, RG 75, National Archives, Box 11.

¹⁷³ J.C. Cavill to Thomas Fairchild, May 23, 1951, Law and Order, Various Files, Great Lakes Agency, RG 75, NARA Chicago, Box 11.

¹⁷⁴ Balbin, Bailey, and Nayquonabe, *Spirit of the Ojibwe*, 74.

preferred the lakes and woods of their ishkonigan to Chicago's summer heat, and returned in 1944. Frank resumed his work as a hunter, fisherman, and guide while Frances maintained "a cellar full of canned venison and bear steaks, vegetables, and berries."¹⁷⁵ Frances worried about her husband on the water. Frank had heart trouble, and he had once collapsed in his boat.¹⁷⁶ State conservation wardens presented another risk. On August 13, 1950, Denasha went out into the woods within the boundaries of the ishkonigan. He shot and killed two deer in a good day of hunting. He loaded the deer in his car. To return home, he had to use state highways and cross non-trust, non-ishkonigan land. Game wardens stopped him before he reached home. Frank "was arrested on a highway between two parts of the reservation where the highway runs outside of the reservation," he wrote to the judge involved in his case, "I had two deer in the car and I was fined \$114.50 and my car was confiscated."¹⁷⁷ Frank attempted to explain that he had killed the deer on Ojibwe land and was just trying to return home. He had treaty-protected rights to the deer, but the wardens refused to listen and claimed that "it didn't make no difference as long as they caught me on the outside of the reservation."¹⁷⁸ Denasha knew "that he is protected by the treaty of 1837, 1842, and 1854 allowing the Chippewas to hunt, fish and trap on 'ceded territory."¹⁷⁹ He decided to fight the penalties and defend his People's rights.

Denasha entered a guilty plea, but he relied on his People's treaties to argue for the return of his gun and car. According to Superintendent Cavill, a sort of "gentleman's agreement"

¹⁷⁵ Balbin, Bailey, and Nayquonabe, *Spirit of the Ojibwe*, 74.

¹⁷⁶ Balbin, Bailey, and Nayquonabe, *Spirit of the Ojibwe*, 75.

¹⁷⁷ Charles H. Cashin to J.C. Cavill, Law and Order, Various Files, Great Lakes Agency, RG 75, NARA Chicago, Box 11.

¹⁷⁸ Charles H. Cashin to J.C. Cavill, Law and Order, Various Files, Great Lakes Agency, RG 75, NARA Chicago, Box 11.

¹⁷⁹ Charles H. Cashin to J.C. Cavill, Law and Order, Various Files, Great Lakes Agency, RG 75, NARA Chicago, Box 11.

existed between the state and the BIA “that as long as the deer were killed on restricted lands, there would not be too many arrests.”¹⁸⁰ The “gentleman’s agreement,” however, should actually have been a treaty-protected right that resulted in no arrests, which Frank Denasha knew as he demonstrated when he referred to specific treaties. Denasha objected to the practice that essentially abrogated the resource rights that his People protected in treaties by deferring to state jurisdiction.

Denasha lacked the power in Settler state courts to undo his conviction. State officials maintained that the 1850 executive order that led to the Sandy Lake Tragedy abrogated the off-reservation rights in the 1837 and 1842 treaties, and they held that the 1854 article protecting resource rights did not apply at Lac Courte Oreilles because the ceded lands lay in Minnesota and not Wisconsin. Legal strategies failed to free Lac Courte Oreilles sovereignty from a state intent on erasing the Ojibwe people.¹⁸¹ Denasha, however, returned to his work as a guide and providing game and fish for his family.¹⁸²

While the Turtle Mountain People defended themselves against termination, Lac Courte Orville faced a different iteration of termination policy: Public Law 280. Unlike the state of North Dakota, Wisconsin actively pursued an expanded role regarding Indian affairs and Indigenous resources, as demonstrated in its role in the Winter Dam.¹⁸³ In an official memo from the Governor’s office in 1952 in regards to the “Status of Indians in Wisconsin,” the executive branch of the state government praised the “positive gains” it had made toward making Ojibwe

¹⁸⁰ Cavill to Jens Jorgenson, May 22, 1951, Law and Order, Various Files, Great Lakes Agency, RG 75, NARA Chicago, Box 11.

¹⁸¹ J.C. Cavill to Thomas Fairchild, May 23, 1951, Law and Order, Various Files, Great Lakes Agency, RG 75, NARA Chicago, Box 11.

¹⁸² Balbin, Bailey, and Nayquonabe, *Spirit of the Ojibwe*, 74-75.

¹⁸³ South Dakota reacted in a similarly eager way, but the Lakota People in the state successfully undermined the extension of state jurisdiction. Valandra, *Not Without Our Consent*.

and other resident Natives equal members of its state.¹⁸⁴ Segregated schools had disappeared, the state regulated health conditions and sanitation on the reservations, and a fair employment law had recently been passed. Impoverished conditions and high drop-out rates persisted, but the Governor's office shifted blame onto the federal government. The solution, they argued, was increased state oversight. The "explanation of such facts can well be related to federal policies and practice." Discrimination on the part of whites existed, but that could be explained by "[t]he fact that most Indians pay no property taxes and thus do not contribute to the support of the locality in which they reside," which in turn was "a source of ill feeling against them" because local Indian populations strained county resources.¹⁸⁵ By referring to reservations as "segregated," the state once again drew on its doctrine of "equal treatment" to deny the sovereignty of Indian nations. The executive branch then asked for "clearcut [sic] legal jurisdiction," both civil and criminal, over Wisconsin's Natives.¹⁸⁶ The following year, Congress passed P.L. 280 and Wisconsin received its wish.

Part of the larger federal program of termination, P.L. 280 represented an assault on tribal sovereignty.¹⁸⁷ With this legislation, Congress extended state criminal and civil jurisdiction to

¹⁸⁴ Barton to Charles Totto, "A Memo on the State of Indians in Wisconsin," Dec. 1, 1952, Governor's Commission on Human Rights, Wisconsin State Historical Society Archives, Box 23, Folder 1.

¹⁸⁵ Barton to Charles Totto, "A Memo on the State of Indians in Wisconsin," Dec. 1, 1952, Governor's Commission on Human Rights, Wisconsin State Historical Society Archives, Box 23, Folder 1.

¹⁸⁶ Barton to Charles Totto, "A Memo on the State of Indians in Wisconsin," Dec. 1, 1952, Governor's Commission on Human Rights, Wisconsin State Historical Society Archives, Box 23, Folder 1.

¹⁸⁷ Edward Valandra describes P.L. 280, in conjunction with HCR 108, as part of "the long-term philosophical agenda of white society: by whatever means necessary, to totally incorporate Native Peoples in to the U.S. mainstream." Valandra, *Not Without Our Consent*, 8. Carol Goldberg-Ambrose explores the ultimately disastrous consequences of Public Law 280 in California in *Planting Tail Feathers: Tribal Survival and Public Law 280* (Los Angeles: American Indian Studies Center, 1997).

reservations, replacing Indigenous People’s laws and practices with Settler laws and practices.¹⁸⁸ P.L. 280 initially applied to five states, including Wisconsin, without requiring Native consent. Paradoxically, Congress justified the statute by claiming reservations lacked law and order at the same time they used the language of “acculturation and development.”¹⁸⁹ The contradictory reasoning reveals the law’s underlying intent: granting states additional control of resources and people. P.L. 280 also challenged Ojibwe sovereignty and the treaties that protected it by undermining a century of case law extending back to *Cherokee Nation v. Georgia* and *Worcester v. Georgia* that established Native Peoples in a sovereign position above state jurisdiction.¹⁹⁰ The statute essentially erased the government-to-government relationships from which treaties derived.

By 1953, the State of Wisconsin expressed confidence in its ability to assume responsibility for—and control over—the Ojibweg. The state had reason to feel up to the task. For the past century, state and local governments, often in cooperation with the federal government, could boast a long history of extending their jurisdiction to Indigenous Peoples. The Lac Courte Oreilles People claimed an equally length record enacting their sovereignty. Like Frank Denasha, Anakwad, and Jim Bennett, they fought in courts, in general councils, in meetings between leaders, and with their labor in woods and waters.

Denasha’s heart failed in 1953, but his People lived on. His body rests in the aki at New Post, binding future generations to the recently-settled oodena created by families that the

¹⁸⁸ Wilkinson and Biggs call this act “unprecedented” and clearly assimilationist. Paradoxically, Congress justified the statute by claiming reservations lacked law and order at the same time they used the language of “acculturation and development.” Wilkinson and Riggs, “The Evolution of the Termination Policy,” 158-159.

¹⁸⁹ Wilkinson and Biggs, “The Evolution of the Termination Policy,” 159.

¹⁹⁰ Valandra discusses why Indigenous People opposed P.L. 280 so vehemently. They recognized that the bill reduced Native People’s status relative to federal and state governments, promoted assimilation, and derived from “race-based demonization” of Native Peoples. Valandra, *Not Without Our Consent*, 43-45.

Chippewa Foliage displaced. Frances helped to carry the People forward, presiding over births and deaths and, as fellow New Post resident Art Tainter remembered, “preparing the bodies for burial and conducting Ojibwe ceremonies.”¹⁹¹ France continued to provide for her children, supported by a network of doodem. Bill Denasha, son of Frank and Frances, remembered, “She, Anna Homesky, Aunt Peggy Tainter, and other women in New Post always made sure there was enough to eat when food was scarce. Everybody took care of each other to survive.”¹⁹² Frank and Frances’s great-grandchildren call her “Koobide,” which means great-grandmother in Ojibwemowin.¹⁹³ The one hundred year anniversary of the 1854 Treaty of La Pointe may have passed unmarked in Frances Denasha’s kitchen in the village of New Post on the Lac Courte Oreilles ishkonigan, but the dynamic peoplehood it protected continued to thrive.

From courtrooms to Congress, from woods to marshes, Anishianabeg Peoples pursued a variety of strategies to enact their dynamic sovereignty in the mid-twentieth century. Angus Prince addressed the court with a different tone from the one Patrick Gourneau used to speak to Congress. Anakwad made speeches, while Frank and Frances Denasha fed their family. Aadizookanag informed them what was in their treaties, and Prince, Gourneau, Anakwad, and Denasha repeatedly told Settler officials what they seemed to forget. These strategies to carry Anishinaabeg peoplehood into the second half of the twentieth century met with varying degrees of success. Legal remedies failed at St. Peter’s, whose ethnic cleansing remained law if not reality. The result of legal efforts at Lac Courte Oreilles remained mixed, while the Turtle

¹⁹¹ Balbin, Bailey, and Nayquonabe, *Spirit of the Ojibwe*, 75.

¹⁹² Balbin, Bailey, and Nayquonabe, *Spirit of the Ojibwe*, 75.

¹⁹³ Balbin, Bailey, and Nayquonabe, *Spirit of the Ojibwe*, 75-76.

Mountain People successfully leveraged their political influence and popular opinion to halt termination. When Settler courtrooms proved unreceptive to Anishinaabeg arguments, the People enacted their sovereignty through aadizookanag, labor, and other living relationships with the land and its resources. Sovereignty did not always mean success, and victory sometimes meant continued existence. In 1954, Anishinaabeg peoplehood remained dynamic and unbroken. The People had kept themselves, their treaties, and their sovereignty alive.

Chapter 8

Apane¹

The Anishinaabeg know who they are, where they came from, and where the People are going. Long ago, between 600 and 700 A.D., the ancestors lived far away near a great body of saltwater, the Atlantic Ocean, that stretched toward the unreachable dawn. One day, seven prophets visited the People, each sharing a vision of an ishkode (fire), or a period of time. The prophets told of the coming westward chibimoodaywin that the People must undertake—the miigis shell that would guide them, the challenges and seven stopping places along the way, and the manoomin and homeland at its end. They foretold the light-skinned people who would come from across the sea, wearing the two faces of niikonisiwin (brotherhood) and nibowin (death), and the struggles and changes as the newcomers promised prosperity in exchange for abandoning Anishinaabeg peoplehood. The seventh prophet, who appeared with glowing eyes, offered hope in the seventh ishkode, when Anishinaabeg would heal the aki and their families, reclaim Ojibwemowin, enact ceremony through the Midewiwin, and give new voice to aadizookanag. The seventh fire offered renewed opportunities for niikonisiwin with the newcomers, which, if accepted, would usher in an eighth ishkode of peace and prosperity for the People.

The People left their homes nearly nine hundred years ago when the Miigis shell rose from the water. The Miigis guided the People through changing seasons along ziibiwan and zaga'iganan. They passed through each of the seven stopping places and faced the challenges of war, hunger, and lost hope. With each obstacle, the People found renewed strength and continued the journey until they found the western Great Lakes and the northern plains. Here manoomin sprouted in abundance, clear blue waters teemed with namewag and other fish, and the forests

¹ Always or continuously.

grew thick with ziinzibaakwad and game. As envisioned, their westward migration strengthened the People. When the European newcomers arrived, bringing their two faces and a turbulent, uneven relationship, the Anishinaabeg did not abandon their peoplehood for the promise of prosperity. Ogimaag protected the People and the sources of the homeland that had required so much sacrifice, negotiating alliances with Settler missionaries and government officials. Through the generations, with the seventh ishkode glowing in the future, Anishinaabeg acted to protect the aki and its resources against dams, Settler industries, and artificial borders drawn on maps meant to divide Anishinaabewaki. They spoke Anishinaabemowin whenever possible, sustained doodem networks and Anishinaabeg understandings of belonging, practiced the Midewiwin and other manidookewin, and continued to compile and share the aadizookanag that gave life to the People.

The aadizookanag of the chibimoodaywin binds the People together. The story persists in speech, rock, shell, and paper—retold by generations of storytellers, depicted in petroglyphs and wampum, on birchbark scrolls, and in books by Anishinaabeg writers. It thrives in the lived experiences of generations of Anishinaabeg throughout the Great Lakes and northern plains. The aadizookaan resides in the history of Anishinaabeg expansion, treaty-making, and the continued strength of the Anishinaabeg People. The Anishinaabeg, as storyteller John Borrows notes, “were good at taking themselves with them.”²

The chibimoodaywin aadizookanag generates and sustains sovereignty. Today, within the confines of shallow-bottomed jiimaan in the middle of manoomin beds elders remind younger generations how their ancestors came to this place. As the stalks of manoomin sway around them, elders go on to talk of the warriors and ogimaag who fought to protect Anishinaabewaki

² Borrows, *Drawing out the Law*, 150.

through wars and treaties. They recount times of plenty and explain other strategies to assert sovereignty leading up to the present day, when elders and students harvest the same manoomin that signified to the People that they had arrived at their home. The migration aadizookanag unites Anishinaabeg of the past, present, and future in a continuous narrative of challenges, losses, and renewal—of movement and creation.

For the Anishinaabeg, the period between 1854 and 1954 carried forward this narrative. For the Lac Courte Oreilles People, the 1850s began with a duplicitous, deadly attempt by Settler officials to ethnically cleanse them from their homeland south of Lake Superior. The traumatic experience failed to eliminate the Lac Courte Oreilles People. In 1854 they and many of their neighboring Ojibweg succeeded in negotiating a treaty that protected their relationship with the aki, its resources, and sustained bonds among themselves. The Lac Courte Oreilles People helped to create their ishkonigan, with which their active peoplehood remained more than a site of Settler erasure. When allotment policies targeted the reservation in the 1880s, opening the ishkonigan to exploitative logging, they protected essential resources and the relationships they sustained by limiting meyaagizid's access via tribal rolls and enacting their sovereignty in the woods through anokiiwin. In the 1910s, the Ojibweg gathered in zagaswe'idiwinan to defend mitigoog, manoomin, and their ancestors' graves from a proposed dam. Although the dam flooded much of the ishkonigan, the Lac Courte Oreilles remained committed to their sovereignty. They mobilized relationships with aki, Anishinaabemowin, doodem, manidookewin, and aadizookanag through the mid-twentieth century to maintain Ojibweg systems of governance beyond the Indian Reorganization Act and its constitutions. In 1954, one hundred years after the treaty that created the ishkonigan, the Lac Courte Oreilles People articulated a consistent vision of peoplehood bolstered by treaties embedded in aadizookanag.

The Turtle Mountain People likewise advanced an unbroken arc of sovereignty between 1854 and 1954. The westward-moving Ojibweg, part of a diverse and mobile borderland, controlled an expansive territory on the mashkoden, as recognized by the Old Crossing Treaty in 1863. In the 1870s, when Settler colonial encroachment threatened their homeland, the Turtle Mountain People sent delegations to Washington, led by hereditary ogimaag Little Shell III. Little Shell and his fellow ogimaag secured an ishkonigan, although the federal government quickly reduced its boundaries from millions of acres to a mere two townships. Even after the 1892 Ten Cent Treaty and the resulting reduction of tribal rolls, the Turtle Mountain People maintained kinship networks that spanned the U.S.-Canadian border and defied racialized notions of blood quantum in favor of belonging rooted in peoplehood. Throughout the early twentieth century, the Ojibweg pursued a claim against the federal government for the coerced sale of their lands. The men and women of Turtle Mountain rejected the IRA in favor of the pre-existing 1932 constitution and the council that the federal government recognized as authorized to advance the People's claim. Before resolving the claim, however, the federal government targeted the Turtle Mountain People for termination. In 1954, two Turtle Mountain Ojibweg, elected chairman Patrick Gourneau and young scholar David Delorme, testified against termination before Congress. The men and women of Turtle Mountain, along with Indigenous and Settler allies, prevented the federal government from terminating the People, and the Turtle Mountain People lived on.

At St. Peter's, a thriving trading center in the 1850s, the Saulteaux negotiated the 1871 Stone Fort Treaty that created the ishkonigan along the Red River. They shared the ishkonigan with Maškēkowak. The former allies became potential threats in the context of Settler colonial reserve polices such as allotment that strained already reduced resources. The ogimaag, who

served through an elected zagaswe'idiwin, defended Saulteaux sovereignty against encroachments from both Settlers and Maškēkowak while the men and women enacted Saulteaux peoplehood through their labor in the waters surrounding the ishkonigan. In 1907, the St. Peter's People faced ethnic cleansing in the form of a coerced agreement that ceded the entire ishkonigan and relocated the People to a new reserve on the western shores of Lake Winnipeg. Throughout the first half of the twentieth century, the Saulteaux fought the so-called surrender and continued to assert Saulteaux sovereignty. When Naynahkawkanape refused to turn over the chieftainship and its symbolic medals in the 1930s, and when he, Angus Prince, and several dozen Saulteaux families returned to the haylands of their former ishkonigan, they drew strength from an unbroken history of sovereignty and peoplehood.

Anishinaabeg history—Anishinaabeg peoplehood—remains ongoing. The Anishinaabeg whose stories I told here carry the People forward. In the 1960s, activism surged throughout Anishinaabewaki. Leonard Peltier, who witnessed his inawemaagan's impassioned call to defend the People during the fight against termination in the 1950s, became the warrior for his People that his relations furiously demanded. He joined the American Indian Movement, an activist organization co-founded by another Anishinaabe, Dennis Banks.³ In 1969, the same year that a pan-Indian organization occupied Alcatraz Island with heavy media coverage, Canadian Anishinaabeg responded to the White Paper, which sought to eliminate the “special status” of First Nations just as termination was accomplishing in the United States. Albert Edward Thompson, Peguis's great-great-grandson, established the Manitoba Indian Brotherhood, now

³ Paul Chaat Smith and Robert Warrior, *Like a Hurricane: The Indian Movement from Alcatraz to Wounded Knee* (New York: New Press, 1996), 99, 276-279.

the Assembly of Manitoba Chiefs, in the 1960s.⁴ The Manitoba Indian Brotherhood's 1971 position paper *Wahbung: Our Tomorrows* declared Thompson's vision of Indigenous sovereignty rooted in the long history of Saulteaux peoplehood that stretched unbroken to his great-great-grandfather: "The Indian Tribes of Manitoba are committed to the belief that our rights both aboriginal and treaty emanate from our sovereignty as a nation of people."⁵ In 1974, Lac Courte Oreilles brothers Fred and Mike Tribble set up on the frozen surface of Chief Lake just over the ishkonigan's boundary and began to spearfish through the ice. In addition to their spears, the Tribble brothers carried with them a copy of the 1837 treaty negotiated by their ancestors. As they expected, a state game warden ignored the treaty document the brothers showed him, arrested the two young men, and opened nearly two decades of conflict regarding treaty rights between Ojibweg and Settlers known as the Walleye War.⁶

⁴ Thompson actually began to work toward organizing the Manitoba Indian Brotherhood as early as 1934 when he lived at Fort Alexander. Thompson resigned from the Manitoba Indian Brotherhood in 1967 due in part to declining health, but he remained involved in the organization and the Brotherhood appointed him a Senator in the organization in 1969. Thompson, *Peguis and His Descendants*, 63-66.

⁵ See also John Courtney and David Smith, eds., *The Oxford Handbook of Canadian Politics* (Oxford: Oxford University Press, 2010), 346; Lawrence Hauptman, *The Iroquois Struggle for Survival: WWII to Red Power* (Syracuse: Syracuse University Press, 1986); Sally Weaver, *Making Canadian Indian Policy: The Hidden Agenda, 1968-1970* (Toronto: University of Toronto Press, 1981).

⁶ Nesper, *Walleye War*, 68; Rick Whaley and Walter Bresette, *Walleye Warriors: An Effective Alliance Against Racism and for the Earth* (Philadelphia: New Society Publishers, 1998). The Tribble brothers' case made its way through the court system. In 1983, in *Lac Courte Oreilles v. Voigt*, the United States Court of Appeals upheld the Ojibwe interpretation of their treaties. The St. Peter's People eventually received their victory in court. In 1998, after 91 years of continuing to fight as Pahkoo promised, the Canada Special Claims Commission agreed both that the 1907 surrender was invalid and that the initial St. Peter's Reserve and subsequent Peguis reserve failed to fulfill the government's obligations under the Stone Fort Treaty of 1871. The Peguis People received \$126 million as well as \$64 million to purchase an additional 166,794 acres of land, more than double the size of the approximately 77,000 acre Peguis Reserve and making Peguis the largest reserve in Manitoba. The very first land selected by the Peguis People included 15,000 acres of the former St. Peter's Reserve—the haylands now owned by the province of Manitoba. Peguis First Nation, "Negotiation of a Settlement: Treaty Land Entitlement of Peguis First Nation," *Peguis First Nation Newsletter*, May 2006, 3; Peguis First Nation Treaty Land Entitlement Implementation, "2012 Annual Report," 2012, <http://www.peguisfirstnation.ca/about/treaty-land-entitlement-trust/> (accessed Mar. 20, 2016). The Turtle Mountain People pursued the claim that had shaped conversations about leadership and termination, and in 1979, the Court of Claims awarded \$52 million. Richotte, "'We the Indians,'" 241-280.

The Tribble brothers, Peltier, and Thompson's activism did not emerge suddenly and unexpectedly from an Indigenous wasteland. They built on the work of their ancestors, who enacted Anishinaabeg sovereignty through peoplehood. When the Tribble brothers went to their ice house, treaty tucked in pocket, they repeated the actions of previous generations. The Tribble brothers knew about the treaty from their father, who learned about it from their grandfather, who knew the old men who negotiated the terms. The Tribble brothers were Frank Denasha, quoting the 1837 treaty to a judge in 1951. They were Anakwad and Kingfisher, who told visiting Settler officials what they needed to know about treaties and Ojibwe sovereignty. They were the men and women speaking to protect the manoomin against a dam, men and women who had to carry their ancestors' remains to dry ground in overflowing buckets. They were Ojibweg in the 1880s who testified about stolen mitigoog. The Tribble brothers continued a legacy of peoplehood that extended back beyond Akiwenzii, who walked the borders of the reservation to ensure his People had access to manoomin.

At St. Peter's, the activists in the second half of the twentieth century echoed the Pahkoos camped in the middle of a marsh defying DIA officials and Naynahkawkanape standing in his door while the RCMP searched his house for the chief's medals. They were the crowded schoolhouse arguing against surrendering the ishkonigan, the men and women who crossed ishkonigan boundaries to fish on Lake Winnipeg's waters, and ogimaag writing petitions about where to hold elections so the Saulteaux could remain a distinct People.

At Turtle Mountain, activists such as Peltier paralleled Patrick Gourneau, who passed a knowledge of the treaties on to his granddaughter. They were Kanick pursuing claims against the federal government and distributing rations to hungry kin. They were families welcoming inawemaagan on overcrowded allotments, the Council of Thirty-Two allowing McKay to make

hay, Little Shell refusing to abandon his inawemaaganan and his homeland. The Tribble brothers could show Settler game wardens their treaty because previous generations of Anishinaabeg had kept that treaty—and the relationships with aki, Anishinaabemowin, doodem, manidookewin, and aadizookanag it embodied—alive even in the midst of a century of policies designed to break those relationships and destroy Anishinaabeg existence as a People.

Settler colonialism was not a nineteenth-century phenomenon. It continued into the twentieth century, renewing policies of ethnic cleansing, flooding reservations to power Settler homes and businesses, and abrogating treaty obligations. Although Americans and Canadians prefer national narratives extolling ever-expanding opportunities for freedom, both functioned as empires between 1854 and 1954. In the United States and Canada, Settler governments, espousing a modern, Settler colonial form of imperialism based on hegemonic control of land and resources as well as the “hearts and minds” of Indigenous populations, confined Native Peoples to reservations or reserves.⁷ These reduced territories, with borders carefully mapped out in treaties and legislation, promised to provide concentrated, controlled sites for economic, political, and cultural coercion to facilitate Settler expansion. Like attempts at genocide, reserves and reservations failed as sites of detribalization. Instead, for the Anishinaabeg, they remained *ishkoniganan*—the lands that we reserved for our People. As the three intertwining *dibaajimowinan* in this dissertation demonstrate, Anishinaabe men and women continuously defied reservation limits, both territorial and mental, and therefore challenged Settler colonialism in both subtle and profound ways. The Anishinaabeg whose lives appear, however briefly, on these pages expose the nation-building, expansionist narratives that support United States and

⁷ Barker, “The Contemporary Reality of Canadian Imperialism,” 328.

Canadian colonial hegemony. More importantly, from an Anishinaabe perspective, they reveal a counternarrative of active, purposeful survival.

The persistence of the Anishinaabeg People reveals the fiction behind North American empires. Until at least the 1850s, American and Canadian control in the Great Lakes region existed only on paper and in the imaginations of political and military leaders and not on the ground, which remained Anishinaabewaki.⁸ Dominant narratives portray the mid-nineteenth century as a reversal of fortunes, a time when Settler empires became inevitable and declining Indigenous Peoples scrambled to maintain even a corner of their homelands.⁹ Indeed, after the mid-nineteenth century, the Anishinaabeg no longer dominated the Great Lakes region, but neither did they retreat to its margins.

Even after Settler numbers increased and they extended their influence via treaties and legislation, many aspects of empire—for example, the superiority of American civilization—remained fictions, continuously contested by Anishinaabeg. Anishinaabeg Peoples continuously enacted their peoplehood—zigging and zagging around manoomin beds to shape the boundaries of the Lac Courte Oreilles ishkonigan, crowding ishkonigan allotments to sustain expansive kin networks that would have been fragmented on public domain allotments, camping and cutting hay in supposedly alienated marshes. These actions, often mundane but recognized by the People, protected essential land, guarded ceremonial, kin, and sacred relationships that comprised their peoplehood, and thwarted Settler policies designed to disrupt those relationships and erase Indigenous sovereignty. Recognizing that empire was as much a state of mind as a

⁸ Witgen, *An Infinity of Nations*.

⁹ Witgen, *An Infinity of Nations*; Hämäläinen, *Comanche Empire*; Hoxie, *A Final Promise*; West, *The Last Indian War*.

political reality in Anishinaabewaki offers a perspective that can help challenge hegemonic presumptions of empire throughout the world.

Peoplehood provides the framework to illuminate dynamic Anishinaabeg sovereignty. Sovereignty, inherent in being a People, originates neither from territory nor political centralization, and it remains independent from relationship with outsiders. Rather, sovereignty derives from relationships with land, language, sacred history, ceremonial cycle, and kinship. Reimagining sovereignty from Indigenous perspectives moves sovereignty beyond Settler colonial constructs. Exposing the sovereignty—the thriving matrix of relationships with land, language, ceremony, sacred history, and kin—inherent in being a People directly contradicts the narratives of decline that underwrite Settler theft of land and resources and erasure of Indigenous existence. Settler colonialism seeks to limit sovereignty. Peoplehood defies limitation.

Peoplehood empowers Indigenous Peoples. The Turtle Mountain, St. Peter's, and Lac Courte Oreilles Peoples experienced their peoplehood in different ways. Some Anishinaabeg harvested manoomin every dagwaagin and ziinzibaakwad each ziigwan. The Turtle Mountain People and St. Peter's People hunted mashkode-bizhkiki, and the Turtle Mountain People had a closer relationships with the mashkoden than the St. Peter's People or the Lac Courte Oreilles. Anishinaabemowin sounds different in Saulteaux dialects and in Michif than on Mooningwanekaaning-minis. The Turtle Mountain People enact manidookewin through the Sun Dance, which did not make its way east to Lac Courte Oreilles. Nevertheless, all three remain Anishinaabeg, the People. Turtle Mountain peoplehood did not deny Lac Courte Oreilles or St. Peter's peoplehood, nor did Lac Courte Oreilles and St. Peter's peoplehood deny the Turtle Mountain People. Peoplehood resides not in an arbitrary checklist of static cultural characteristics but in lived relationships. Indigenous sovereignty is a thriving tangle of

relationships, and yet these dynamic relationships support and enact peoplehood and offer a powerful tonic for dismantling Settler colonialism.

Dibaajimowinan can be many things. The events at the heart of this narrative—the St. Peter’s surrender, the flooding of Paquauhwan, the Ten Cent Treaty—comprise a story of unjust, traumatic dispossession fueled by the darkest impulses of Settler colonialism. Individual Anishinaabeg experienced this trauma in intensely personal ways. I think of my grandfather, who lost his young mother to tuberculosis in the 1940s and who went to bed with an empty stomach more often than he went to bed with a full one. Survival might not have felt particularly triumphant to an Ojibwe such as Henry Pahkoo up to his knees in half-frozen mud and waiting for a jail sentence, to an empty-bellied Leonard Peltier lurking at the edges of grown-ups’ meetings in hopes of extra food, or to Frances Denasha who had hungry children to feed while she mourned her husband’s early death and paid his fine for carrying deer across ishkoniigan boundaries. From the perspective of Anishinaabe peoplehood, however, it is indeed a story not only of survival but also of continuity.

When Henry Pahkoo told the court that the land belonged to him and his People—when he drove a team through the marsh and cut the hay—he felt confident in his People’s sovereignty. His labor in the marshes of his ishkoniigan remained enmeshed in the nexus of peoplehood, evoking the aadizookanag that connected the aki to the People. The Turtle Mountain People, crowding kin onto allotments meant for single families, remained equally confident in their sovereignty as they resolved to protect what aki they had left against termination. They testified to their peoplehood in meetings on the ishkoniigan, and, at a time when many struggled to feed their families, they raised money to send representatives to share this testimony with Congress. Frank Denasha, who offered tobacco for the deer that resulted in his arrest, and

Anakwad, who addressed Settler officials in Ojibwemowin, likewise knew that their sovereignty persisted undiminished. Despite decades of ethnic cleansing and Settler policies designed to erase the Anishinaabeg and other Indigenous Peoples, Anishinaabeg lived out relationships with aki, Anishinaabemowin, manidookewin, doodem or inawemaagan, and aadizookanag in their daily lives and thereby reinscribed Anishinaabeg sovereignty in their homeland.

Appendix: Glossary of Anishinaabemowin

aki • land

agamiing • by the water

Anishinaabemowin • Anishinaabe/Ojibwe language (see also *Ojibwemowin*)

Anishinaabewaki • Anishinaabe territory (some Anishinaabeg prefer Anishinaabe-aakiing)

Anishinaabewi • he/she is Anishinaabe

apane • always, all the time, continuously

asemaa • tobacco

aadizookaan • (plural: aadizookanag) traditional story, sacred history

biboon • winter

chibimoodaywin • migration or long journey

dagwaagin • fall

dibaajimowin • (plural: dibaajimowinan) history, news, story

doodem • (plural: doodemag) clan or extended family group. Below are some common doodemag included in this text.

ajijaak: crane

awaazisii: bullhead

ma'iingan: wolf

makwa: bear

maang: loon

migizi: eagle

name: sturgeon

ogashkimanisii: kingfisher

waabizheshi: marten

waawaashkeshi: deer

gichi• big (as a prefix)

gitige• s/he gardens, agriculture

inawemaagan• relatives, allies

ishkode• fire, era/time period

ishkonigan• (plural: ishkoniganan) reserve or reservation

iskigamizigan• sugar bush, sugar camp

manidoo• spirit, manitou, power

manidookewin• ceremony

manoomin• wild rice

mashkode• (plural: mashkoden) prairie

mashkodeng · on the prairie

meyaagizid · stranger, outsider, enemy

Midewiwin · Medicine Lodge Society

mino-bimaadiziwin · the good life

mitig · wood, stick (mitigoog: woods, trees)

miigis · Mide shell

miigwech · thank you

name · (plural: namewag) sturgeon

noopiming · in the woods

niibin · summer

ogimaa · (plural: ogimaag) leader, hereditary civil leader

wayeshkad · at first, in the beginning

wiigiwaam · (plural: wiigiwaaman) wigwam, domed birchbark lodge

zagaswe'idiwag · councils, general councils

zaaga'igan · (plural: zaaga'iganan) lake

ziibi· (plural: ziibiwan) river

ziigwan· spring

ziinzibaakwad· maple sugar

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