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# Ojibwe Absent Narratives in Minnesota Forest Park History

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**Ojibwe Absent Narratives in Minnesota**

**Forest Park History**

by

Elizabeth Ley Steinson

A Thesis

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### **Abstract**

A discursive analysis of Minnesota conservation history, with particular emphasis on the establishment of national forests, follows a recognizable pattern of the benign development of federal and state initiatives to ameliorate environmental despoliation around the turn of the twentieth century. Tensions over the creation of bureaucratic institutions to solve these problems are also generally described in terms of binary struggles between local special interests and conservationists who argued over proper management the land and its resources. Absent from these narratives are the indigenous populations who continued to use these lands and resources and resisted federal and state efforts to impede further loss of their homelands. This thesis is a study in the development of worldviews that informed both Euro-American and Ojibwe use of lands and resources in Minnesota before the era of conservation around the turn of the twentieth century. In addition, this work considers how early twentieth century conservation discourse about the establishment of the United States' first national "forest parks" in Minnesota obscures the agency of Ojibwes in maintaining traditional occupation and use of these contentious lands. This thesis also seeks to fill the gap with Ojibwe absent narratives of persistence and adaptation of traditional ways into the first few decades of the 1900s, as well as continued resistance to the formation of the nation's first national forests in Minnesota.

### **Acknowledgements**

I am deeply indebted to faculty members of the history department at Saint Cloud State University. Specifically, I would like to thank Mzee Peter Nayenga, whose introductory course in African history was among the first I had taken at SCSU. Dr. Nayenga opened my mind to a rich history of indigenous struggles with colonization in a way that led me to shift my major to history. Professors Jeffery Mullins and Robert Galler's courses in American cultural history and Indian history continued to inspire and challenge me to think of history as an act, as well as a discipline of social science, through challenging investigative research. I would also like to thank Dr. Jason Eden for the idea of centering my argument for this thesis within the environmental history. My thesis would not be the same without the inspiration and opportunity for analysis provided in his course on environmental history methods. As my advisor, Dr. Galler has continued to encourage the development of this thesis. I am deeply indebted to him for his advice.

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## **Chapter 1: Introduction to Absent Ojibwe Narratives and the Development of Forestry Conservation in Minnesota**

*The two hundred years of mingled Indian and European/American history that had gone before dissolved into a fanciful past where jolly voyageurs and noble but doomed savages paddled the rivers in birch bark canoes and tracked the beaver to its lodge -- the stuff of summer camp adventures and bedtime tales.<sup>1</sup>*

~ *North Country: The Making of Minnesota*, Mary Lethert Wingerd

Place is personal. In June of 2016, at a Minnesota Humanities Center conference near Lake Phalen in St. Paul, Minnesota, my own concept of “place” shifted. This region, known as the Bdote to Dakota, is a central place of origin and creation in their tradition. Mona Smith, contributing scholar to the Minnesota Humanities Center and Dakota writer, spoke of how the “earth remembers our footprints,” according to a Dakota worldview. The twentieth century “tried very hard to erase the importance of Native Americans from our places... Place, as a lens of study, is personal, accessible, and memorable.”<sup>2</sup> As I listened to Smith and other Dakota storytellers tell a history of Fort Snelling, Pilot Knob, and Mounds Park to include a much earlier history of Bdote, the importance of these places widened to include both Euro-American and indigenous perspectives. Historical context even shifted my understanding of Fort Snelling State Park as a place of reconciliation and on-going healing for Dakota who were forced to march there following the U.S. Dakota War. Sometimes, context changes everything.

Smith, speaking of place and the importance of it to indigenous populations, described how wisdom has come to her in the most unconventional of ways. Years ago, she watched a hypnotist remove the number four from the minds of volunteers on a stage. They had no

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<sup>1</sup> Mary Lethert Wingerd, *North Country: The Making of Minnesota*. (Minneapolis: U of Minnesota, 2010), 358.

<sup>2</sup> Mona Smith, “Place Matters,” presented at 2016 Summer Educators’ Institute “Transforming Education Through Absent Narratives,” St. Paul, MN, on June 26, 2016.

problems speaking without the number four, counting “one, two, three, five, six, seven...” rather easily, until they were asked what six minus two was. Smith describes how they stared blankly at the question, not necessarily alarmed or all that confused, just blank. Indigenous people, she declared, are the number four. Adding an indigenous story, she maintained, shakes up how many “understand the way things are.”<sup>3</sup> In *A Good Time for Truth*, an anthology of essays on race in Minnesota, Heid E. Erdrich wrestles with what she describes as indigenous “blankness” and her identification as both white and Ojibwe in her poetry entitled “Red, White, and Blank.” Historical simplification of hundreds of tribes and hundreds of legal treaties “make a lie of the complex and ongoing relationship between our nations and our other nation, the U.S. government.” The result is “a determined denial of a violent and colonial history that includes not only slavery and segregation but, before that, the genocide and dispossession of Indigenous people that eventually required the import of slaves.”<sup>4</sup> In short, the inclusion of indigenous history not only adds to how history of place is understood, it can completely change the historical context and provide room for critical analysis of seemingly inherent ideas.

According to Marty Case, contributing scholar to the Minnesota Humanities Center who specializes in Indian treaties, those who identify with Euro-American cultural heritages are like fish in water when it comes to understanding of “who we are” in place. Yet, dominant master narratives require indigenous people to “leave their own cultural knowledge at the door” in order to navigate a world that values establishing norms and reinforcing a unified “American” identity. He describes the concept of “American” as rooted in an economic system that values the distribution of commodified resources; therefore, implicit in this kind of worldview is the idea

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<sup>3</sup> Ibid.

<sup>4</sup> Heid Erdrich, “Red, White, and Blank,” in *A Good Time For Truth: Race in Minnesota*, Sun Yung Shin (St. Paul: Minnesota Historical Society Press, 2016), 116.

that *someone* must own everything and permission is required from the owner of that space for others to be connected with it in any way. This comes from “America’s” own creation myth that establishes property as the defining relationship between people and the natural world. This conceptual understanding of our relationship to space has *supplanted other ways of knowing and being in relation to place*, such as social structures based on kinship that made sense of relationships between people, resources, and land for indigenous people and many Euro-American communities. The story often told in public places is another creation mythos of “America,” based on a European concept of property ownership and market incorporation that supplanted Native-European kinship-based relationships. From the public education system to museums to documentaries, the notion is that real (written) American history begins with colonization’s march of “progress” across the continent. Case refers to this as an “identity narrative” that draws definitive lines on the land oblivious of indigenous identification of place.<sup>5</sup>

Research for this thesis began with a historiography paper in a “Readings in American Indian History” graduate class at St. Cloud State University in 2013. One required reading was *Dispossessing the Wilderness: Indian Removal and the Making of the National Parks*, by Mark David Spence. He asserts deeper social and political trends behind the transition in American minds between exploitation of lands for resources and the preservation of “wilderness” in national parks. This coincided with a time when Indigenous populations were believed to be in need of “civilizing,” a “vanishing race,” an eyesore when present in particularly aesthetic regions, or competition among hunting enthusiasts. The physical removal of Indians to

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<sup>5</sup> Marty Case, “Absent From What? The Danger of Absence.” presented at 2016 Summer Educators’ Institute “Transforming Education Through Absent Narratives,” St. Paul, MN, on June 26, 2016.

reservations, allotment, and dissolving of common lands made the concept of “uninhabited wilderness” possible and served to justify “absence” of original inhabitants from histories often told about these contested lands.<sup>6</sup> I became interested in possible parallels in the establishment of Voyageurs National Park (VNP) and decided explore the historiography of this place.

Though my research has revealed continuities in Minnesota with the broader colonizing nature of national park-making in the United States, I draw upon recent National Park Service (NPS) scholarship that highlights Ojibwe occupation of federally protected lands before and during the conservation era in the early twentieth century. NPS archaeologists have revealed a rich history of Ojibwe occupation in the region, sparking new efforts to include Bois Forte Band history in their public histories.<sup>7</sup> Jeff Richner, of the NPS Midwest Archeological Center, kindly sent me a copy of his 2005 report entitled *People of the Thick Fur Woods: Two Hundred Years of Bois Forte Chippewa Occupation of the Voyageurs National Park Area* for my historiographical study in 2013. Though I was familiar with some history of this region, as my father’s family lived on a farm in the International Falls area from the 1890s to the 1980s, I was not aware of the fact that Bois Forte people continued to contribute to the history of this land over this time. Even into the 1920s, traditional or more conservative Ojibwe groups often centered in seasonal villages dotting maple groves and lakes in the area. The histories that I was told or read about understandably centered on economic difficulty for those who settled there among dense northern forests and lake country and skepticism toward outsiders who wanted to “tie up” land

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<sup>6</sup> Mark David Spence, *Dispossessing the Wilderness: Indian Removal and the Making of the National Parks* (New York: Oxford UP, 1999), 4-5.

<sup>7</sup> When I began research on this topic in 2013, there were no histories for public consumption devoted to Bois Forte occupation of the VNP region. Currently, the National Park Service is creating an interactive map that includes some of the rich history of Bois Forte occupation of present VNP lands during the late nineteenth and early twentieth century.

and resources through state and federal control. Positive portrayals like Richner's of hardworking Ojibwe were not included.

Over time, I discovered that the eighty-four year history of the establishment of the VNP was tied up in the creation of forestry conservation itself, a history that makes it unique in comparison to other national park histories revealed in Spence's work. Popular VNP histories highlight tension between special interests over land use in the future VNP, including bureaucratic in-fighting between the United States Forestry Service (USFS) and NPS. Thus, it became necessary to trace the history of the USFS, which revealed a dominant narrative of early twentieth century conservation that reflected Euro-American anxieties over "proper" use of forest resources. Deeper research into this historical record revealed an absent narrative of Ojibwe resistance to the establishment of the Minnesota National Forest in 1908 (later named Chippewa National Forest), the first national forest in the United States, and Superior National Forest in 1909.

Dominant portrayals of forestry in Minnesota continue to reflect preoccupation with Euro-American values of the landscape, waters, and forests with very little consideration for continued Ojibwe claims to Minnesota's national forests. Over time, a combination of land preservation and conservation methods were employed by state and federal government agencies in order to sustain economic activities or create new industries for locals and other interests. "Multi-use" strategies have yielded campgrounds dotted among harvestable timber tracts sold at auction by the USFS in Minnesota national forests. Of the fifty-four million total acres

demarcated as the state of Minnesota, sixteen million are managed by the USFS to harvest timber.<sup>8</sup>

Tourism, vitally important to the economic survival of those who live there, is also an understandably prominent theme. Voyageur National Park allows motor boating and snowmobiling for year-round enjoyment of the expansive network of lakes and remote islands in the northernmost points of the state. As a region, northeastern leisure and hospitality industries generated \$913,843,413 in gross sales and \$59,428,609 in sales tax in 2015. An analysis by county reveals that St. Louis County, home to Chippewa National Forest and Voyageurs National Park, trails only Hennepin, Ramsey, and Anoka in gross sales.<sup>9</sup> In Cook County, located along the North Shore and home to part of the Superior National Forest (SNF) and the Boundary Waters Canoe Area (BWCA), more than half of private jobs are in the leisure and hospitality sector.<sup>10</sup>

In short, human use of land and economic struggle tend to dominate typical portrayals of the landscape and waterways of northern Minnesota and these themes carry through in conservation narratives. Yet, rarely do Ojibwe people make much of an appearance in these conservation histories, in spite of the fact that the dispossession of their lands for the establishment of Minnesota's state and national forests and parks induced an era of incredible struggle to maintain culture and sovereignty. The purpose of this thesis is to explore Ojibwe persistence in spite of colonizing effects of national forest and park-making in Minnesota, and

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<sup>8</sup> National Association of State Foresters, "Land Acreage: Total Forest Land by state, 2004," assessed July 24, 2017, <http://www.StateMaster.com>.

<sup>9</sup> "Tourism & Minnesota's Economy," Explore Minnesota Tourism, assessed July 24, 2017, <http://www.exploreminnesota.com>.

<sup>10</sup> Rachel Vilsack, "Employment in Minnesota's Counties." *Minnesota Economic Trends* (June 2014): 26.

provide a critical examination of dominant narratives that obscure continued dispossession of their lands into the first few decades twentieth century. While dominant histories of national forest and park making often gloss over the messy and complicated eras of treaty-making and allotment, framing this history within multiple Ojibwe perspectives complicates a benign conservation narrative.

All too often, dominant conservation narratives begin where conquest narratives end: the landscape is already “available” by nineteenth century. If indigenous people are part of the narrative, it is because the forces of manifest destiny and industrial expansion left Indians victimized, defeated, and corralled onto reservations. Conservationists seem to “inherit” depopulated lands after the industrial despoliation has threatened to destroy pristine wilderness. Conflict is almost invariably framed within local, state, and federal interests that vie for control of lands and resources, making Native voices either irrelevant victims or absent altogether. Environmental histories within a dominant Euro-American worldview portray land and water as resources to be both managed for aesthetic purposes and extracted to support an industrial civilization. Other worldviews certainly exist; in fact, indigenous scholars have united in recent decades to challenge the dominant worldview of land and water as primarily industrial or aesthetic resources to be “maintained” properly for posterity. Including Ojibwe perspectives in national park and forest making complicates a seemingly benign conservation narrative and highlights the colonizing nature of late nineteenth and early twentieth century conservation.

This is not a comprehensive study of indigenous challenges to hegemonic ideals regarding environmentalism, but a case study of how Ojibwe worldviews informed their pre-European perceptions of land and later resistance and adaptation to a colonized and increasingly-industrialized landscape at the turn of the twentieth century. Ultimately, this thesis throws into

question the way in which dominant histories characterize national forest and park making as benign, philanthropic, and environmentally friendly ventures. This assumption, carried forth through environmental histories of forests and parks in Minnesota is, at the root, an extension of colonizationist thinking and undermines Ojibwe bands efforts toward reclamation of their lands today. If stories of Ojibwe land use are absent and conservation histories begin with depopulated and damaged lands as context, the actions of conservationists to create national forests and parks is purely positive. Yet, this thesis will illustrate certain Ojibwe band members' historical occupation of and ongoing claims of to the first national forests in the U.S. Therefore, I have drawn from important primary and secondary source literature that reframe the conservation narrative and highlight multiple Ojibwe connections to northern Minnesota homelands relevant to this thesis.

Before delving into how my research fits into relevant literature, however, there are important observations to be made about how indigenous worldviews contrast with Euro-American worldviews of the environment. Ojibwe historians cited in this paper often refer to this contrast by highlighting a “highly spiritualized” connection to the land and its resources. Having grown up within a Western or Euro-American worldview, it has been difficult for me to understand what Anishinaabeg scholars mean by living a “highly spiritualized” world beyond the concepts of linguistic relativism and linguistic determinism proposed by the Sapir-Whorf hypothesis.

Ojibwe historians, ethnographers, and philosophers have characterized elements of Anishinaabeg worldviews that contrast with Euro-American worldviews, particularly regarding nature and land. One way to get at this difference is through an understanding of contrasts in language structure between Anishinaabemowin and English. Like other Algonquian languages,

the Ojibwe language is verb-based and, therefore, oriented toward processes and events rather than interaction between beings and things as in English. Anishinaabemowin also has a free-word order in which the speaker is free to choose whichever aspect of the process in question is most important.<sup>11</sup> For example, the variable in meaning for “to see someone” shifts around the subject or object that is doing/not doing the seeing or being seen/not being seen. Therefore, meaning is placed in the *act* or *process* of seeing, of which there are over 1700 different Ojibwe verbs to convey “seeing.”<sup>12</sup>

There are also no adjectives in Anishinaabemowin, rather relationships between subjects and objects are indicated by use of verbal inflections that mark action/inaction between animate and inanimate things or beings. This sheds light on how language might impact thought structure among Anishinaabeg. An explanation about the difference between inanimate and animate nouns might characterize how the inanimate can act on the animate, but the inanimate cannot act on other inanimate nouns. “So inanimate things are not really inanimate after all,” maintains Anishinaabe ethnographer Lawrence Gross. “It is just that the range of action is more limited than animate things... As for the thought structure of the Anishinaabeg, we can think through the implications of the whole world being alive, the whole world being spiritualized, even supposedly inanimate things... [This] forces a reconceptualization of the world...”<sup>13</sup> Moreover, Gross asserts that Anishinaabeg lived “in world of quantum physics” before the cultural devastation of allotment where everything was “vibrant, dynamic, energetic, and in a constant

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<sup>11</sup> Lawrence Gross, *Anishinaabe Ways of Knowing and Being* (Burlington: Ashgate Publishing Company, 2014), 101.

<sup>12</sup> *Ibid.*, 93-98.

<sup>13</sup> *Ibid.*, 104-105.

state of flux.”<sup>14</sup>So, Ojibwe people probably did not have a concept of “ownership” of land in a Euro-American sense, but their view of the world made possible the idea that all things have a stake, ownership and sense of belonging within the natural world.

A more technical understanding of Ojibwe language leads to a more spiritual understanding regarding the nature of Ojibwe life, the pursuit of *bimaadiziwin*, and reliance on the natural world. While characterizations of Ojibwe as “keepers of harmony and balance” between everything animate and inanimate are open to charges of romanticization, deeper analysis of cultural aspects of Ojibwe people do reflect fundamental aspects that run counter to dominant Euro-American thinking of nature.<sup>15</sup> Ojibwe stories relate their responsibility for keeping balance with the natural world, for example through offering of tobacco, fasting, or paying attention to animal wisdom. One story tells of a time when all of the hooved animals retreated northward with the crows away from wasteful humans, only agreeing to come back when Ojibwe promised to honor them in life or death.<sup>16</sup>

Even linguists admit, however, that language is just one aspect of culture and worldview. Other aspects are harder to describe, but there is one repetitive theme that permeates discussion or observations about eighteenth and nineteenth century Ojibwe culture: silence. The act of silence or “being silent in the woods” cannot be overstated in terms of understanding Ojibwe worldview, something so subtle I had almost dismissed it in my early research and interviews with Bois Forte members. Gross describes how Anishinaabeg have generally valued the ability to maintain a silent, contemplative mind in order to develop heart connection to world. To Gross, the “heart connection” is being open to all possibilities, in opposition to a mindset that declares

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<sup>14</sup> Ibid., 104-105.

<sup>15</sup> Peacock and Wisuri, 42.

<sup>16</sup> Ibid., 43-44.

“I know/I already know.” Openness leads to being a keen observer, able to discern and appreciate inconsistencies and incongruities of life. Ron “Moots” Geschick, Bois Forte Band member and artist characterizes it simply as being spiritual in the woods, something passed down from his family to him. “It’s all in the woods. It’s there. The spirits are there. And you gotta be receptive to those spirits. You gotta understand... I even got that word out there. Understanding. I could just see it. Understanding. And I took that and I learned from that... See, there’s so many things you’ve got to understand. Gotta understand our way, you gotta understand the other way. And in this world, you gotta kinda be a juggler. Because they are different worlds.”<sup>17</sup>

Other scholars have described this as a both/and modality among Native American cultural approaches to traditions and practices, such as storytelling.<sup>18</sup> Storytelling also underscores what Gross describes as a “comic vision” of Anishinaabe worldview. Anishinaabe trickster stories, for example, are often humorous lessons to unravel based on accepting the world as it is and using one’s wits to deal with problems. Humor as a basis for storytelling provides opportunity to manage incongruity and inconsistency in life.<sup>19</sup> I was deep into my research before understanding how this significance of this cultural element among Ojibwe peoples could inform my understanding late nineteenth and early twentieth century inter-tribal conflict among Leech Lake Bands over claims their former lands the federal government used to establish the Chippewa National Forest.

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<sup>17</sup> Ron Geschick, Interview by author. Bois Heritage Center, July 11, 2016.

<sup>18</sup> Joy Porter, *Native American Environmentalism: Land, Spirit, and the Idea of Wilderness* (Lincoln: University of Nebraska Press, 2012), 5; Lisa Tatonetti, “The Both/And of American Indian Literary Studies: American Indian Autobiography by H. David Brumble, III,” *Western American Literature* 44, no. 3 (Fall 2009): 276-288; Arnold Krupat, “Chapter 1: Trickster Tales Revisited,” *All That Remains: Varieties of Indigenous Expression* (Lincoln: University of Nebraska Press, 2009).

<sup>19</sup> Gross, 74-75.

In short, understanding Anishinaabe worldviews regarding nature requires understanding distinct elements of Anishinaabe culture, a frame of reference that has not been applied to Minnesota conservation histories that perpetuate an absent narrative of Ojibwe ties to “surplus” lands “available” for industrial use or federal protection. This frame of reference also provides an opportunity to highlight the psychic violence that absent narratives perpetuate through generations. Telling an absent Ojibwe narrative reframes the dominant conservation narrative within broader colonization history and throws into question ongoing federal land management policy sans Ojibwe involvement. Therefore, this thesis seeks to contribute to broader scholarship that provides historical basis for ongoing efforts among Native peoples to reclaim their former homelands.

The Indian Land Tenure Foundation (ITLF), established in 1999, is a non-profit entity created to achieve long-term, sustainable, locally driven mechanisms to reclaim Indian lands to benefit Native cultures, economies, and sovereignty. The ILTF mission statement works to “ensure that all land within the original boundaries of every reservation and other areas of high significance where tribes retain aboriginal interest” are owned and managed by Native people:

We must educate our Indian leaders so they can help the community to build and improve our way of life for the future. It is our decision to make, moving into new partnerships, adopting new ways of thought, boldly speaking a phrase that has worked for thousands of years on this land: *When we take care of the land, it takes care of us.*<sup>20</sup>

Organizing around critical issues Native communities face is ultimately tied to land tenure and ongoing efforts toward land reclamation. This thesis will highlight some of the historical context behind the persistence of tribal governments, in this case among the Minnesota Chippewa Tribe, to increase sustainable development of their lands, expand educational and

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<sup>20</sup> “About Us: Mission & Strategies,” Indian Land Tenure Foundation, accessed July 17, 2017, <https://iltf.org>.

economic opportunities, exercise treaty rights, and reclaim lands for various purposes that serve their Native communities. It can be argued that Native people who work toward these goals are drawing from traditional worldviews to help their people overcome the effects of Postapocalypse Stress Syndrome (PASS). In the wake of an apocalypse, defined in this case as the violent interruption of lifeways of a culture, a culture will experience a combination of individual, institutional, and metaphysical problems. Anishinaabeg, perhaps all Native American cultures generally, do not live in complete accord with pre-contact culture and none enjoy unabridged sovereignty as their ancestors had. Worldviews that informed previous cultures are not defunct, but Native Americans are in the process of rebuilding new worlds that are true to their histories within present realities. Conceptually, PASS attempts to capture the ensuing results of an apocalyptic event in which a culture suffers from personal/individual dysfunctions, weakening or collapse of social institutions, and potential crisis in worldview.<sup>21</sup>

On a personal level, Native communities have generally experienced abandonment of productive employment and increases in substance abuse, domestic violence, suicide, and rates of mental illness. These personal struggles can be understood through collapse or weakening of Native institutions in the early decades of the twentieth century that maintained family structures, governmental institutions, traditional education, established religious institutions, traditional medicine, and economic structures. These challenges resulted in weakening or loss of confidence in the previous worldview of the culture, which contributed to the diaspora of Native people

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<sup>21</sup> Gross, 34-37.

from reservations to larger cities. The effects have been intergenerational in nature and it will take people generations to fully recover.<sup>22</sup>

For Anishinaabeg today, the concept of PASS provides clear articulation of the nature of problems behind persistent social dysfunction on reservations. With a better grasp of what happened to their culture, Gross maintains they can proceed with a clearer vision of how to rebuild stronger communities much more quickly.<sup>23</sup> PASS uncovers the challenges that faces cultures in reconstructing institutions and cultural expression today. The larger implication is there must be reconciliation on the part of the dominant culture, as well. Lakota Maria Yellow Horse Brave Heart describes this succinctly. “For Native Americans, historical unresolved grief involves the profound, unsettled bereavement that results from generations of devastating losses which have been disqualified by prohibiting indigenous ceremonies and by the larger society’s denial of the magnitude of its genocidal policies.”<sup>24</sup>

Recovery can work in three broad areas. One includes psychological recovery to alleviate intergenerational trauma. A second area in which recovery is possible is through the creation and rebuilding of social institutions that incorporate the values of Native American Nations, including tribal schools, governments, and land management policies. It is vitally important that these institutions be recognized and respected by the dominant culture. A third area for recovery

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<sup>22</sup> Ibid., 37. Gross examines similarities between Native experiences of land loss and the effects of Black Death on fourteenth century Europeans. Comparatively, Europeans and Native Americans also dealt with prolonged exposure to diseases and destabilizing effects of policies and actions imposed on them by dominant society. Parallels between reactions of European cultures to apocalyptic nature of Black Death and Anishinaabeg toward land dispossession reflect an amazing degree of common human experience. In short, social dysfunction is to be expected -- forgiveness of this fact can enhance the healing process and possibilities for reconciliation between the dominant culture and Native cultures.

<sup>23</sup> Ibid., 39.

<sup>24</sup> Ibid., 41, quoting Brave Heart’s dissertation, “The Return to the Sacred Path: Healing the Historical Trauma Response among the Lakota.”

from PASS includes a reformulation of worldviews among Native American nations so that they remain true to traditional beliefs, but also responsive to current realities.<sup>25</sup>

Therefore understanding current Ojibwe challenges to federal land tenure policy, exercise of treaty rights, and ongoing claims to federal forest lands within this framework is an exercise in historical empathy that requires critical analysis of dominating views about how the land ought to be used. This thesis seeks to highlight an absent narrative of Ojibwe peoples persistence and adaptation of Anishinaabe lifeways that elevates their stake in the protection and maintenance of federally-protected lands of Northern Minnesota. Consequently, this work will broaden the narrow historical context of a benign dominant early nineteenth century conservation narrative to include Ojibwe absent narratives of continued occupation, contestation, claims to former homelands, and efforts to provide indigenous management solutions for contested federal forest lands in Minnesota.

### **Anishinaabe Culture: Review of Relevant Literature**

My research draws from numerous works that show cultural resilience and adaptation among Ojibwe groups, particularly in regard to the centrality of land tenure to the survival of Anishinaabe culture. Of particular interest to this study are thematic approaches regarding changing Ojibwe land tenure status, continuity of worldview regarding natural resources, and persistence of traditional ways among Ojibwe bands. Through my own research, a picture of varied responses to late eighteenth and early nineteenth century conservation among Ojibwes emerged; while formative Ojibwe resistance to forest-park making developed among market-driven Ojibwes, other more remote and conservative band members such as the Bois Forte retreated further into northern forests to continue traditional lifeways.

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<sup>25</sup> Ibid., 45.

Various primary and secondary sources reveal Ojibwe connections to the land that illustrate themes of conflict and cooperation within and between bands to maintain ownership over homelands in spite of hegemonic Euro-American efforts toward dispossession throughout the nineteenth and twentieth centuries. *A History of the Ojibway People* by William Whipple Warren and Theresa Schenk's biography of Warren reveal evolution of Ojibwe and Euro-American relations, as children of Ojibwe women and traders often became cultural conduits during the era of treaty making.<sup>26</sup> As Melissa Meyer illustrates in *The White Earth Tragedy*, "interethnic" social groupings of Anishinabe bands further developed in Minnesota and Wisconsin before removal to the reservation started in 1867. Uncovering Anishinaabeg understanding of the terms "full-blood" and "mixed-blood" reveals varying degree within which they had integrated in market economy.<sup>27</sup> Meyers describes conflict between market-orientated Anishinaabeg and more conservative Anishinaabeg, whose settlement patterns at White Earth followed earlier traditionalists who lived farther from trading posts and relied on a more subsistence-oriented seasonal round. In "Tracking the Land: Ojibwe Land Tenure and Acquisition at Grand Portage and Leech Lake," Leah Carpenter reveals how absence of interethnic conflict among smaller, more homogenous Ojibwe bands has aided the Grand Portage in historical land reclamation efforts.<sup>28</sup>

My work explores this theme of conflict and cooperation within interethnic bands at Leech Lake during the development of Chippewa National Forest in 1908, the first national

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<sup>26</sup>Theresa M. Schenck, *William W. Warren: The Life, Letters, and Times of An Ojibwe Leader* (Lincoln: University of Nebraska Press, 2004), iiv-xi.

<sup>27</sup> Melissa Meyer, *The White Earth Tragedy: Ethnicity and Dispossession at a Minnesota Anishinaabe Reservation* (Lincoln: University of Nebraska Press, 1994), 5.

<sup>28</sup> Leah Carpenter, "Tracking the Land: Ojibwe Land Tenure and Acquisition at Grand Portage and Leech Lake" (PhD diss., University of Arizona, 2008).

forest in the U.S., as well as how the more homogenous Bois Forte band persisted in homelands demarcated as the Superior National Forest in 1909. Through my own research of Chippewa Council resistance to the establishment of the Chippewa National Forest, formative Ojibwe resistance to forest park making developed among whom Meyers refers to as market-driven Ojibwes, while other more isolated and conservative band members such as the Bois Forte continued to maintain traditional lifeways. My work reflects similar adaptivity among Ojibwes to the pressures of dominant culture, while others continued to persist in traditional ways. The focus in my research, however, is on how their varied responses forms a history of resistance to their lands being tied up in an increasingly formal federal conservation policy.

Making a case for resistance through persistence of traditional Anishinaabe lifeways among more remote band members relies on important ethnographic and archaeological research that illustrate the value of Ojibwe labor as tied to the land. This research reflects continuity of Anishinaabe worldview toward natural resources and adds important layers of understanding about how culture, worldview, tradition, and work are intertwined with the land in nineteenth century Ojibwe life. Frances Densmore's *Chippewa Customs* reflects continuity of traditional lifeways as daily work among White Earth, Mille Lacs, Cass Lake, and other Wisconsin and Canadian band members into the first two decades of the twentieth century. In *People of the Thick Fur Woods*, NPS archaeologist Jeffrey Richner provides a case study of Bois Forte persistence in present-day SNF and VNP lands into the 1930s. Richner's NPS report shows Bois Forte occupation and persistence of cultural ways within traditional homelands now designated under national park status, particularly through the berry industry. This reveals a more nuanced understanding of the intersections between geography, Euro-American/Ojibwe acculturation, and

degree of access to natural resources that provides a broader context for understanding the impact of changes in Anishinaabe land tenure over and maintenance of traditional ways.

An overall picture of Ojibwe lifeways during the nineteenth century reflects resilience, adaptation, and cultural ties to the lands and waterways in which Anishinaabeg inhabited since migration. VNP archives reveal a lively berry industry in the region through the 1930s, of which not only Bois Forte participation, but also that of Ojibwes from surrounding areas, including Canada. I have chosen to frame this within the context of adaptation of traditional labor to informal market economies, a theme carried through in recent scholarship that seeks to uphold Ojibwe adaptation and resilience within the late nineteenth century industrial era.

Two recent works utilize a lens of labor history in order to highlight Ojibwe agency without deemphasizing unequal systems of power, ideology, and state control during the allotment era. Brenda Child and Chantal Norgaard highlight multiple cases in which Ojibwe communities adapted to increasing restrictions from traditional resource areas. The authors reveal cultural change through overturning long-standing gender roles in order allow for traditional forms of work in the case of wild rice production and conversion of traditional cultural economies toward wage earning.<sup>29</sup> In *My Grandfather's Knocking Sticks*, Child maintains that Indian labor history -- particularly Red Lake band cases -- highlight indigenous people as historical agents while making it impossible to ignore how the their experience is framed by colonialism. In *Seasons of Change: Labor, Treaty Rights, and Ojibwe Nationhood*, Norgaard asserts that Ojibwe labor experiences can highlight “unique and shifting status” of people who struggle within colonial regimes. While some may have desired integration and

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<sup>29</sup> Brenda Child, *My Grandfather's Knocking Sticks: Ojibwe Family Life and Labor on the Reservation* (St. Paul: Minnesota Historical Society Press, 2014), 3-4; 180-189; 172-176.

equality within the system, many Ojibwe desired the opposite: autonomy, independence, and sovereignty from the colonizer and used wage earning only to supplement traditional subsistence during the first few decades of the twentieth century.<sup>30</sup>

It is this kind of story of resilience in spite of the deleterious effects of colonization that I wish to tell. This thesis explores a similar theme regarding the adaptation of Anishinaabe land and water use and resistance to state and federal conservation policy. As this thesis will show, many Bois Forte, Leech Lake, and White Earth Ojibwe adapted to a new kind of colonized and industrialized landscape -- national forests and parks -- through alignment of traditional pursuits (berrying, ricing, guiding) and entrepreneurship beginning around the turn of the twentieth century. Many band members -- sometimes within the same reservation -- resisted encroachment of market-economy by simply persisting in traditional ways well into the 1930s.

### **Conservation: Review of Relevant Literature**

This thesis is organized thematically in order to connect both agency of Ojibwes who maintained connection to former homelands reserved as forest and national parkland in an age of conservation. Thus, their agency is framed by critical discursive examination of the development of national forestry and park-making. It is my contention that understanding the absence of Ojibwe narratives in state and national parks and forest histories requires critical examination dominant cultural values of land, waters, and resources. The fact is, Ojibwe contributions to the history of northern Minnesota are largely absent from the dominant narrative of Minnesota's much acclaimed national forest and park lands. Also, conservation efforts seemed to double down within the first decade of the twentieth century, even as Ojibwe bands maintained

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<sup>30</sup> Chantal Norrgard, *Seasons of Change: Labor, Treaty Rights, and Ojibwe Nationhood*. (Chapel Hill: U of North Carolina, 2014), 3.

connection to their former homelands variously through assertion of rights to Chippewa and Superior National Forests and adaptive traditional labor.

The addition of absent Ojibwe narratives mark a shift in how dominant narratives frame the story of the Minnesota landscape from increasing federal control over Native lands that led to Indian removal to a benign, paternalist story of forest and national park making as what is “best” for all. Conservation history makes an entrance rather late in this story when framed by an absent Ojibwe narrative of maintenance over former homelands and reveals as discursive shift in how dominant history frames “proper” use of land. Dominant conservation histories of Minnesota land preservation most often begin after allotment in Minnesota had almost conveniently made former Ojibwe lands “available” or present a passive victim narrative as explanation for “surplus lands.” Dominant conservation narratives are instead framed by conflicts over land and its value between competing ideals and interests among conservationists, preservationists, timber operators, capitalists, farmers, miners, and small business owners. There is little or no Ojibwe agency as stakeholders in the “battles” to create Minnesota’s national forests, the first forest parks created by the USFS, in spite of historical evidence of continued resistance among Leech Lake Bands of Ojibwe. The creation of Voyageurs National Park, former homeland of the Bois Forte Band of Ojibwe, occurred eighty-four years after the first petition to establish it in 1891. Continued Bois Forte occupation and maintenance of traditional use of these lands after the turn of the twentieth century has, until recently, left out of NPS histories. No current works exist on how conservation discourse around national forest history and Ojibwe resistance to land dispossession are entangled throughout the early history of the VNP.

Fred T. Witzig’s *Voyageur National Park: The Battle to Create Minnesota’s National Park* is an important book that describes the time period of my study as a backdrop to the

legislative battles of the 1960s that led to the creation of the VNP -- the early years of conservationists efforts to navigate politics and industry to advocate for a national park. A second book vital to understanding the conservation narrative in Minnesota is *Voyageur Country: The Story of Minnesota's National Park* by Robert Treuer. A beautifully written and condensed "rich account of the human and natural history the park is meant to preserve," it is a book meant for public consumption and a good example of a master narrative of Minnesota conservation that follows many of the same themes as Witzig's *Voyageur's National Park*.<sup>31</sup> Finally, R. Newell Searle's wonderfully composed *Saving Quetico-Superior: A Land Set Apart* has inspired many to visit the Quetico-Superior Wilderness that straddles the Canadian-Minnesota border since its publication in 1977, which includes the BWCA. These books, as well as other articles from history and conservation magazines, provide rich detail of that frame this history within tensions between conservation groups and other special interests that debated, rallied public opinion, and worked tirelessly to lay the foundations for the establishment of federally protected forests, shorelines, and waterways in northern Minnesota.

My work turns this idea on its head by revealing how many Ojibwes retained their connection to their former homelands throughout the conservation era. My research reveals two important elements that reframe this history. First, I provide a discursive analysis of how a conservation progress narratives require a distinct starting point that eliminate or minimize Ojibwes during its earliest era. Second, I provide fill in the gap of absent Ojibwe narratives that reveal continued resistance and adaptation to twentieth century bureaucratic conservation and clarify current issues around land reclamation and treaty rights.

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<sup>31</sup> Robert Treuer, *Voyageur Country: The Story of Minnesota's National Park* (Minneapolis: U of Minnesota, 1998.) Quote from Gaylord Nelson of The Wilderness Society published on the back cover.

Dominant conservation narratives illustrate how systems of bureaucracy represented by the USFS and NPS have served to regulate the destructive nature of unfettered industry on ecosystems. Yet, they were ultimately destructive toward a traditional Anishinaabe lifestyle dependent on the forests and waters of northern Minnesota. Further analysis of primary sources used by these authors, Richner's report, and publications in conservation magazines uncover Ojibwe persistence in maintaining connection to lands that became Chippewa and Superior National Forests and, later, Voyageurs National Park.

This thesis contributes to broader scholarship that complicates the historical development of national parks as simply a benign extension of stewardship of wilderness and precious resources. A global historical approach provides further opportunity to critically examine epistemic trends that have assumed dominance in environmental histories of national parks. In *Civilizing Nature: National Parks in Global Historical Perspective*, contributing authors address the “blatant discord” between enthusiasm regarding protected areas as the best form of nature conservation and the “questionable ecological performance” of national parks. The editors assert this is the consequence of political, cultural, and social conditions that formed the national park idea during the nineteenth century. They remark on the expediency of national parks to *civilize*, *territorialize*, and *categorize* nature.<sup>32</sup>

Furthermore, *Civilizing Nature* places the emergence of national parks with the broader historical context of imperialism, in which “properties of territory were instrumental for national, imperial, and international policies, and in which distinct demarcations and boundaries became the hallmark of the modern nation-state.” Thus, the “discourse of civilization” entailed

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<sup>32</sup> Bernhard Gissibl, Sabine Höhler, and Patrick Kupper, eds., *Civilizing Nature: National Parks in Global Historical Perspective* (New York: Berghahn Books, 2012), 2.

assumptions of “temporal and spatial divide” between the Euro-American and “allegedly more primitive states.” The “discourse of civilization” also interpreted human relationships with nature according to a “yardstick of progress.” Parks, according to this dominant discourse, protect nature from encroaching industrialization, modern agriculture, and capitalist land grabbing. Park making “became a benchmark of a society’s civility,” an “expression of a peculiarly modern valuation of nature,” and were exported “upon the world with missionary zeal.” The contributing authors ultimately understand national parks as “both agents and instruments of *civilizing* nature” and highlight the ambivalent role they play in a “civilizing mission and alternative project of modernity.”<sup>33</sup>

On a similar note, in *Dispossessing the Wilderness*, Mark David Spence asserts deeper social and political trends behind the transition in American minds between exploitation of lands for resources and the preservation of “wilderness” in national parks. This coincided with a time when Indigenous populations were believed to be in need of “civilizing,” a “vanishing race,” an eyesore when present in particularly aesthetic regions, or competition among hunting enthusiasts. Indeed, the physical removal of Indians to reservations by allotment and dissolving of common lands, the concept of “uninhabited wilderness,” served to justify “absence” of original inhabitants from histories often told about these contested lands.<sup>34</sup>

Some Indian histories about national parks also explore the development of bureaucratic apparatuses involved in national park making that impeded Indigenous exercise of sovereign rights and self-determination efforts. In *Indian Country, God’s Country*, Philip Burnam explores the conflict, cooperation, and betrayal between the National Park Service and native elders in the

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<sup>33</sup> Ibid., 3.

<sup>34</sup> Mark David Spence, *Dispossessing the Wilderness: Indian Removal and the Making of the National Parks* (New York: Oxford UP, 1999), 4-5.

struggle for control over the contested Glacier, Badlands, Mesa Verde, Grand Canyon, and Death Valley National Parks. He frames his narrative in context of government policy toward Indian tribes and the enormous changes Native peoples endured since the 1880s and broader struggle for sovereignty rights from the 1880s-1960s. As tribes became increasingly controlled by the Bureau of Indian Affairs (BIA), the NPS was able to expand jurisdiction through an untouchable political process, from Indian point of view.<sup>35</sup>

Closer to home, Brenda Child, criticizes the “wilderness” narrative in Ken Burns’s documentary *The National Parks: America’s Best Idea*. Child points out the experience of the Ojibwe during the establishment of national parks and forests in the Great Lakes and border lakes regions was “messy,” due to the fact that Ojibwe held onto allotments and continued to use resources in places designated for protective status. Child maintains that the creation of national parks and forests within Ojibwe homelands is the continuing story of colonial history that includes the appropriation of Indigenous lands and resources. Within this context, she points to the establishment of Michigan’s Isle Royale National Park, Minnesota’s VNP, and Ontario’s Quetico Provincial Park (part of the Quetico-Superior Wilderness) as indicative how the damaging policies of assimilation and allotment served to make these lands available for public use and protected status. She maintains that, while we ought to appreciate the environmental message in Burns’s documentary, *Voyageurs* was never a “wilderness.” It was a homeland to Ojibwe people of the Bois Forte and Nett Lake communities. These were not the pristine empty wildernesses that once held historic peoples, now long gone.<sup>36</sup> Research for this thesis reveals

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<sup>35</sup> Philip Burnam, *Indian Country, God’s Country* (Washington, D.C.: Island Press, 2000), 13.

<sup>36</sup> Brenda Child, “The Absence of Indigenous Histories in Ken Burns’s *The National Parks: America’s Best Idea*.” *The Public Historian*, Vol. 33, No. 2 (Spring 2011).

many of the same elements of national forest and park making as part of a national Indian “civilizing” project that established an untouchable federal policy from the point of indigenous challengers. Like Child, I am interested in historical voids in which absent Native American narratives shed light on national forest and park making as another manifestation of colonization.

Thus, this thesis is about complicating a particular discourse within Minnesota conservation narratives that often pit nineteenth and early twentieth century conservationists and preservationists against one another over “proper” use of lands and resources. This fits within recent scholarship on national park-making by challenging this sort of binary characterization. The development of an *uninhabited* wilderness concept is tied with late nineteenth century colonial anxieties regarding the closing of the “frontier,” clear land title, and an increasing “Indian Problem.” Though philanthropic and environmentally-conscious individuals spearheaded late nineteenth and early twentieth century conservation efforts in Minnesota, they also promoted the removal of many of remote settlements of traditional Ojibwe and federal assertion over title of “unused” lands. The assumption that conservation is purely a “greater good,” carried forth through these dominant conservation histories of forests and parks in Minnesota, is an extension of colonizationist thinking.

### **Chapter Outline**

The following chapter examines how Anishinaabe and Euro-American groups came to value northern Minnesota landscapes, forests, and waterways. This analysis includes how they came to inhabit those regions or lay claim to its resources. Implicit in this history is dispossession of Ojibwe lands from nineteenth century U.S. treaty-making to the allotment era after 1887; yet, my historical research also reveals Anishinaabe agency through traditional subsistence patterns that can be identified later among those who continued to occupy contested

lands demarcated later for conservation. These patterns establish particular context that highlight Ojibwes resistance, occupation, and adaptation to maintain connection to their homelands.

Chapter three is a discursive analysis of dominant portrayals of early twentieth century conservation efforts in Minnesota that reveal an absent narrative of Ojibwe claims to the landscapes, forests, and waterways of the North Country. Most begin with debate sparked by lands that were made “available.” A few authors characterize dispossession of Ojibwe lands by the same interests that struggled for or against the establishment of the first national forest in Minnesota, but Ojibwe have no agency in this sort of “prisoner” narrative as tribal members become voiceless and acted upon by forces beyond their control. The implication is that national forest and park-making in Minnesota was benign -- the best option for Indians when measured against the disastrous effects of unfettered timber industry expansion.

The fourth chapter complicates this portrayal of forest and park making by providing an absent narrative of continued contestation of Chippewa National Forest among many Ojibwes into the 1920s. Furthermore, research into land tenure patterns and seasonal occupation of homelands outside of reservations, particularly among the Bois Forte into the 1930s, reveals varied forms of resistance to land dispossession. Even as conservation groups organized to protect the “pristine wilderness” of the Rainy Lake and Boundary Waters watershed from industrial despoliation, Bois Forte Band members more or less adapted to these new economic and social realities by participation in wage industries through traditional pursuits.

My conclusion to this thesis weaves this history into current issues that the Minnesota Chippewa Tribe (MTC) and its individual Bands face in exercising sovereign treaty rights and land reclamation. A history of Ojibwe bands’ occupation and use in the CNF, SNF, and present-day VNP through the early decades of the twentieth century that provides critical analysis of

dominant narratives of national forest and park development can reframe public understanding the importance thinking about both conservation and justice for indigenous people. In short, historical context behind Ojibwe use of land, maintenance of treaty rights, and persistence of traditional ways provides a basis for understanding continuous claims to former homelands that many Ojibwe people have maintained to the present.

## Chapter 2: Ojibwe Worldviews and Land as Central to Culture

Nodinens (Little Wind), who came from White Earth to the Mille Lacs community in the latter part of the nineteenth century, described “the industrial year” according to the seasons. Her childhood reveals how her people had intimate connection with the natural world as her community prepared for seasonal rounds and illustrates how the lands they lived from were central to their spirituality and culture. Nodinens remembered her father kept time with a large notch on a stick for a full moon and smaller notch for each passing day.<sup>37</sup> She recalled how “everything was very systematic” when she was growing up at Mille Lacs and “everyone was busy.” After her father began a new counting stick in autumn and her mother had put up the wild rice, maple sugar, and other foods, it was time to prepare for winter. There was much work for the women of the house to do, including preparing bull rush mats and prepping light-weight foods to carry to winter camp, such as rice, dried berries, and pumpkin flowers to thicken soups. All of this was done under the supervision of her grandmother, who made sure to gather enough thorns of the thorn-apple tree to pin children’s winter coats to keep them warm.<sup>38</sup>

When the ice froze, her family prepared to move for hunting season. Nodinens's family joined with five others, who built their six wigwams in a deep woods winter camp. She recalls how the wigwams were pleasing with yellow birch bark on top and brightly colored things inside, as well as cozy with cedar boughs on top of cleared ground covered with blankets for beds. Just outside each door stood a shed with split wood to feed fires in the center of the home. Men brought logs and women chopped wood to store in sheds, dry and easy to get to at night.<sup>39</sup>

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<sup>37</sup> Frances Densmore, *Chippewa Customs* (1929; St. Paul: Minnesota Historical Society Press, 1979), 119. Nodinens was 74 when she was interviewed by Frances Densmore in 1918.

<sup>38</sup> *Ibid.*, 120.

<sup>39</sup> *Ibid.*, 119-120.

Nodinens remembered a big fire kept in the middle of the camp where everyone would cook if the weather was warm enough. Women kept the fire low to evenly dry the meat men brought back and removed the racks to stoke it so the hunters could dry their clothes for hunting the next day. While men hunted, women kept busy with household tasks, cleaning and freezing meat not needed immediately, and mending leather hunting suits. Her father was a good hunter and a Mide whom others trusted to guide the hunt to success. Frequently, he and his hunting party would kill large game and leave part of it in the woods for women to pack up and bring back to camp. She recalled an incident when her father heard an omen to mean lean times ahead and sought a way to heal this spiritual imbalance. He called his Mide friends together to sing through the night and shake rattles while women kept fires in the wigwams and children slept. Having heard a good sign in return, her father and the other hunters enjoyed success in the hunt for the rest of the season.<sup>40</sup>

The intersection between cultural tradition, work, and gendered space illustrates daily life among Ojibwes through the nineteenth century.<sup>41</sup> Women tanned hides with hair on and laid along the edge of the wigwam where men like Nodinens's father would gather children for instruction at night. Her grandmother made fishnets from nettle-stalk fiber. Some of the men would leave for a long hunting trip in the middle of winter, getting back only after spring work was finished, while others stayed with the camp to prepare to move to the sugar bush when spring grew near.<sup>42</sup> Nodinens described early spring, sugar maple season, as a favorite time of

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<sup>40</sup> Ibid., 121.

<sup>41</sup> As later chapters of this thesis will show, the maintenance of gendered space and traditional work continues in adaptive forms among more remote bands of Ojibwe into the twentieth century. For deeper examination of Anishinaabe work and gendered space, see Brenda Child's  *Holding Our World Together*  and Chantal Norgaard's  *Seasons of Change* .

<sup>42</sup> Densmore., 122.

the year. Nodinens's family had a sugarbush near Mille Lacs, where women would begin tapping the trees and men would ice fish on nearby lakes. They would find a cache of dried foods they left behind the year before during sugaring season, such as cedar bark bags of rice, baskets of dried berries, and strings of dried potato and apple. Though her mother eventually used two or three big brass kettles she had purchased from English and American traders to boil sap to make sugar, Nodinens remembers families mostly using containers to store and prepare food that women crafted from birch bark, reeds, and cedar. Sugaring proved a long process and done inside a large lodge.<sup>43</sup>

Toward the end of the sugar season, there was a “last run of sap” and dried fish to sustain Nodinens's community while they moved to summer lodges along the lake to plant gardens of potatoes, corn, and pumpkins. In fact, the term “gathering” often conflates the cultivation efforts among eighteenth to twentieth century Ojibwe groups that is better described as a kind of “shifting” style of horticulture.” Ojibwe communities planted gardens of corn, pumpkins, and squash in spring microclimates where the water along shores -- particularly islands -- worked to prevent frost.<sup>44</sup> Ojibwe communities generally followed this pattern of semi-permanent settlement within range of summer gardens and berry bushes.

In late summer, Ojibwe groups like Nodinens's would move to a rice “field,” sometimes a great distance away from summer camps.<sup>45</sup> They would often sleep out in the open and harvest in canoes daily, mostly a women’s enterprise before the latter part of the 1800s. Women would return to summer camps after ricing, when they would harvest the fruits of their late-springtime

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<sup>43</sup> Ibid., 122.

<sup>44</sup> Brenda Child, *Holding Our World Together* (New York: Penguin Group, 2012), 23; Tim Holzkamm, “Ojibwe Horticulture in the Upper Mississippi and Boundary Waters,” *Human Relations Area Files* (New Haven, CT: Yale, 2000), 4.

<sup>45</sup> Densmore, 123.

labors and cache foods nearby for the following year.<sup>46</sup> After harvest during autumn, men set off for fall trapping and women netted fish and prepared for the winter round, continuing a relatively stable seasonal round that had gone on for generations.

A few points can be made about the nature of Ojibwe seasonal rounds and the environment. Family groups established villages near a major body of water, making them ideal economic trade partners between other bands and later with the French. During the European fur trade, these skilled aquatic navigators easily fit into the role of middlemen between the French and the interior. Recent scholarship emphasizes a more cooperative relationship between multiple groups who lived in this region. By the mid-1660s, this area became the “marketplace” of “unparalleled abundance” that drew the French and multiple tribes to trade, hunt, and fish.<sup>47</sup>

In contrast with the anthropocentric views among Euro-Americans that placed humans above nature, Ojibwe people saw human beings as part of the natural world and dependent on it for survival. Major influences on this perspective are religious views from the Midewiwin tradition, which includes the totemic system derived from their migration story. These stories were already old by the time European fur traders became interested in commerce within Anishinaabeg lands around the Great Lakes and Hudson Bay regions. Thus, the five primary totems from which all other secondary totemic groups derive (Catfish, Crane, Loon, Bear, and Marten) connect to the first Ojibwe bands who migrated to the Great Lakes region many generations before Nodinens. They had developed a civil political system rooted in Midewiwin tradition that regulated resource use among diverse groups according to religious and cultural

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<sup>46</sup> Ibid, 122.

<sup>47</sup> Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815*. New York: Cambridge University Press, 1991; Mary Lethert Wingerd, *North Country: The Making of Minnesota*. Minneapolis: U of Minnesota, 2010.

ways of living. In fact, the traditional homelands of the Anishinaabeg were not populated solely by one nation and the concept of international boundaries as they are known today did not exist. Civil and war leaders had their own ways of managing fluid boundaries between Ojibwe, Dakota, Sauk, Fox, Huron, Menominee, Ottawa, and Potawatomi. Ojibwe groups identified themselves according to totem and then community, a sense of wider unity that could be called upon when leaders sent runners to remote villages to defend hunting and gathering lands.<sup>48</sup> In short, religion, politics, and resource allocation are woven into a social tapestry that led the Ojibwe people to expand and thrive within a resource-rich environment.

There are multiple Anishinaabe stories about connection to the lands they have come to inhabit in Minnesota, but each has a connection to a broader story of multiple migrations from the eastern St. Lawrence River region to the Great Lakes. The scope of the Great Anishinaabe Migration provides a clue into the diversity of experiences Ojibwes like Nodinens experienced. Ancestors settled along migration routes over many centuries into the 1800s, interacting with other Native American groups and, later, Europeans.

Anishinaabe migrations reveal a resourceful, adaptable people in search of places to maintain “the good life,” or *bimaadiziwin*. Midewiwin, or Anishinaabe religion, both preserves history and advises one toward health and long life in a form that goes back centuries.<sup>49</sup> Elder

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<sup>48</sup> Thomas Peacock and Marlene Wisuri, *Ojibwe Waasa Inaabidaa: We Look in All Directions* (Afton: Afton Historical Society Press, 2009), 45-46; William Whipple Warren, *History of the Ojibway People* (St. Paul: Minnesota Historical Society Press, 2009), migration story 43-57, totemic system 17-25, Dispersion from major Ojibwe settlements at La Pointe 67-70.

<sup>49</sup> Densmore, 87. She quotes Gagewin in 1918, son of Mountain and grandson of Black Hawk: “The Midewiwin is not so much to worship anything as to preserve the knowledge of herbs for use in prolonging life. The principal idea of the Midewiwin is that life is prolonged by right living, and by use of herbs which were intended for this purpose by the Mide manido [spirit].”

stories reveal a continuous history of migration from the mouth of the St. Lawrence River to the Great Lakes, possibly due to disease and warfare.<sup>50</sup> According to oral tradition, Manabosho intervened on behalf of the Great Spirit to induce their foremothers and forefathers who were ravaged by sickness and death to search westward for signs of the Midewiwin. As they journeyed west, the first sign, a megis shell (cowrie), was revealed to them at Michilimackinac, or “Great Turtle” island that remained central to Great Lakes tribes for many years.<sup>51</sup>

From Michimimackinac, three waves of Anishinaabeg migration continued as they searched for sign of the megis shell. The Odawa remained in the region, while the Potawatomi moved up Lake Michigan. The people would come to be called Ojibwe settled at Boweting, now Sault Ste. Marie. As they continued their migration, another megis shell rose to the surface of the water so that the rays of sun reflected upon it at various places in the Great Lakes, leading many of them to Mooningwanekaaning (La Pointe or Madeline Island). Still others moved onward, staying at points where the “rays of the sun reflected upon Mide lodges” to sustain the health and life of new generations. Among these lakes, the megis shell revealed mahnomen, wild rice, that would become central to subsistence, cultural, and spiritual practices of the Ojibwe.<sup>52</sup>

Anishinaabe migrations highlight important themes surrounding human migration and their environment. It is highly possible that environmental strain due to the fur trade and

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<sup>50</sup> Warren, 47. Though he opens his chapter with an Anishinaabe migration story, he characterizes the context of disease and warfare between the Dutch-armed Iroquois on the Huron that induced the massive Anishinaabeg migration west. He refers to those what became later known as Ojibwe, Ottawa, and Potawatomi as a united people, the Anishinaabeg, during those migrations.

<sup>51</sup> The search for the megis shell also played into the migration story told to the author by Bev Miller, executive director of the Bois Forte Heritage Center and member of Bois Forte Band of Ojibwe on July 11th, 2015.

<sup>52</sup> Child, xiii-xvii; Peacock and Wisuri, 25-27; Warren, 42-48. Warren also writes of a Fond du Lac tradition that relays the same history, but with an otter that emerged from the waters at each migration point, ending finally at Fond du Lac, present-day Duluth.

European colonization precipitated warfare and the spread of disease in Anishinaabeg lands in present-day Newfoundland around the St. Lawrence River. As with any human migration, Anishinaabeg people encountered others, such as the Cree and Assiniboine, likely intermingling with specific bands or forcing them to expand into other regions. Archaeological evidence is unclear about whether Ojibwe peoples are an amalgamation of Anishinaabe bands and other groups or remained distinct from other indigenous peoples of the Great Lakes. Most scholars agree the local population and broader tribal affiliation of groups that coalesced into an Ojibwe people retained recognizable continuity by the early 1700s.<sup>53</sup>

Further analysis of these interactions among various indigenous groups is beyond the scope of this thesis, but there are important broad considerations at hand. Trading and diplomatic relationships that developed between Ojibwe and other indigenous groups (and the French by the mid-1600s) were an extension of kinship-based socio-economic and political foundations already rooted in the Anishinaabe culture. Their political system was based on autonomous clans that can be traced back to five original totems: the Businassee (Crane), Awase (Catfish), Ahahwauk (Loon), Noka (Bear), and Waubishashe (Marten). At the time Warren wrote his history of the Ojibwe in the mid-1800s, there were sixteen other totems that traced their lineage to these original five. Intermarriage within clans was taboo, thus a common language and culture developed among the Anishinaabeg that stretched from their homelands on the Atlantic to the Superior region of present-day Minnesota.

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<sup>53</sup> Jeffrey Richner, *People of the Thick Fur Woods: Two Hundred Years of Bois Forte Chippewa Occupation of the Voyageurs National Park Area* (Lincoln, Nebraska: Midwest Archaeological Center), 7; Adolph M. Greenberg and James Morrison, "Group Identities in the Boreal Forest: The Origin of the Northern Ojibwa," *Ethnohistory* 29, no. 2 (Spring 1982), 75.

The totemic system was, among other things, a political system that regulated marriage and kinship alliances between bands and usufruct rights to hunting lands and resource areas.<sup>54</sup>

The totemic system also provides a window into Ojibwe cosmology. Ojibwe creation stories hold a deep regard for the relationship between the human and animal worlds, reverence for wisdom birds and animals possessed regarding seasons, weather, hunting, procreating, and home-making. Observation of the natural world taught them how to survive and thrive in a resource-rich environment. Ojibwe historian Brenda Child characterizes this connection as fortuitous. “It was fortunate that they preceded our human ancestors by a long time, because without them the original people may never have survived.”<sup>55</sup>

A diaspora of Anishinaabeg into present-day Wisconsin, Minnesota and Canada continued into Dakota country through the eighteenth century. By the mid-1760s, Ojibwes occupied lands in what the Dakota considered their own territory, though Saulteur (French for “people of the rapids” or Ojibwe from Michilimackinac) and other Ojibwe hunting bands would have been in the area long before the establishment of villages.<sup>56</sup> Intermarriages, wars for territorial usufruct rights, and adoptions had defined Ojibwe-Dakota interactions by this time. Intermarriage was the most fundamental way to create bonds of obligation rooted in kinship, thus women played central economic, social, and political roles.<sup>57</sup> The lakes and riverways of these regions provided its human inhabitants with wild game, rice, and furs, sustaining their way of life

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<sup>54</sup> Child, 27; Warren, 17-25.

<sup>55</sup> *Ibid.*, 27.

<sup>56</sup> Wingerd, 12; Warren, 49, 55, 67-50.

<sup>57</sup> Warren, 17-25; Wingerd, 9-14; In fact, we can gain much insight into the persistence of Ojibwe culture throughout the centuries by examining the status of Ojibwe women and their labor during the fur trade up to their maintenance of traditional ways through work in the present day. See Brenda Child’s *Holding Our World Together* and Chantal Norgaard’s *Seasons of Change*.

and increasing trade with the French. By this time, Ojibwe and French traders, and their children from intermarriage, controlled trade depots at La Pointe, Fond du Lac, and Grand Portage that sustained the exchange of furs for European goods through the late eighteenth and early nineteenth centuries. For a time, these were good places to raise their Mide Lodges so that they might hunt, fish, gather, and grow what they needed for *bimaadiziwin*.

Nodinen's story shows how Anishinaabe life and culture revolved around a seasonal round of hunting, fishing, horticulture. Frances Densmore characterized the environment as an important influence on Ojibwe culture and worldview: "The northern woodland is a beautiful country, and knowing it in all its changing seasons, one can not wonder at the poetry that is so inherent a part of Chippewa thought."<sup>58</sup> Before the allotment era, Ojibwe groups' interaction with the land in the Lake Superior and Upper Mississippi regions can be characterized as highly systematic. Women managed horticulture through gardening, berrying, preparing wild rice for autumn harvest through binding, and ricing. Child characterizes the water that gave forth *manoomin* as female "gendered space" in earlier times, to which men held a complimentary ceremonial responsibility of fire through hunting.<sup>59</sup> Precisely because Anishinaabeg worldviews before the twentieth century did not invest in patriarchal ideas of property in the Euro-American sense, she portrays a sense of "ownership" of space according to *processes* that uphold men and women's roles in actualizing *bimaadiziwin* within a highly spiritualized world.<sup>60</sup>

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<sup>58</sup> Frances Densmore, *Uses of Plants by the Chippewa Indians: Excerpt From the Bureau of American Ethnology* (Washington, D.C.: United States Government Printing Office, 1928), 281, 285.

<sup>59</sup> Child, 25.

<sup>60</sup> *Ibid.*, 25.

## Foundations of Resource Commodification in Indigenous North America

Shared use of lands among distinct, yet integrated groups characterized human use of the region by the time the French made their first contact with indigenous people of the Great Lakes. The European “right of discovery” model underpinned the official demarcation of lands and superficial treatment of indigenous populations during the so-called Age of Discovery, but the “middle ground” economy and French-Anishinaabeg acculturation within the Great Lakes complicates a story of European conquest.<sup>61</sup> While it is tempting to consider the way in which Ojibwe pursued the fur trade as evidence that they shared European values of commodity and economy, it is more likely that eighteenth century Anishinaabeg viewed the bounty of the landscape as plentiful enough to support trade with the Europeans. Around Lake Superior, Ojibwes incorporated French men into their kinship system with an emerging fur trade. There has been excellent research to explain a sort of seventeenth to nineteenth century “middle

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<sup>61</sup> Valentine Mudimbe, “*Romanus Pontifex* and the Expansion of Europe,” in *Postcolonialisms*, ed. Gaurav Desai and Supriya Nair (New Brunswick: Rutgers University Press, 2005), 53-59. Mudimbe provides further analysis of the significance of this papal bull for the indigenous world. The *Romanus Pontifex* of 1454, set the framework through which all European colonization projects developed after the fifteenth century. Though each European power adapted its politics to fit the modes and means through which they expanded into other continents, the basic tenets were more or less retained from the highest powers in Europe to the explorers in the New World. First, the *Romanus Pontifex* reaffirmed the primacy of Christianity as an expression of political negotiation. In short, the expansion of Europe could be justified within grounds of expanding the church, as in the case of the earliest Spanish Franciscan monks who accompanied Coronado to California in 1540 and French Jesuits to Canada in 1625. The second tenet established the right of the King of Portugal to forcible conversion of indigenous populations to Christianity and enslavement of populations who refused conversion. In essence, *terra nullius* establishes the right to invasion of land and resources of all non-Christians, expulsion and removal of the indigenous population, and, if necessary, their enslavement. The philosophical underpinning for *terra nullius* was the “Natural Law” of the stronger human “races” to help the “inferior savage” reach a civilized state. The doctrine, at the very least, declared “it was up to the most advanced race to make sure that all goods made by God for the whole of humankind should be exploited.”

ground” that characterized French and Indian relationships around the Great Lakes to illustrate evolving power dynamics that varied over space and time.<sup>62</sup> Though maintaining a traditional lifestyle became the foremost challenge for many Ojibwe communities, cooperation between various groups into the early 1800s reflects the adaptive nature of Anishinaabeg. Before and after European contact, they retained traditional connection to the land even as they adapted to new social and economic realities.

In short, the Right of Discovery model is limited by the contextual history of the “middle ground” era. Spanish and British formalities were relatively systematic and severe in comparison to French. First, the Christian philosophy of creation and history was presented to Natives, who were very likely uninterested or confused by the theatrics of it all. After the recitation, the Natives were “invited” to pledge allegiance to the Pope and/or king, as representative of the divine. If the natives refused, the exploring party had rights to occupation of the natives by force. However, French overtures among Ojibwe reflect the sort of creative misunderstandings and cultural accommodations that reflect a “middle ground” of cultural and economic interaction between French and indigenous people of the Great Lakes region. French practice before 1671 was decidedly informal in comparison with Spanish and British; however, Louis XIV’s impatience with the failures of the Company of New France and desire for storied riches led him to declare the colony a royal province. Jean Talon, personal representative of the king and intendant of Canada, spurred expeditions into uncharted territory so that it could be mapped and claimed in the name of the French Empire. One of these expeditions led Daumont de Saint

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<sup>62</sup> Richard White, *The Middle Ground*; Wingerd, 13.

Lusson to lay claim the Lake Superior region for the French in one of these elaborate ceremonies.<sup>63</sup>

As Mary Wingerd describes in her book, *North Country*, there are multiple interpretations for this single event. Lusson could report to his superiors that he had successfully claimed the region in the name of King Louis XIV. From Lusson and his superiors' points of view, this was an exercise in dominance. These interactions underscored the contest for control between colonizers over land and resources played out in the Seven Years War, a war to establish which power would reign supreme through imperialism of the New World.<sup>64</sup>

Yet, on the ground, perceptions must have been very different. The French there knew their dependence on the Indians. The Indians saw the pomp and circumstance as symbolic of fictive ties of kinship and obligation. The envoy of the French king asked for permission to trade in the area and free passage to and from Ojibwe villages and "asked that the fires of the French and Ojibwe nations might be made one, and everlasting." Using the figurative language of the sun, Lusson asserted the Ojibwe could look toward the east and expect the fire of the French father to "warm his children." He placed a gold heart on the breast of a Crane chief named Kechenezuhauh, whom Lusson declared to be chief of the Lake Superior Ojibwe. This narrative was passed down from generation to generation of Lake Superior Ojibwe, who received the "heart" of the French in acceptance of "their proposals of peace, amity, and mutual support and protection."<sup>65</sup> Warren goes further to describe the way in which French-Ojibwe interaction played out in spite of the intentions of Lusson and his liege:

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<sup>63</sup> Mudimbe, 57; Wingerd, 15.

<sup>64</sup> Wingerd, 15.

<sup>65</sup> Warren, 86-87.

The Ojibways learned to love the French people, for the Frenchmen, possessing a character of great plasticity, easily assimilated themselves to the customs and mode of life of their red brethren... Their aim was not so much of that gain as of pleasure, and the enjoyment of present life, and mainly in this respect will be found the difference between the nature of their intercourse with natives of America, and that which has been carried on by the English and Americans, who, as a general truth, have made Mammon their God, and have looked on the Indian but as a tool or means of obtaining riches, and other equally mercenary ends.<sup>66</sup>

Warren hints that the French who lived among Ojibwe groups in the Great Lakes assimilated to Ojibwes pursuit of *bimaddiziwin* as opposed to later Euro-Americans who ventured to the region to exploit its resources. While Luson described the king as a “father” in order to establish dominion, Ojibwe in Warren’s narrative viewed his overtures as a fatherly benefactor establishing obligation to his kin in trade. Ritual, equally important to the Ojibwe, reflected the means to cement valuable trade relationships rather than establish dominion.

Even as environmental stressors would precipitate the decline of the fur trade, war between the French and British led to a shift in the balance of power between indigenous people and colonial powers. After the American Revolution, U.S. government interests began to shift toward timber and mineral resources. As the balance of power within the middle ground shifted, the basic tenets of resource exploitation based on Right of Discovery became more pronounced in Euro-American policy, whether justified through Right of Discovery tenets or corollary hegemonic ideals like manifest destiny. Particularly after the American Revolution, these worldviews clashed as the United States government exercised rights to control and demarcate indigenous lands through treaty-making and allotment.

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<sup>66</sup> Ibid, 87.

### **Conflicting Expectations: The Treaty-Making Era**

Despite increasing U.S. claims to Ojibwe lands from early treaties to the allotment era, Ojibwes continued to maintain rights to the resources of their traditional homelands. While the state government and wider public often resisted these claims, Ojibwe persistence prevailed with the 1999 Supreme Court decision *Minnesota v. Mille Lacs Band of Chippewa*. This section explores the continuity of Ojibwe claims to resources on lands ceded to the United States from 1825 to the allotment era based on treaty rights to former homelands for subsistence and economic purposes.

From an Ojibwe perspective, the reciprocal nature of kinship ties that formed the bedrock of French and Indian alliances was missing, yet children of French and Ojibwe alliances filled that gap in negotiations with the U.S. government. This was not a new development. Former British traders and new American traders did not operate in the same way French and Indian counterparts had and most of the congenial French-Canadian fur traders had passed on. Throughout the nineteenth century, their sons and daughters tried, in turn, to maintain their foothold on economic prosperity in changing times, though in hindsight not always working in the best interest of their Ojibwe relatives. As business climate of the fur trade changed, prominent heads of household of mixed families looked for other ways to maintain their foothold in the world of commodity, often at the expense of their more traditional Ojibwe families. Traders of mixed families like Lyman Warren, William Warren's father, expanded their business interests to include timber, which put pressure on wild game at a time when furs were already declining.

It would be a mistake, however, to view this as evidence that there were two static and antagonistic groups among ethnically diverse nineteenth century Ojibwe communities. Rather, it

is helpful to understand how the inter-ethnic makeup of communities like La Pointe played out in terms of cultural adaptations between Anishinaabe and Euro-American ways of living. By the late 1800s, even relatively homogenous Ojibwe communities like the Bois Forte and Pillager bands in remote areas of northern Minnesota had adopted elements of Euro-American culture, perhaps clothing or tools, but continued a relatively uninterrupted seasonal round. Others, such as the La Pointe community had adopted Christianity and Euro-American agricultural methods. Even within communities, there was a degree of acculturation. For the purposes of clarity, Melissa Meyer describes this degree in terms of more “traditional” or conservative Ojibwe and more “market-oriented” Ojibwe, acknowledging the overall variability of human societies and degree of cultural adaptation when in contact with others.<sup>67</sup> The degree to which this interpretation of land ownership became more complicated among Ojibwes coincided with the development of ethnic and economically distinct families among less isolated Ojibwe bands. Opting for a lifestyle more closely tied to a market economy and alignment with values instilled through formal Euro-American education, children of French and Ojibwe marriages often served as “cultural brokers” between their more traditional Ojibwe relatives and the outside world.<sup>68</sup> Warren, for example, would serve as an interpreter in treaty negotiations when he came of age.

The maintenance of traditional Ojibwe political governance between civil leaders and warriors also provides an important context of historical agency. Wise, respected elders were civil leaders who, at least among more ethnically-diverse bands, approached American officials with a spirit of consensus and negotiation. Warriors were young men who typically carried out

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<sup>67</sup> Melissa Meyer, *White Earth Tragedy: Ethnicity and Dispossession at a Minnesota Anishinaabe Reservation, 1889-1920* (Lincoln: University of Nebraska Press, 1994), xiii.

<sup>68</sup> *Ibid.*, 100, 130. Descendants of the Warren family become important cultural brokers during the time period of her study.

decisions made by civil leaders. As treaty-making in the nineteenth century led to increasing strife, hot-headed warriors who were impatient with cautious consensus-building gained greater appeal and challenged the authority of civic leaders. However, as Rebecca Kugel illustrates in her history of nineteenth century Ojibwe governance, this was often useful and actually played out according to Ojibwe expectations, rather than strictly evidence of “factionalism.” As had been done for generations that predated European contact, factions reached out to outsiders in ways that blended traditional and innovative cultural elements with the expectation of a fruitful outcome for the community. Ojibwes were aware that political divisions were rooted in diverse internal responses to the ambiguity that cross-cultural interaction engenders and employed political division to maintain control over lands and resources.<sup>69</sup>

Therefore, decisions among Ojibwe civil leaders to make land cessions must be understood within the interplay between cultural brokers, civil leaders, and warriors who all had particular visions of what was best for their communities. That federal officials and even market-orientated Ojibwes took advantage of factionalism is certainly part of this story, but tracing the assertion of usufruct rights guaranteed by treaty among factions reflects continuity within discordant approaches to dealing with the U.S. through treaties. Civil leaders, particularly in the earliest treaty negotiations with the U.S. government, expected to navigate multiple interests within their bands. They also understood as they negotiated treaties from the 1830s to 1850s that they were allowing for American extraction of particular resources or Euro-American settlement in exchange for the right to maintain usufruct rights over traditional resource areas.<sup>70</sup> They did

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<sup>69</sup> Rebecca Kugel, *To Be the Main Leaders of Our People: A History of Minnesota Ojibwe Politics, 1825-1898*. (East Lansing: Michigan State University Press, 1998), 7-8.

<sup>70</sup> Pine, in the case of the St. Peters Treaty of 1837 and copper in the case of the La Pointe Treaty of 1854.

not expect land cession meant *selling* lands. In short, the problem lay with U.S. interpretations of the treaty and land ownership, not the treaties themselves.

It is important to consider treaties from the context of the times rather than using contemporary ideas to judge their effects. Hindsight reveals how treaties played in often disastrous ways, however, the spirit within which negotiations took place on the part of Ojibwes is the foundation through which the Mille Lacs Band asserted Ojibwe treaty rights in court over a century later. As early as 1825, as the Treaty of Prairie du Chien set boundaries between Dakota and Ojibwe leaders and leaders of almost a dozen other nations, Native interpretations held sway in spite of American officials' expectations. The tone of the document is resolute and firm, establishing the U.S. as a mediator between warring tribes. "For many years" war had been waged between "the Sioux," and the Ojibwe, Sac, Fox, and Iowa which the treaty predicted would spread to other "Indians upon the Missouri, the Mississippi, and the Lakes, in general hostilities."<sup>71</sup> Tribal leaders present would have been most interested in positioning their lands in proximity to trade, likely vying for best position to trade centers and good access to hunting lands. The tribal delegation present warned that game did not recognize boundaries and the treaty would cause more problems and articles in the treaty acknowledge tribes would ignore the boundaries.<sup>72</sup>

The spirit of nineteenth century treaty-making provides important context for early twentieth century negotiations, as Ojibwes over time kept resource use for traditional use at the forefront. The tribal delegation's warning provides insight into the context of warfare as a tool

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<sup>71</sup> "Treaty with the Sioux, etc., 1825," *Indian Affairs, Laws and Treaties*, accessed July 5, 2016, <http://digital.library.okstate.edu>.

<sup>72</sup> Minnesota Indian Affairs Council, "Multinational Treaties At Prairie du Chien" *Why Treaties Matter*, accessed July 5, 2016, <http://treatiesmatter.org>.

for negotiation over resources between the Ojibwe and Dakota tribes. Ojibwes and Dakotas had previously engaged in seasonal peace treaties that established winter hunting rights along shared boundaries and minimized conflicts engendered during the previous summer seasons. As early as the mid-1760s, warfare and peacemaking had been ongoing between Leech Lake and Sandy Lake bands of Ojibwe and Dakota. At the same time, the Long Prairie region and site of the Winnebago agency was a wintering site for Wahpeton and Sisseton bands, as well, where herds of bison and elk took shelter from the cold winds in the forests surrounding the prairie. As Dakota hunted these herds from the west, Ojibwes bands did the same from the east. Hostilities between the camps were all but inevitable, but there is as much evidence of peacemaking between these groups, as well. For example, Warren states that:<sup>73</sup>

Efforts were made to bring about a peaceable meeting between the two camps, which were at least crowned with success, and it soon became customary, let the war rage ever so furiously during all other seasons. The pipe of peace was smoked each winter at the meeting of the two grand hostile hunting camps, and for weeks they would interchange friendly visits, and pursue the chase in one another's vicinity, without fear of harm or molestation.<sup>74</sup>

Indian Agent Lawrence Taliaferro witnessed intra-tribal lacrosse games and peace dances as late as 1836, as Ojibwes came during the summer to negotiate short-term treaties with Dakotas camped at Fort Snelling. He wrote, "The Sioux stake Guns & Blankets -- Chippeways stake -- Bark Canoes, & Sugar" in reference to a ball game at there in the summer of 1835. Later that year, Dakotas and Ojibwes camped together at the falls of the St. Croix River to feast, dance, and

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<sup>73</sup> Warren, 187

<sup>74</sup> *Ibid.*, 187-188.

play ball, probably in conjunction with a seasonal ceremony. Dakotas had been invited there by Ojibwes participate in a hunt.<sup>75</sup>

A tenuous peace was negotiated annually between Ojibwe and Dakota in common hunting grounds for the winter season through the eighteenth and early decades of the twentieth centuries. Each spring, a complex mix of old animosities and possibilities for new kinship ties to be made through adoption and/or marriage arose to varying degrees. It is interesting to note how the natural environment -- particularly resource acquisition in common hunting regions -- affected cultural aspects of war and peacemaking. Again, this reflects a contrast between indigenous worldviews and Euro-American thinking about resources. To the Ojibwe and Dakota, warfare was an outlet (more or less as a last resort) for maintaining usufruct rights to resources, rather than a final conquest of ownership over lands. To Euro-Americans, warfare between tribes over usufruct rights was bad for business and confused Euro-American views of static land ownership.<sup>76</sup>

This also provides important context to understanding the shifting “middle ground” from Ojibwe-French cooperation in the fur trade to tenuous British control from 1754 to 1763 and then United State post-Revolution era treaty-making. The construction of Fort Snelling and arrival of U.S. Indian agents in the early 1800s led to pressures from U.S. government leaders to make peace treaties official according to their standards. Yet, Taliaferro was trusted among both Ojibwe and Dakota leaders, so it is likely his efforts to facilitate this peace were seen by many as an extension of their own annual peace treaties. At any rate, treaty-making with U.S. representatives as a sort of third party between Minnesota tribes began in 1820, with Taliaferro

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<sup>75</sup> Gwen Westerman and Bruce White, *Mni Sota Makoce: The Land of the Dakota* (St. Paul: Minnesota Historical Society Press, 2012), 115.

<sup>76</sup> *Ibid.*, 75.

and Lieutenant Colonel Henry Leavenworth facilitating negotiations between the Dakota and Ojibwe that resulted in the Treaty of 1825. In 1831, Taliaferro writes in his diary of over two hundred councils for renewals of treaties “Peace and Friendship” since that first in 1820. A portion of one of Taliaferro’s diary entries reflects the ceremonial nature of these treaties between the Dakota and Ojibwe:

When at the distance of ten paces -- the parties halted for a moment -- then advanced singing the Braves Song and gently, but quickly, pressed each other’s sides above the hips -- shook hands -- when combined Sioux & Chippeways -- fired general salute -- after which pipes of peace passed as a renewal and confirmation of their general peace in the Month of July 1821.<sup>77</sup>

From a legal point of view that would have been foremost in the minds of U.S. leaders who orchestrated the agreement, the Treaty of Prairie du Chien assigned the concept of ownership to indigenous lands. It also established formal alliances between tribes and with the U.S. By the early 1800s when U.S. Indian Agents involved themselves in these negotiations, these overlapping territories followed the lands along either side of the Minnesota River. From a point of view that values individual land ownership, land tenure before the treaty was ambiguous in terms of claim, considering how usufruct rights overlapped among tribes like the Ojibwe and Dakota. In essence, the 1825 Treaty of Prairie du Chien “cleared the title” of lands that began to be bought and sold, some within the next three years. From the point of view government representatives, it did not necessarily matter what the Indians thought of the boundaries. U.S. officials wanted clear title to land in order to make it easier to legally negotiate land cession

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<sup>77</sup> Ibid., 91.

treaties with Indian nations. These boundaries were cited in succeeding treaties that ceded indigenous lands in following years.<sup>78</sup>

The Treaty of Prairie du Chien exacerbated many problems for the Ojibwe of Wisconsin and Minnesota. The U.S. began to address Ojibwe nations as “children,” rather than “brother,” indicating a state of dependency rather than sovereignty. An attitude of ultimate authority punctuated international relations, more so than before, and this shift was not lost on leaders. Flat Mouth, an influential Leech Lake civil leader, told Henry Schoolcraft at Lake Itasca in 1832, “We are not children, but men,” and complained to Joseph Nicollet four years later that the U.S. should not treat them “like three- or six-year-olds, a rod in their hand.” Moreover, under the new terms of the treaty, Flat Mouth declared they were punished severely “for the slightest folly we commit.” Clearly, Flat Mouth felt that the power for them to negotiate on their own terms had been taken from them by the U.S. after this treaty.<sup>79</sup>

At its root, the conflict lies in conflicting indigenous and Euro-American concepts of land ownership. As illustrated in previous examples of intra-tribal ball play, dancing, and feasting, rights to land were based on acquisition of resources between equal parties. Tribal leaders warned against the establishment of static boundaries and the problems it might engender.

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<sup>78</sup> Ibid., 149; “Multinational Treaties At Prairie du Chien,” third paragraph. According to this site, William Clark engineered another treaty at Prairie du Chien in 1830 with selected leaders of the Sac and Fox, plus leaders of the Dakota, Omaha, Iowa, Oto and Missouri. The U.S. threatened military invasion and an embargo, then proceeded to demand land cessions in order to maintain peace between the Dakota and Sac and Fox. One tract along present-day northern Iowa was set aside as “neutral ground” where the Ho-Chunk people would be relocated as a buffer between the Dakota and Sac and Fox. Another larger tract of this land along the western portion of present-day Iowa and Missouri would remain open to the Sac and Fox for use, but would also be open for settlement by other tribal nations.

<sup>79</sup> Kugel, 22.

Coramonee, a Ho-Chunk chief and leader of one of the nations affected by a land cession within five years of negotiating the treaty, said:

The lands I claim are mine and the nations here know it is not only claimed by us but by our Brothers the Sacs and the Foxes, Menominees, Iowas, Mahas, and Sioux. They have held it in common. It would be difficult to divide it. It belongs as much to one as the other... I did not know that any of my relations had any particular lands. It is true everyone owns his own lodge and the ground he may cultivate. I had thought the Rivers were the common property of all Red Skins and not used exclusively by any particular nation.<sup>80</sup>

Tribal leaders such as Flat Mouth and Coramonee acknowledged the stake of other tribes in access to these resources and provided warning about the problems of drawing these boundaries even as they ratified them. In essence, the Treaty of Prairie du Chien was a cession treaty for tribes that gave up claims to land outside of the boundaries agreed upon from a federal point of view; on the flip side, Dakota and Ojibwe leaders continued to define ownership in terms of access to vital resources to sustain life in their communities, regardless of lines drawn on a map.

From the 1830s to 1850s, treaty negotiations between the U.S ushered in an era of expanding American power and settler colonialism that resulted in the creation of reservations to control the majority Ojibwe population around the Great Lakes.<sup>81</sup> The collapse of the fur trade prompted many, including American Fur Company agents Lyman Warren and Henry Sibley, to change their business from making fur to timber. The Treaty of St. Peters in 1837 precipitated the sale of millions of acres of timberland to the U.S. government and entrance of industrial timber into northern Wisconsin and eastern Minnesota.<sup>82</sup> Ojibwe civil leaders, however, continually referred to the right to hunt, fish and gather in negotiations, even specifically

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<sup>80</sup> Westerman and White, 149.

<sup>81</sup> Child, 51.

<sup>82</sup> Minnesota Indian Affairs Council, "1837 Cession Treaties with the Ojibwe and Dakota," "Multinational Treaties at Prairie du Chien" *Why Treaties Matter*, accessed July 5, 2016, <http://treatiesmatter.org>.

including the deciduous trees by laying an oak leaf in front of U.S. negotiator Henry Dodge.<sup>83</sup> Regardless of Americans intention, Ojibwe civil leaders viewed treaties as an opportunity to mediate between American interests in pine and minerals while retaining access to resources vital to Anishinaabe living.<sup>84</sup>

At the behest of the government in 1854, thousands of Ojibwes gathered at La Pointe to negotiate exclusive rights to the land for hunting and fishing that are asserted to this day, though this also included government assertions of permanent reservation homelands and an attempt to clear up any ambiguities regarding Ojibwes still occupying territory ceded in earlier treaties.<sup>85</sup> The La Pointe Treaty also “opened” the Arrowhead region and North Shore to townsites development and mining, which many Ojibwe leaders were open to as long as usufruct rights could be maintained.<sup>86</sup> However, interested parties seeking minerals and timber influenced negotiation of treaty policies. This, combined with Euro-American interpretations of reservations as bounded homelands where Indians would learn civilized ways, presented the greatest challenges to Ojibwe maintenance of traditional Anishinaabe culture, resistance to further removal pressures, and assertion of treaty rights on increasingly clear-cut lands.

Mineral interests also pressured Ojibwe to cede lands. From the late 1830s to the 1850s, mining interests began extracting copper and iron ore deposits in Michigan. Simultaneously, rumors of similar metals, even gold, in northern Minnesota led interests as far away as Philadelphia to pressure Ojibwe civil leaders in the arrowhead region along Lake Superior to

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<sup>83</sup> Minnesota Indian Affairs Council, "Treaty with the Chippewa, 1837," *Indian Affairs, Laws and Treaties Vol. 2, Treaties*, accessed July 5, 2016, <http://digital.library.okstate.edu>.

<sup>84</sup> Norrgard, 130.

<sup>85</sup> Child, 60.

<sup>86</sup> Minnesota Indian Affairs Council, "1854 Ojibwe Land Cession Treaty, 1854," *Why Treaties Matter*, accessed July 5, 2016, <http://treatiesmatter.org>; David Walker, "Lake Vermillion Gold Rush." *Minnesota History* 44, no. 2 (Summer, 1974): 42-54.

ceded lands as early as 1846. Scandinavian settler Otto Wieland's father was a young boy when his family tried to make a living in timber after the decline of the fur trade at that time. "Eldorado in the possession of the simple and untutored red man was quite too much for the equanimity and cupidity of the noble white man," he mused many years later.<sup>87</sup> Wieland recalls how many whites did not wait for treaty negotiations, rushing to the North Shore to find the choicest locations for mining in the latter part of the 1840s.

Copper mining, in particular, precipitated the treaty of La Pointe in 1854. Surveyors officially uncovered a vein of copper along the north shore of Lake Superior in 1848, prompting Michigan mining interests to pressure the federal government to open the area to resource extraction. According to the La Pointe Treaty, the Ojibwe ceded the Arrowhead Region of Minnesota and several reservations were established in Wisconsin, Michigan and Minnesota, which include Fond du Lac and Grand Portage. Wieland described the impact of the La Pointe Treaty on the landscape:

Immediately the rush was on. First came the mining men seeking copper, and they were quickly followed by the townsite developers, and with these came lumbermen and the sawmills. A government agent who visited the region soon after the opening of the land office found sawmills springing up everywhere, and several of them, he reported had not a log in site [sic] that was taken from government land.<sup>88</sup>

The aftermath of Treaties of 1837 and 1854 was marked by the clearcutting of much of the pine forests of northern Wisconsin and parts of Minnesota, leading to increasing difficulty for Ojibwes to continue the seasonal round. Indian agency and missionary efforts at Ojibwe removal to reservations rebounded. Bumbling efforts among Indian agents to provide resources to

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<sup>87</sup> Otto E. Wieland, "Some Facts and Incidents of North Shore History" (Paper presented at the Ninth Annual Tri-County North Shore Historical Assembly meeting, Duluth, MN, September 4, 1937), 1.

<sup>88</sup> *Ibid.*, 2.

Ojibwes attempting to farm at reservations and manage annuities created a cycle of dependence, though many simply retreated to remote northern bands who continued to rely on the seasonal round and hunting for subsistence.

Regardless of declension, however, it is important to understand that civil leaders, warriors, and more or less market-oriented Ojibwes came into these treaties with their own understanding of what an alliance with Americans entailed. A prime example is how many Ojibwes adapted Anishinaabe horticulture methods within Euro-American styles of agriculture. Bands within the upper Mississippi region through the 1830s and 1840s had come to understand continued alliance with the American government as dependent on the adoption of agriculture and attempted these “civilizing” projects, though, much to the chagrin of missionaries planted at reservations, often in traditional ways. In 1835, Kitchi Ossaieian of Leech Lake told missionary William T. Boutwell, “The Indians are poor... and every year... becoming more so. There are no animals. We are eating them all up.” Asking for assistance and supplies to “make a larger garden,” he added that others “will come with me. We shall want seeds of all kinds... we shall want hoes and axes.”<sup>89</sup>

As Kugel illustrates, many Ojibwes found ways to fit Euro-American ways within their own culture and those at Leech Lake and White Earth reservations could more or less tolerate the Christianizing influence of missionaries. Simply put, the declining fur trade made the prospect of agriculture attractive. Ojibwe men who sought farming assistance did not expect they were overturning long-standing Anishinaabe lifeways or women’s roles that centered around shifting horticulture or gathering practices. In their minds, women would continue to manage traditional communal gardens, harvesting wild rice, and making maple sugar, while men would cultivate

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<sup>89</sup> Kugel, 27.

grain products, such as corn and wheat, for market.<sup>90</sup> Moreover, understanding that alliance with Americans entailed adoption of Euro-American agriculture cut both ways; it is likely that many who rejected this “civilizing” experiment moved farther north or west to join bands where missionaries only visited infrequently. Others who accepted alliance tentatively, began to see missionary stinginess and inability to acknowledge the value of incorporating traditional ways as evidence of the failures of alliance with Americans. Warriors who opposed civil leaders’ policy of alliance were a minority until after the effects of the Treaty of 1854 were felt among Ojibwe bands in the upper Mississippi area.<sup>91</sup>

Indian Affairs documents provide some insight into persistence and adaptation of traditional Anishinaabe lifestyle. The La Pointe Agency compiled statistics for various bands within its jurisdiction, a summary of “advances” in education, “civilization,” farming, and the like in 1881. Ninety families were said to have engaged in Euro-American style agriculture, which provided possible indication they had moved into a cash economy. Yet, only thirty-six of the 822 who graced the annuity roles were clothed in “citizen’s dress,” which was used as an indicator to the Agency that acculturation into white society was low. Only eighteen log and wood frame houses were inhabited, presumably because traditional birch homes served their purposes.<sup>92</sup> This reflects how, in spite of land cessions and poverty, most continued to live according to traditional Anishinaabe ways. Nearly thirty years later, the Treaty of La Pointe in 1854 had not worked out as Indian agents, congressmen, and missionaries expected.

Most importantly, civil leaders began to refuse ratification of treaties without retaining rights to use the land for hunting, fishing, and gathering purposes. The following chapter of this

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<sup>90</sup> *Ibid.*, 26-27.

<sup>91</sup> *Ibid.*, 27.

<sup>92</sup> Richner, 17.

thesis will illustrate how dam building without the consent of affected bands in the upper-Mississippi watershed altered water levels and access to wild rice, becoming another major point of contention before further federal demands could be met. This exacerbated inter-tribal discontent and proved to be a major sticking point among increasing consolidated Ojibwe leadership as federal officials demanded more Ojibwe land, resources, and acquiescence under the *Nelson Act*. As illustrated earlier, warrior participation in political council was controversial due to the possibility of inter-tribal discontent, yet expected among leaders. So much so that the very foundations of Anishinaabe political system was designed to prevent hot-headed young warriors from undermining the needs of the community as a whole. Civil leaders would draw upon warriors when the need arose as a last resort, for example with the expulsion of missionaries at Fond du Lac and Leech Lake when persuasion and ridicule failed to convince them to act properly.<sup>93</sup>

Therefore, the fact that nineteenth century treaty-making engendered inter-tribal conflict was part of Ojibwes expectations and their political system was designed to deal with this sort of controversy. Even from the beginning, there were probably few Ojibwes strictly for or against treaty alliances with the U.S. Most probably viewed elements of these treaties with alarm, but were reassured by civil leaders' incorporation of usufruct rights to ceded lands and generally trusted in their leaders' ability to protect their interests. That this system began to break down in Ojibwe communities of the upper Mississippi regions is due more to failures on the part of the federal government to imagine Ojibwes worldviews regarding land ownership and respect for the rights of a sovereign nation. This becomes more pronounced and particularly purposeful as

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<sup>93</sup> Child., 55-59.

federal and state allotment laws were implemented, along with subsequent efforts of the federal government to undermine the Ojibwe political process around the turn of the twentieth century.

### **Making National Forest Reserves: The Allotment Era**

In 1866, a fourth Ojibwe land cession was negotiated in Washington, D.C. that included lands from Vermillion Lake northward to Canada, the present-day sites of the Superior National Forest, Boundary Waters Canoe Area and Voyageur National Park (VNP).<sup>94</sup> This was prompted after a discovery of pyrite in Bois Forte territory led to a “Minnesota Gold Rush.” As “armed contingents” of miners arrived in the Lake Vermillion area by 1865, scrip issued to Ojibwe in earlier treaties quadrupled in price within a day. Mining companies formed and accumulated capital from investors throughout the U.S. By 1865, the Commissioner of Indian Affairs reported to Congress about the rush for gold, stating that the Ojibwe were alarmed at the invasion of speculators and “the probability of collision between the parties made it desirable that an attempt should be made to obtain peaceable possession of the country.”<sup>95</sup>

Relatively isolated from townsite development that fizzled as the “Minnesota Gold Rush” produced worthless “fool’s gold,” Bois Forte Ojibwes continued to occupy their lands throughout the latter decades of the nineteenth century and into the twentieth, making a living from traditional pursuits. The failure of the Lake Vermillion gold rush removed the primary justification for removing the Bois Forte community to White Earth and most Bois Forte simply never left, retreating further into the forest and lake country. Apparently, this tactic worked. In an about face, the government established reservations at Vermillion and Nett Lake with the

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<sup>94</sup> "Treaty with the Chippewa—Bois Forte Band, 1866," *Indian Affairs: Laws and Treaties*. Vol. 2, accessed July 5, 2016, <http://digital.library.okstate.edu>.

<sup>95</sup> Minnesota Indian Affairs Council, "1866 Treaty with the Chippewa – Bois Forte Band." *Why Treaties Matter*, accessed July 5, 2016, <http://treatiesmatter.org>; Walker, 42-54.

expectation that the Bois Forte become farmers. Most Bois Forte Ojibwes resisted these “civilizing” efforts and simply continued to fish, trap, hunt, and collect food as they had for generations. When the Vermillion Lake portion of the Bois Forte Reservation was established in 1881, those who had stayed in the region in spite of the 1854 and 1866 treaties remained part of continuous Bois Forte occupation of the area since at least the mid-1730s.<sup>96</sup>

By this time, the U.S. overtly used treaties to claim title to ceded territory and extend power over the region and Euro-Americans who remained there began to assert their own “settler sovereignty” in the Great Lakes to herd Ojibwe bands onto reservations. These efforts were met with mixed results. As specific bands in more diversely populated regions like the Pillager at Leech Lake resisted removal strategies in ways sometimes that put them at odds with other bands at reservations, others bands in more remote regions like the Grand Portage and Bois Forte enjoyed relative isolation from white encroachment at least until the turn of the twentieth century. In short, Ojibwes responded to federal overtures to consolidate them to White Earth, Leech Lake, or Red Lake Reservations in a variety of ways that were sometimes fruitful, sometimes stubbornly resistant. In the end, these mixed results were interpreted by federal officials as evidence that their “civilizing” projects were a failure.

Within this context, the allotment era must be contrasted from the era of treaty-making as a shift in treatment of Native Americans by federal officials as sovereign nations to individual property owners. Much history has been written about how allotment policies focused on breaking up reservations by granting land allotments to individual Indians, even with misguided good intentions that they would assimilate to dominant Euro-American culture. The government would be freed from the paternalistic way it had obligated itself to supply meager annuities and

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<sup>96</sup> Richner, 17.

Indians would be able to lift themselves from poverty through participation in the wider market through farming. Yet, Native Americans sought autonomy through various kinds of spatial control in geographical settlement, patterns of movement, systems of land division, and definitions of territorial boundaries. As Native Americans resisted federal attempts to exert spatial authority over Indians' lives, spaces became key areas of ongoing contestation between Euro-American and indigenous peoples.<sup>97</sup>

This is an important historical context to *Nelson Act of 1889*, Minnesota's version of the federal *General Allotment Act* or *Dawes Act of 1887*. As the *Nelson Act* was designed to both accelerate new national versions of a civilizing project meant to solve the "Indian problem," it was also an attempt in the part of state and local interests to mediate the claims to contested "surplus Indian lands" ceded in the Treaties of 1837, 1854, and 1866. As Congress and Indian agents instructed the individual Ojibwes to claim allotments and form councils to enter into negotiations for the cession of remaining lands held, large amounts of land to Anglo-American settlement, timber business, and mining.<sup>98</sup> Yet, between federal instructions to dissolve autonomous control over lands and resources and Euro-American encroachment, there are a variety of Ojibwe responses that form a long history of contestation over former homelands.

For example, Bois Forte Ojibwe ceded Nett Lake in exchange for private ownership of land there or elsewhere and yearly payments based on the interest accrued (5%) from the value of the lands sold. A quarter of the payments went toward establishing schools. Allotments were

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<sup>97</sup> Forty-Ninth Congress of the United States of America, "Dawes Act (1887)," *100 Milestone Documents*. United States National Archives & Records Administration. Accessed July 3, 2017, <http://www.ourdocuments.gov>; Emily Greenwald, *Reconfiguring the Reservation: The Nez Percés, Jicarilla Apaches, and The Dawes Act* (Albuquerque: University of New Mexico Press, 2002), 6.

<sup>98</sup> Richner., 18.

assigned to Bois Forte beginning in 1894 and a re-allotment was made in 1896 for those who received “bad lands.”<sup>99</sup> But many Bois Forte elected to choose their own lands, acting on a clause in the *Nelson Act* where each family could select 160 acres and individuals could select 80 acres. Others had already acted similarly by 1885 under the *Homestead Act*, as individual Bois Forte Band members took steps to homestead some of the off-reservation sites they had traditionally occupied. Under the homestead program, individuals were allowed to claim 160 acres of land off-reservation, provided they relinquish tribal status and meet the usual homestead requirements regarding farming. Wa gi ma wub, known as John Wakemup among whites who knew him, and his brother Ernest made final payments on their homesteads on Namakan Lake (present-day VNP) in 1903.<sup>100</sup>

The combined effect, whether homesteading lands outside of reservation areas, claiming private ownership of lands around Nett Lake under the *Nelson Act*, or simply moving further into remote forests of northern Minnesota and Canada, was that most Bois Forte remained in their traditional hunting and gathering lands. Though half of the reservation was up for sale in 1904 and forty-one percent of lands were Ojibwe owned by 1971, the Bois Forte retained relatively more land than more populated Ojibwe reservations.<sup>101</sup>

The nuances of allotment implementation among distinct Ojibwe reservations must also be considered. For the sake of comparison, the process of allotment at White Earth was more complicated than at Bois Forte. The overall intention of allotment of Native reservations was for the land to be held in trust by the federal government for the individuals for a period 25 years, after which they could dispose of as they saw fit. Allotments were not to be sold during that time

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<sup>99</sup> Ibid., 19.

<sup>100</sup> Ibid., 19.

<sup>101</sup> Ibid., 19.

and no taxes levied. The idea was for the federal government to hold land in trust until Indians were “competent” enough to handle own affairs. However, sinister exceptions were made at White Earth as pressures from timber interests accelerated congressional implementation of allotment, leading to corruption and haphazard policy. Senator Moses Clapp and congressman Halvor Steenerson worked to get riders passed on Indian Appropriations Acts in 1904 and 1906. The Clapp Rider of 1904 allowed Minnesota Chippewa to sell their timber and Steenerson Act allowed for a more allotments. Clapp Rider of 1906 allowed “mixed-bloods” to sell their allotted lands without having to wait a twenty-five year period.<sup>102</sup>

The result was a land rush on the best farmland on west side of White Earth reservation, which were sold overwhelmingly to white farmers under suspicious terms. Ojibwe band members often had little choice but to allot within the “swamp lands” of the heavily forested areas along the eastern two-thirds of reservation. Many who lived in traditional Anishinaabeg way did choose these allotments, while others who were more integrated within the market economy expressed a desire to have been able to engage in profitable farming on the west side of the reservation.<sup>103</sup> Meyers characterizes conflicts at White Earth between “mixed bloods” and “full bloods” as divisive due to less homogeneity in values between Ojibwe groups than had previously existed. Between 1867 and 1906, as waves of both conservative or traditional-minded Anishinaabeg and market-integrated Anishinaabeg moved to White Earth, an “interethnic” social grouping emerged. As a result, political structures were manipulated at times by Ojibwes who served as cultural brokers, often descendants of fur traders like Lyman Warren.<sup>104</sup> As stated

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<sup>102</sup> Meyer, 154-160; Lawrence W. Gross, *Anishinaabe Ways of Knowing and Being* (Burlington, VT: Ashgate Publishing Limited, 2014), 18-21.

<sup>103</sup> Gross, 19-20.

<sup>104</sup> Meyer, 4-5.

earlier, Anishinaabeg worldviews and traditions were open to reconceptualization based on maintenance of *bimaadiziwin*. However, the nature of relationships between Anishinaabe families who were increasingly adoptive of market-driven use of the lands and resources and those who sought isolation from its effects is often conflated into overly simplistic, late-nineteenth century terms: “mixed-blood” Indian and “full blood” Indian.

One way or another, most traditional-minded White Earth Anishinaabeg were allotted forest lands that were coveted by the timber industry. Once the Clapp and Steenerson riders passed, there was a no-holds barred rush to obtain Anishinaabeg timber lands. This history provides context for Minnesota Chippewa Tribe suits against the State of Minnesota and U.S. government made through the 1980s over over the illegal sale of lands sold by “full-blood Indians,” lands sold by minors, and lands seized through tax forfeiture in the early 1900s.<sup>105</sup>

This history of Native land loss has been well-documented, but is most often told separately from a progress narrative of conservation. The first national forests in the U.S. were made possible through “opening up” of these lands at this time. Of particular interest to this study is how the *Nelson Act* and subsequent legislation provided a “testing ground” for the establishment of national forests out of Leech Lake, Bois Forte, and Grand Portage Reservation lands in order to create a sustainable timber industry and national “playground” for Euro-Americans. Though Ojibwe bands contested the establishment of national forests, this history is obscured by a benign conservation narrative that is punctuated by a theme of national progress.

This subject will be addressed in the next chapter, which complicates a dominant “binary” history of preservation and management of forests and waterways in Northern Minnesota that pits “the industrialists” against “the environmentalists.” After 1866, mining and

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<sup>105</sup> Gross, 22.

then the timber industries entered into the fray, defining the use of land as extractive, irrevocably altering the landscape in many ways and changing the meaning of labor in Northern Minnesota for Indians and non-Indians alike. While indigenous worldviews are flexible enough to incorporate much of what became the dominant Euro-American culture of industrial civilization, the concepts of “pristine wilderness” and “land management” served to denigrate certain “Indian” forms of labor, while many Ojibwes found ways to adapt traditional hunting, fishing, and gathering practices to industry. This provides context to the degree in which national forests served as both a “civilizing project” for nature and indigenous people, as well as “protection” of the landscape in ways that provided an outlet for the survival of Anishinaabe ways of making a living from the land.

### Chapter 3: Challenging the Dominant Conservation Narrative of National Forest and Park-Making in Minnesota

*We the Chippewa Indians, are the owners of the National Forest. The Commissioner of Indian Affairs owes us a great deal of money. Whatever property we have let him have he has not settled for yet. He cannot do any more business with us until he settles the others first. We cannot put this on top of the other unsettled matters.*

**~David Boyd to Chippewa General Council, 1922.<sup>106</sup>**

This chapter explores the formation of national park and forest lands in northern Minnesota as both acts of colonization and conservation. The previous chapter reveals how Ojibwe people inhabited the landscapes and waterways of northern Minnesota in ways formed by a distinctive worldview of their own. This worldview defined Ojibwes relationships with both their homelands and newcomers that sought a stake in their natural resources. Conservation history in Minnesota coincides with the development of these relationships. Yet, the complexity of Ojibwe history as it relates to national forest and park-making is often absent from the dominant narrative of land conservation, though these histories are inextricably intertwined. Dominant conservationist narratives about the establishment of Chippewa and Superior National Parks, as well as the long “battle” to eventually form Voyageurs National Park (VNP), continue to portray the triumph of environmentalist spirit over sectionalism, bureaucratic in-fighting, politics, and industrial interests, sans Ojibwe claims to America’s first national forest.

Certainly, federal protection of lands stemmed from anxiety over the free hand of capitalist resource extraction in the region; however, viewing this history from an Indigenous perspective provides a more critical analysis. State and federal efforts to manage the

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<sup>106</sup> Documents related to transcripts of proceedings of the General Council of the Chippewa Indians of Minnesota, 1918-1923, “General Council of the Winnibigoshish, Cass Lake, Leech Lake, and Chippewas of the Mississippi Reservations, Held at Cass Lake, MN, July 10, 1922,” Minutes of the 1922 General Council meeting, 11 [Electronic File]. RG 75.19.17, NARA, Kansas City, KS.

conservation and preservation of former Ojibwe forests and waterways has led to physical exclusion of Indians from the landscape and literal absence from public histories that make sense of the formation of U.S. national forests and parks.<sup>107</sup> A history of national forest and park-making reveals a dominant, master narrative that makes the absence of Indigenous connections to the land seem benign. In this way, dominant conservation narratives of national forests and parks in Minnesota act as continuing agents of colonization that ultimately undermine current Ojibwe people's efforts to reclaim their lands and exercise sovereign rights.

The discourse of dominant culture -- in this case Euro-American culture that supports an industrial civilization -- highlight "rubrics" of social, political, and economic interaction among people and with their environment. In an industrial civilization, the way landscapes and waterways are valued, how "making a living" is legitimized, and expectations about human adaptation to environmental change form public policy in specific ways. Dominant narratives help to frame our discourse of historical human connection to our environment according to the integration of the landscape into the industrial economy. They also delegitimize other narratives that provide a diversity of ways to understand the value of natural resources.

As described in the introduction, global and Indian histories of national parks ultimately complicate the seemingly benign nature of American conservation and uphold enduring Indigenous claims to former homelands. This chapter contributes to that vein of scholarship

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<sup>107</sup> As of 2017, there have been recent efforts on the part of the National Park Service to include histories of indigenous people who inhabited regions under NPS jurisdiction at Voyageurs National Park on their website. While the story told in this thesis regarding acquisition of Ojibwe lands for forest park status remains largely absent from public accounts, the Cultural and Natural Resources and Interpretation departments at VNP have been collaborating with Bois Forte and other Ojibwe band members to most formulating education programs for the public about past and present cultural connections of Native people to the region.

through an analysis of the dominant conservation narrative of national forest and park-making in Minnesota. This chapter characterizes how conservation and preservation philosophies are two sides of the same coin, ultimately agents of colonization when viewed in the context of Indigenous dispossession of lands. Historians and writers of Minnesota's national forest and park histories gravitate toward dominant conservation narratives that serve to spark a sense of pride in the history of conservation and spur interest in recreational activities that draw visitors into multi-use park facilities. There is very little, if any, analysis of the problematic development of the national forest and park idea vis a vis Indian removal; in fact, these problematic elements are obscured by a seeming more important binary narrative that pits industry and self-interest against the greater good of national forest and park-making.

The establishment of the seminal Minnesota National Forest in 1908 (renamed Chippewa National Forest in 1928) in particular is framed within dominant conservation and preservation discourse. Dominant narratives follow a particular binary construction that entails battles between conservation and preservation against forces of politics, industry, and "short-sighted" local interests. Empathetic historians who write within this dominant narrative tend to regard Ojibwe history according to a "prisoner narrative" that ignores the deep history of Ojibwe occupation of traditional lands and resistance to encroachment at this time.

### **Conservation and Preservation as Acts of Colonization**

Analysis of conservation discourse around the establishment of the VNP with consideration for absent Ojibwe narratives of continued occupation of these lands and resistance to encroachment complicates a triumphant story of early national forest-making. The dominant conservation narrative is framed by conflict between the USFS and NPS over land jurisdiction and push-back from local interests who wanted these lands to remain free from federal

management throughout the mid-to-late twentieth century. Deeper study into the tensions between the USFS and NPS over the transfer of national forest land to national park status reveals a history of competition between conservation and preservationist philosophies of land management.

Conservation and preservation entail two dominant environmental discourses that emerged through the second half of the nineteenth century, representing shifting dominant ideas about human connection to nature that build upon early European colonial thinking explored in the first chapter of this thesis. Conservation discourse is concerned with balancing the needs of industry through sustainable resource extraction while preservation discourse promotes the establishment of wilderness areas for recreational, aesthetic, and environmental reasons. Both ideas are rooted in particularly nineteenth century anxieties over industrialization and westward expansion. Further analysis into their development can highlight how, in spite of these differences in approach to land management, both ideas have been perceived over time as inherently benign within a dominant culture increasingly dependent on industrial civilization. American conservation and preservation projects became agents of colonization as other ideas regarding human connections to nature and stewardship, particularly indigenous ideas, clashed with its apparently benign nature. In short, conservationist efforts toward “sustainable” resource extraction for national, sometimes global markets, and preservationist efforts toward protection of “wild space” have mediated American anxieties over industrialization.

As environmental historian Karen Jones illustrates in her contribution to *Civilizing Nature: National Parks in Global Historical Perspective*, American conservation can be characterized according to a few unique features despite the fact that conservation of resources is not necessarily new to human history. Nineteenth century Romanticism, nationalism, and

democratic impulse galvanized a “sense of imperilment” due to industrial expansion and social reform.<sup>108</sup> For example, George Perkins Marsh, Vermont Representative of the waning Whig Party through the turbulent 1840s, wrote critically of “earth’s greedy, reckless despoilers” in the 1860s. As biographer David Lowenthal points out, this “prophet of conservation” was not challenged by agriculturalists, hunters, or industrialists because he “framed his warnings within an accepted goal of environmental conquest; he disputed not the desirability of exploiting nature but the bungling way it was being done.”<sup>109</sup> Progressive era conservationists, such as the first U.S. Forest Service (USFS) Chief Gifford Pinchot, (Marsh’s “gospel of efficiency successors,” as Lowenthal calls them) developed systems of regulation and management based on Marsh’s principles.<sup>110</sup>

The anxieties that fostered conservationist ideas throughout the latter half of the 1800s were galvanized by Progressive era concerns for social reform and the virtues of rational planning. Progressive era conservationists enjoyed increased public interest and executive support in the application of scientific management principles to the environment, particularly forests. President Theodore Roosevelt and his administration feared the ultimate exhaustion of natural resources, including timber, minerals, and water. Roosevelt and other Progressive conservationists also equated eighteenth and nineteenth century era ideals of national greatness and the advance of civilization with mastering nature through resource management. “Savages, and very primitive peoples generally, concern themselves only with superficial natural resources;

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<sup>108</sup> Karen Jones, “Unpacking Yellowstone: The American National Park in Global Perspective,” in *Civilizing Nature: National Parks in Global Historical Perspective* ed. Patrick Kupper, Bernhard Gissibl, Sabine Höhler (New York: Berghahn Books, 2012), 36.

<sup>109</sup> David Lowenthal, *George Perkins Marsh: Prophet of Conservation* (Seattle: University of Washington Press, 2000), 406.

<sup>110</sup> *Ibid.*, 406.

with those which they obtain from the actual surface of the ground,” President Theodore Roosevelt declared in *The Chautauquan*, June 1909:

As peoples become a little less primitive, their industries, although in a rude manner, are extended to resources below the surface; then, with what we call civilization and the extension of knowledge, more resources come into use, industries are multiplied, and foresight begins to become a necessary and prominent factor in life... Without such progressive knowledge and utilization of natural resources population could not grow, nor industries multiply, nor the hidden wealth of the earth be developed for the benefit of mankind.”<sup>111</sup>

Roosevelt’s statements place resource development and sustainability within the discourse of manifest destiny and imperialism, linking the success and expansion of industrial civilization with principles of conservation. Yet, Roosevelt also promoted the establishment of national parks built upon a preservationist idealization of “uninhabited wilderness.” The wilderness concept is the center of preservationist thinking, among whom some of the most iconic naturalists idealized through visual and literary art. Though painter George Catlin first envisioned a “*nation’s Park*, containing man and beast, in all the wild and freshness of their nature’s beauty!” that included Indians, the idealization of uninhabited landscapes that developed over time reflect artistic, social, and political trends that shaped antebellum America.<sup>112</sup>

However, by the time Yellowstone National Park was formed, Indians simply did not fit easily within the “wilderness” conceptualization of nature. In *Dispossessing the Wilderness*, Mark David Spence explains how Catlin’s vision reflected some of the reality of federal Indian policy during the antebellum years as a “permanent” Indian territory made an “authentic” wilderness experience possible. Few easterners could travel west in the first half of the nineteenth century, but experienced the western wilds through exhibitions and writings of

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<sup>111</sup> Theodore Roosevelt, “Conservation of Natural Resources: Weightiest Problem Before Our People -- Duty of the Nation and States” *Chautauquan* vol. 55 (1909): 34.

<sup>112</sup> Jones, 33.

famous artists, such as Catlin and Thoreau. Yet, these men represent a way of thinking that largely died out by the time Thoreau passed away in 1862. Spence asserts that antebellum conceptions of nature culminated in Thoreau's philosophies about "Indian wisdom" as "reservoir of knowledge from which the nation could draw" regarding wildness did not translate to Muir and his contemporaries. Muir, "father of the national park system," described the Miwok who called Yosemite home a "dirty," "deadly," and "lazy" people. He could not feel the "solemn calm" of the wilderness when they were in his presence.<sup>113</sup> In this way, the development of an *uninhabited* wilderness concept is tied with late nineteenth century imperialist anxieties regarding the closing of the "frontier" and an increasing "Indian Problem."

Jones describes how a traditional pioneer mentality that regarded wild nature as a place of savagery and threat was eclipsed by a new generation of white, often middle class, Americans who, "comfortably installed in more urban, and urbane, environments," came to see *uninhabited* wilderness as a place to go for spiritual renewal and/or socioeconomic repose.<sup>114</sup> "An indication of the colonial mentality embedded in national park creation in the United States and in other European settler societies, the civilization of nature mandated the removal of so-called primitive peoples."<sup>115</sup> In this way, the development of the wilderness preservation concept is rooted in anxieties about industrial civilization among particularly urban, educated, upper to middle-class, white Americans.

Furthermore, other scholars question the way dominant narratives focus on the supposedly antagonistic nature between conservation and preservation in the latter half of the

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<sup>113</sup> Mark David Spence, *Dispossessing the Wilderness: Indian Removal and the Making of the National Parks* (New York: Oxford UP, 1999), 22-23.

<sup>114</sup> Jones, 33-34.

<sup>115</sup> *Ibid.*, 39.

nineteenth and early part of the twentieth century. In “Gifford Pinchot, John Muir, and the Boundaries of Politics in American Thought,” John M. Meyer of the Victoria University of Wellington challenges the dominant epistemological assumption that conflict over conservation and preservation conceptions played a central role in guiding practical application of park proposals. While the two clearly “differed in emphasis that each placed on the various attitudes toward nature,” he argues that these “differences were constrained... by their implicit agreement on the nature of environmental commitments sustainable within the public world of the United States as they knew it.”<sup>116</sup> Rather, he asserts, it may be more useful to examine their divergence in the scope of the private realm of values that preservationists sought to protect in nature. Pinchot formulated his arguments on the basis of a narrow utilitarian view of the natural world, and, though he found private non-economic value in nature, he did not formulate ideas through which to protect these affective values. Muir did, as a *tempering force* of restraint upon “gobble-gobble” economics and unbridled self-interest. Even as he argued for the protection of wilderness within a distinct private realm of non-economic value (inspiration, respite, and transcendence), he never argued for the extension those values throughout the public realm and, if reluctantly, accepted Pinchot’s utilitarian attitude.<sup>117</sup> In other words, both presented arguments that did not “cut across the grain of dominant liberal values” regarding land. In essence, their “competing” understandings of conservation were rooted in a strand of liberalism that valued land in terms of the liberty to, more or less, extract its resources.

While there certainly are fundamental differences in conservationist and preservationist approaches, these differences become less *the* focal point of contention when examining histories

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<sup>116</sup> John M. Meyer, “Gifford Pinchot, John Muir, and the Boundaries of Politics in American Thought,” *The University of Chicago Press* 30, No. 2 (Winter, 1997): 283.

<sup>117</sup> *Ibid.*, 283-284.

of national and forest park-making in the U.S. as acts of colonization. Nineteenth and twentieth century proponents of both philosophies saw the need for setting aside “uninhabited wilderness” for both preservation and the use of forestry to achieve sustainable extraction of timber.

Particularly in the case of Minnesota, public opinion and legislative action expressed a confusing mix of the two philosophies during the formation of the first national parks and forests in the early twentieth century. Ultimately, these two philosophies reflect dominant Euro-American thinking about life processes, including the development of land *and* Indigenous cultures, as moving from primitive to complex according to a Western worldview; therefore, the notion that national parks were “our best” idea ought to be questioned. Attitudes about national park-making often entail assumptions about its benign nature; thus, in spite of the regrettable dispossession of Indigenous lands, the “greater good” of conservation and preservation prevailed. Ultimately, these philosophies assume an anthropocentric relationship between humans and nature that obscure Indigenous approaches to land stewardship, in this case, the validity of enduring claims Ojibwe have made to the traditional use of the land, forests, and waters of the Minnesota Northwoods.

In short, it is true that national forest and national park development in Minnesota is underscored by antagonism between multiple interest groups, including conservationists and preservationists. Yet, these antagonisms are what dominate master narratives regarding national forest and park-making in Minnesota that provide no room for concern about how Ojibwe were involved in this process through the last decades of the nineteenth century, nor alternative ways of thinking about conservation ideals at large. It is necessary, therefore, to say more about the colonizing force of park-making in Minnesota in order to characterize Ojibwe agency at this time. Therefore, the purpose of this chapter is to complicate and challenge the dominant

discourse of conservation as an agent of colonization through an almost benign characterization of the dispossession of Ojibwe from their lands.

This merits explanation of the vague term “agent of colonization.” Ultimately, this thesis fits within decolonization history, or histories that aim to understand imperialism in general within local contexts. Decolonization narratives use the term colonization as but one expression of imperialism. Linda Tuhiwai Smith, professor of Indigenous education at the University of Waikato in Hamilton, New Zealand, provides a distinction between these interconnected concepts. Imperialism, in economic terms, defines the system of control which secured markets and capital investments, while colonialism facilitated this expansion by ensuring control of a central state. This, in turn, meant securing and subjugating Indigenous populations.<sup>118</sup> In this vein, the discourse of conservation serves as an “agent of imperialism” through the development of an environmental policy that ensures a continual sustainable market for natural resources. The dragnet policies that forced Ojibwe into sale of reservation lands, allotment of remaining common lands, and un-enforceable regulations that failed to fully compensate them for their losses are “agents of colonization.”

**Complicating A Master Narrative:  
Conservation Discourse in Minnesota**

Historians of conservation and preservation in Minnesota typically present a “binary history” of conflict between proponents of national parks and the legislative battles, interagency fighting, and local special interests who stood in their way. Though a national park would not be established there until the 1970s, a national forestry system developed in Minnesota after the turn

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<sup>118</sup> Linda Tuhiwai Smith, “Imperialism, History, Writing, and Theory,” *Postcolonialisms: An Anthology of Cultural Theory and Criticism*, ed. Gaurav Desai and Supriya Nair (New Brunswick: Rutgers University Press, 2005), 95-96.

of the twentieth century. Some of these histories go into great detail to describe national concerns over “timber famine” in the late 1800s that clarifies the complicated and fragmented relationship between bureaucrats, politicians, local interests, and Ojibwe in Minnesota. A few sources detail the context of fiery debates following the first Minnesota congressional petition to the president in 1891 requesting lands “unsettled” on Minnesota’s northern boundary to be set aside as “pristine” wilderness. These debates led development of the first scientifically-managed federal forest by 1908 and the bureaucratic forest management system of the United States Forestry Service (USFS). Of particular importance to this thesis is the way in which master narratives describe this process as implicitly benign, leaving no room to critically examine the colonizing nature of national forest and park-making.

There are three popular monographs that describe the process of forest conservation and preservation in Minnesota, all of which are recommended reading by NPS and VNP staff to a public interested in local park history. Fred T. Witzig’s *Voyageur National Park: The Battle to Create Minnesota’s National Park* is an important book that describes the legislative battles of the 1960s that led to the creation of the VNP -- the early years of conservationists’ efforts to navigate politics and industry to advocate for a national park. A second book vital to understanding the conservation narrative in Minnesota is *Voyageur Country: The Story of Minnesota’s National Park* by Robert Treuer. A beautifully written and condensed “rich account of the human and natural history the park is meant to preserve,” it is a book meant for public consumption and a good example of a master narrative of Minnesota conservation that follows

many of the same themes as Witzig's *Voyageur's National Park*.<sup>119</sup> Finally, R. Newell Searle's wonderfully composed *Saving Quetico-Superior: A Land Set Apart* has inspired many to visit the Boundary Waters Canoe Area since its publication in 1977. These books, as well as other articles from history and conservation magazines, provide rich detail of how conservation groups debated, rallied public opinion, and worked tirelessly to lay the foundations for the establishment of federally protected forests, shorelines, and waterways in northern Minnesota. What follows here is an examination of a "binary" conservation narrative within that pits special interests against the greater good of conservation and preservation in the formation of national forests and parks on Ojibwe lands in Northern Minnesota.

These conservation narratives most often focus on antagonisms between special interests who began to pressure the state legislature to manage lands made "available" for public sale in the 1890s as a flashpoint for debate. Since the 1860s, the free hand of industrial mineral interests led to ore strikes and gold rushes that brought mills to crush the ore into exhaustion, leaving machinery to rust in abandoned camps.<sup>120</sup> But large-scale mining by 1900 brought permanent settlement, nonetheless, and a seemingly insatiable need for timber to build infrastructure. Timber corporations supplied the manpower and corporate capital to build roads, construct hundreds of miles of logging rail.<sup>121</sup> They also had the power to influence the state legislature to pass laws that were advantageous to the industry.

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<sup>119</sup> Robert Treuer, *Voyageur Country: The Story of Minnesota's National Park*. Minneapolis: U of Minnesota, 1998. Quote from Gaylord Nelson of The Wilderness Society, printed on the back cover of the 1998 edition.

<sup>120</sup> The Treaty of 1866, which precipitated the Bois Forte Ojibwe cession of lands that include present-day Voyageurs National Park, is not mentioned within the context of Lake Vermillion gold rush in these conservation narratives.

<sup>121</sup> Newell Searle, *Saving Quetico Superior* (St. Paul: Minnesota Historical Society Press, 1977), 10. Arguably, Searle gives the richest description of the scope and power of lumber

Permanent Euro-American settlement also created a large local demand for timber and agricultural lands. This left settlers dependent on the rise and fall of mineral and timber industries for supplemental income. Treuer maintains that lumber was seen among immigrants as a springboard to homesteading, though it would take decades for most farmers to abandon large-scale farming in the cool climate and acidic soils of northern Minnesota.<sup>122</sup> Seale and Treuer uncover a hard life for settlers in the Northeast that leaves the reader with a sense of their deep connection to the landscape, hardwon through thrift, ingenuity, and labor. Life in northern Minnesota around the turn of the twentieth century was not easy for anyone, especially considering the fluctuating industries in the region. According to Treuer, logging provided seasonal work for Scandinavian immigrants in search of land, who brought with them a “strong desire for freedom and opportunity” to own land and a “love for hunting and the outdoors” that was prohibited by aristocrats back in their native lands.<sup>123</sup> The sense is that one could barely make a living if industry did not thrive in the region, but reverence for the forests among certain immigrants ran deep.

Life in northern Minnesota before and after the turn of the twentieth century was not easy for anyone, especially considering the fluctuating industries in the region. After 1900s, the sense

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corporations that clear-cut nearly all of Minnesota’s northwoods from the 1890s to 1930s. The Tower, Cook, and Ketcham, and Alger, Smith lumber companies cleared the Lake Vermillion area from 1891-1911. G.W. Knox Lumber Company (later St. Croix) (1892), and Swallow and Hopkins Lumber (1898) cleared the region from Ely east to the present-Day Boundary Waters into the 1920s. The Pigeon River Company, General Logging, and the Cloquet Logging companies (last two were subsidiaries of the Weyerhaeuser's in the 1920s) combined in 1903 and, along with competitors Rainy River Lumber, International Lumber (Edward P. Backus’s company), and Shevlin-Clark Lumber, cleared the vast forests throughout northeastern Minnesota and into Ontario by the 1930s.

<sup>122</sup> Robert Treuer, *Voyageur Country: The Story of Minnesota's National Park*. Minneapolis: U of Minnesota, 1998. Quote from Gaylord Nelson of The Wilderness Society, printed on the back cover of the 1998 edition. Treuer, 80.

<sup>123</sup> *Ibid.*, 88.

is that one could barely make a living if industry did not thrive in the region. As the Great Depression set in, an “aura of orphaned boom towns” spread across the north, a result of the passing “brief springtime honeymoon of big timber.” The “hardy” people of Minnesota tried many things to subsist through this economic malaise: maple syrup manufacturing, berrying in cut lands, commercial fishing, caviar production at Lake Kabetogama, farming in the short growing season, and tourism.<sup>124</sup> While evidence of similar experiences among the Ojibwe will be explored in the next chapter of this thesis, it is important to note that these dominant narratives do not include Ojibwe struggles to maintain subsistence from the land and waters, nor are they portrayed as major stakeholders in federal control of their shrinking homelands.

One month following the U.S. Forest Reserve Act of 1891, Minnesota lawmakers proposed a resolution for the establishment of a nearly three million acre national park to encompass the border lakes region from Lake Vermillion to Lake of the Woods. Though a national park would not be established there for another eighty years, a related state bill to establish Itasca State Park to encompass the Mississippi River headwaters and source lakes passed the same month as the national park proposal.<sup>125</sup> Foremost behind these conservation plans was U.S. General and former Minnesota Senator C.C. Andrews, who had taken up interest in forestry management. The “mountains of slashed branches,” soil erosion, and “dismal fire-prone wasteland” led Andrews on this campaign, yet he was able to galvanize public opinion around widespread management of ravaged timberlands only after the Great Hinckley Fire of 1894.<sup>126</sup>

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<sup>124</sup> Ibid, 76.

<sup>125</sup> Ibid, 92.

<sup>126</sup> Searle, *Saving Quetico Superior*, 14; Treuer, 80; 92; Witzig, 4-5.

Though forest fires brought locals around to the idea of forestry management initiatives, skepticism toward outsider proposals continued. Andrew's forestry initiatives included provisions for "pleasure resorts" and "fish and game preserves."<sup>127</sup> These sort of initiatives were seen by locals as threatening to their livelihood; for example, state or federal control over hunting lands was a touchy subject among immigrants and their descendants who recalled restricted hunting practices in Europe.<sup>128</sup> Classist undertones also mark anxieties over setting aside lands for pleasure. Many locals saw ideas about preservation of wilderness as the work of urban "nabobs" to whom a local service economy would become dependent for tourism.<sup>129</sup> Already dependent on the timber industry, locals were also pressured by lumber corporations, who "made certain that workers and residents who were dependent on the local logging activity understood the logic and "advantages" of the system as it operated at that time."<sup>130</sup>

These anxieties were exacerbated by fraudulent actions on the part of lumbermen and the timber industry as "surplus" lands became increasingly available through federal Indian policy of allotment. Searle describes the 1880s and 1890s as "a time in which some of the worst abuses and the greatest reforms of government occurred" as lumbermen on the payroll of timber corporations posed as settlers to gain up to 300,000 acres of pineland at the peak of the lumber industry around Duluth in 1901.<sup>131</sup> Treuer's monologue and another publication for *Minnesota*

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<sup>127</sup> Searle, *Saving Quetico Superior*, 15; Treuer, 95. Andrew's was able to persuade the General Land Office to withdraw from sale 641,000 acres of "public domain" in northeastern Minnesota. He promoted the establishment of an "international forest" to compliment Ontario's conservation efforts. This set the wheels in motion of the establishment of Superior National Forest in 1909. Part of these lands are now the Boundary Waters Canoe Area, which borders Quetico-Superior National Park.

<sup>128</sup> Treuer, 76.

<sup>129</sup> Searle, "Minnesota National Forest," 251-252.

<sup>130</sup> Witzig, 2.

<sup>131</sup> Searle, *Saving Quetico Superior*, 11.

*History* magazine by Newell Searle, provide more detail behind how Ojibwe lands provided for the establishment of Minnesota National Forest in 1908 (now known as Chippewa National Forest), the first national forest in the nation. In fact, the formation of Chippewa National Forest was a direct result of conflict over fraudulent extraction of Indian pine due to a “dead and down” provision of the *Nelson Act* of 1898.<sup>132</sup>

A Minnesota version of the General Allotment/Dawes Act of 1887, the *Nelson Act* was backed by “individuals covetous of Indian timber as well as those who sincerely thought the reservations were detrimental to Indians’ welfare.”<sup>133</sup> An “act for relief and civilization of the Chippewa Indians in the State of Minnesota,” the law was infused with dominant cultural values of agriculture and commodification of natural resources that served to delegitimize traditional approaches to the land, forests, and water. Its promoters instructed the Ojibwe to enter into negotiations for the tribal termination by cession of remaining lands held in common and was amended later so that only Ojibwe were allowed to harvest “dead and down” timber from reservation lands. Theft of timber and fraud precipitated by non-Indians were actually facilitated by this provision as “Indians [who] owned no logging companies” sold permits to “small operators, squaw men, and mixed-bloods” who, in turn, sold the timber to large operators.<sup>134</sup>

After two General Land Office investigations prompted by the Minnesota Federation of Women’s Clubs and a “short-lived Indian uprising” at Leech Lake, an Interior Department report in 1900 disclosed that the *Nelson Act* “failed to secure to the Indians the largest benefit from the

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<sup>132</sup> Searle, “Minnesota National Forest,” 246-248; Treuer, 82. For example, Treuer describes how logging operator Thomas Shevlin was one of the perpetrators who “pirated” Ojibwe pine at Leech Lake. Shevlin and lumber magnate Edward P. Backus became partners as conflicts over this provision reached at boiling point.

<sup>133</sup> Searle, “Minnesota National Forest,” 246.

<sup>134</sup> *Ibid.*, 246. Searle also mentions Thomas Shevlin as a main perpetrator in pirating “dead and down” timber.

sale of the pine and agriculture lands.”<sup>135</sup> Minnesota’s Indian reformers and lumbermen alike regarded the reservation as a barrier to their immediate profit and long-term prosperity. Some lumbermen, of course, wanted the Indian pinelands that were rapidly rising in stumpage value, while social reformers, foremost among them members of the Minnesota Federation of Women’s Clubs, considered the reservation barbaric and a hindrance to "civilization" of the Indians.

By the winter of 1898, lumbermen, land agents, locals, social reformers, and those interested in preservation or conservation stalled over what to do with “surplus” pine at Leech Lake from 1898-1902. All (except the Ojibwe) agreed that liquidating the reservation served both Indian and public interests, but neither the various parties nor the Indian Bureau could agree on the best means of liquidation.”<sup>136</sup> However, at the heart of this debate was ceded Indian territory, particularly what to do with those lands and the Indigenous people who inhabited them. Without attention to a history of treaty-making that ensured tribal rights to these lands, Searle and Treuer characterize the dispossession of Ojibwe lands as simply regrettable and forest park-making as an inherently better outcome in the battle between conservation and industry.

Overall, these narratives focus on how “forest-park” and “national park” advocates disagreed on the proper conservationist strategy for the impending national forest. Park sentiment at this time came from multiple sources, including Chief Fire Warden C.C. Andrews, the Federation of Women’s Clubs, and Chicago sportsman John S. Cooper. Andrews, who later

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<sup>135</sup> Quote from Searle, “Minnesota National Forest,” 247; Treuer, 93-94; Witzig only mentions the establishment of Chippewa National Forest in the context of valiant efforts to establish a system of forest conservation in the face of local opposition. Searle provides detail about an “uprising” at Leech Lake, known among the Ojibwe as the Battle of Sugar Point as a contributing factor. After the military came to the aid of lumber companies at the Battle of Sugar Point in 1898, debate over amending the Nelson Act to provide for the “management” of Ojibwe timber began anew and with a decidedly conservationist tone.

<sup>136</sup> Searle, “Minnesota National Forest,” 246.

served as Minnesota Forestry Commissioner, urged the creation of a “pleasure resort” at Cass Lake and national park on surrounding white pine lands. Florence Bramhall, chairwoman of the Minnesota Federation of Women’s Clubs forest reserve committee, advocated the creation of a “forest park” to employ scientific forestry and “justice for the Indians.” Chicago sportsman Colonel John S. Cooper had grand plans for a 4,000,000 acre national “pleasure” park.<sup>137</sup> Interestingly, each party supported one another’s plan at one time or another during the debates that raged over what to do with “public lands” at Leech Lake between 1899 and 1902, attesting to the fluid conceptions of what a “national park” would entail the early formative years of the National Park Service (NPS).

Non-Indian opponents to the establishment of the Minnesota National Forest at Leech Lake saw no clear distinction between plans that ultimately inhibited their ability to use the resources of the lands, forests, and waterways for economic benefit. Local lumbermen felt that Minneapolis timber firms would quickly gain economic advantage over available pine.<sup>138</sup> This concern was not unfounded; Edward W. Backus, a Minneapolis sawmill owner and future timber magnate in the boundary waters region, made his first survey trek at Leech Lake in 1898 during the stalemate between conservation and industrial interests over what to do with the “surplus” Indian lands.<sup>139</sup> Locals in general considered a park a waste of tax money and unprotected pine forest a potential fire hazard, but their main concerns among frontier townspeople was economic survival that seemed “dependent solely and entirely on development and settlement.”<sup>140</sup> To this

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<sup>137</sup> Ibid., 249-251.

<sup>138</sup> Ibid., 251.

<sup>139</sup> Treuer, 82.

<sup>140</sup> Searle, “Minnesota National Forest 251;” *Cass Lake Voice*, March 16, 1901, p. 1.

end, the “Nelson Law” need only to be used to remove the Indians so that timber and agriculture could be advanced in the region.

All around, these narratives enthusiastically applauded the mediatory efforts of the Minnesota Federation of Women’s Clubs. Specifically, the Federation prompted the 1899 state legislature in suspending the sale of Ojibwe reservation lands until 1902, assessed the timber industry's needs vis a vis public desire for scenic “pleasure strips,” and consulted with Herman Haupt Chapman, Forestry Bureau collaborator and designer of the Minnesota National Forest plan.<sup>141</sup> A protégè of Gifford Pinchot, Chapman served a liaison for the federation and put Minnesota conservationists in direct communication with the new chief of the Forestry Bureau. This key relationship served Pinchot with an opportunity to test principles of forestry he and fellow Society of American Forestry members had promoted among private foresters for years.

By 1902, the pressure of public debate led the Minnesota legislature to pass the Morris Act as a replacement to the contentious Nelson Law, which set aside clear-cut “agricultural” lands in question for Indian allotment and public sale, sustainable forestry of about 225,000 acres under the supervision of the new federal Bureau of Forestry, and the preservation of certain scenic points on Cass and Leech Lakes.<sup>142</sup> By 1908, this region was established as the Minnesota National Forest (later Chippewa National Forest) by executive order under the federal Forest Reserve Act of 1891; Superior National Forest (SNF) was formed the next year by executive order as well, making forest conservation the dominant philosophy of environmental protection in Minnesota. The importance of this history, according to these dominant narratives, is the development of a system of forestry supported by the bureaucratic apparatus that would soon

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<sup>141</sup> Witzig, 2-3; Treuer, 93-94; Searle, “Minnesota National Forest,” 249-251.

<sup>142</sup> Searle, “Minnesota National Forest,” 255; Tim Brady, “The Real Story of Chippewa National Park.” *Minnesota Conservation Volunteer* 67 no. 397 (November-December, 2004): 30.

become the USFS. Under Pinchot's direction, Chippewa National Forest (CNF) "served as a laboratory for the first comprehensive forest management plans undertaken by a federal agency."<sup>143</sup> Pinchot would later serve as the first chief of the USFS until 1910. The USFS would continue to dominate the management of federally-protected lands in Minnesota throughout the early decades of the twentieth century.

At this point, all three monographs focus on the continuing battles between preservationists who pushed for the protection of particular wilderness areas and their opponents. Searle frames this history around the Quetico-Superior region that now includes the present-day Boundary Waters Canoe Area. Treuer tells much of the same history as a build-up to the creation of neighboring VNP. Witzig focuses the bulk of his work on the legal battles surrounding the development of the VNP through the 1960s and 1970s. All three histories fixate on the same binary theme of conflicts between preservation and conservation, the USFS and NPS over jurisdiction issues relating to the expansion of the SNF or development of a national park, and opponents to a national park in Minnesota who wanted to protect industrial or recreational interests in the region.

Ultimately, the destructive forces that led to clearcutting and depletion of Northwoods ecosystems throughout the nineteenth century were vanquished by the vigilant, yet compromising nature of Minnesota conservationists and their allies in Congress by the late 1970s. This characterization of park-making in Minnesota reflects binary thinking within typical conservation narratives that pits industry versus conservationists (and sometimes conservationists vs preservationists) as the major players in a contest for best sustainable use of land, right to the use of resources available, and validity over conceptual value of landscapes and

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<sup>143</sup> Searle, "Minnesota National Forest," 244.

waterways. Histories of national parks and forests in Minnesota point to this era as seminal in not only the development of state and national preservation and conservation, but also as a sort of history lesson for current environmentalists and park enthusiasts.

### **Deconstructing the Absent/Prisoner Narrative**

Yet, there are three ways in which an Ojibwe perspective regarding national forest and park-making in Minnesota complicates and challenges this binary, triumphant narrative. First, “success” is always characterized in terms of compromise overcoming moralistic rhetoric on both sides that obscured “legitimate interests” of interested parties. Always at issue, Searle concludes, was the definition of the “public interest” being promoted. For example, the “exploitation of ceded Chippewa lands” served local interests, while preservation of those lands served the urban communities of the Midwest. “Congress deemed cheap lumber and forest conservation of equal importance and (for political and other reasons) combined the two aims in one piece of legislation.”<sup>144</sup> Treuer casts a more romantic, idealistic tone to compromise as he links it to a sort of nationalistic tone of civic duty and future possibility.

“Minnesota, one small patch of America’s north country, has been the setting for a century of pioneering conservation... The very concept of national forests, of applying sustained-yield concepts of timber management to lands in the federal domain, was hammered out in a political compromise over the fate of lands taken from the Chippewa Indians, giving rise to what ultimately became the Chippewa National Forest as citizens fought for the quality of the land.”<sup>145</sup>

Ever the legalist, Witzig closes with an epilogue regarding the adoption of a new general management plan for Voyageurs in 2001, the result of three years of discussion, public review,

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<sup>144</sup> Searle, “Minnesota National Forest,” 256.

<sup>145</sup> Treuer, 157.

and hearings. “With this plan in place, the park can now look forward to a better public understanding of its goals and to stewardship of the park’s resources for the long term.”<sup>146</sup>

These conservation narratives frame conflict in terms of Western values of land that assume primary legitimacy of aesthetic or utilitarian arguments about conservation and preservation. These values ignore Indigenous cultural and human connections to land, water, and resources. An Ojibwe perspective highlights how this binary history is, in effect, a straw-man argument that ignores how land tenure of these lands was, and still, is vital to the survival of Ojibwe culture. The assumption that our nation is somehow “moving forward” in terms of land stewardship without addressing *enduring* interests of the Ojibwe also obscures a roller coaster history of Indian policy and park-making that has been continually challenged by Native groups including the Ojibwe through the twentieth and into the twenty-first century.

Second, the inherent and assumed benign nature of conservation and preservation as a “best” use of land obscures how this concept plays into the colonization of Ojibwe and the extension of imperialist ideas over the landscape. Treuer casts park-making within nationalistic idealism. “Americans moving westward” had made the establishment of national parks possible, from Yellowstone to Voyageurs. Goals for preservation and recreation “were not always compatible,” but the imperfect “American park tradition and emerging conservation movement have influenced and encouraged similar activities throughout the world. And they are giving us the opportunity to search for answers to a better way of living, to a better safeguarding of nature, that we might comprehend better our own nature.”<sup>147</sup> Again, there is an assumption that, not only

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<sup>146</sup> Witzig, 238.

<sup>147</sup> Treuer, 156-157.

is an “American” style of conservation good for the U.S., but it is also good for the world at large.<sup>148</sup>

This gets right to the crux of the issue for many Indigenous cultures throughout the globe: colonizing forces attack the very essence of sovereignty. The belief that national parks (and forests) are “our best idea” without critical analysis of how these lands were divested from indigenous people is an exercise in blind nationalism. As Wilma Mankiller, former Chief of the Cherokee Nation said in 2002, “Americans need to reflect on the ramifications of manifest destiny, the historical term given to America’s relentless westward expansion. That concept fostered an extreme sense of entitlement among Americans who often ignored the rights of indigenous peoples.”<sup>149</sup>

Third, the colonizing nature of forest and national park-making cannot be ignored while uncovering an absent narrative of Ojibwe persistence, occupation, and resistance to land loss. Even dominant narratives that attempt to add Ojibwe perspectives cast them as passive actors in a “prisoner narrative” that sympathetically relegates them to poverty and desolation on the reservation. Traditional use of land was and still is central to the continuation of Ojibwe culture, economy, and political exercise of tribal sovereignty. During the allotment era to Indian Reorganization in 1934, simultaneously with the development of Minnesota national forests, Ojibwe band members in the Arrowhead region continued to traditionally subsist on, even occupy, their homelands regardless of their loss of land tenure status. A study of Ojibwe

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<sup>148</sup> For critical examination of the “exportable” nature of American national park-making in other nations, see *Civilizing Nature: National Parks in Global Historical Perspective* (New York: Berghahn Books, 2012).

<sup>149</sup> Marylyne Pitz, “Former Chief Explores American Indians’ Survival in Land of Lewis and Clark,” *Pittsburgh Post-Gazette*, November 15, 2002. Accessed August 3, 2017, Pittsburgh Post-Gazette Online Archive.

occupation of forest and national parks in spite of forced allotment, government divestiture of lands vital to seasonal rounds (so-called “surplus” lands), and economic adaptation in the midst of increasing poverty can lead to empathetic understanding of current efforts to expand reservation bases. Within that vein, historical analysis ought to realign understanding of Ojibwe as active agents in national forest park-making and major players in a national colonization effort to modify imperialist resource extraction to include sustainability.

Few conservation narratives delve into the circumstances behind how the land in question -- Ojibwe reservation land -- came to the public domain, which sparked the intense debates and statement over implementation of Minnesota conservation in the early twentieth century. Most simply describe acquisition of Ojibwe lands by mentioning its “availability” as “surplus land” through acts of Congress or executive order, such as the General Allotment Act of 1887, Nelson Act of 1889, or Morris Act of 1902. For example, an article by Tim Brady in *Minnesota Conservation Volunteer* describes only how “Ojibwe land became temptingly available to development by means of the Dawes Act of 1887... It was in the disposition of these Ojibwe lands where the battle lines were drawn between advocates of forest conservation and advocates of development.”<sup>150</sup> Similarly, the USFS Chippewa National Forest website employs passive language to relate Ojibwe land dispossession. The General Allotment Act “encouraged private settlement and opened up Ojibwe lands held by the government. Through the Nelson Act of 1889, unallotted Indian land was ceded to the federal government for sale to immigrant settlers. Yet, the author immediately switches to active language when characterizing conservation efforts:

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<sup>150</sup> Brady, 26.

The Act of 1891 empowered the President to set aside Forest Reserves, and in 1899 the Minnesota Federation of Women's Clubs campaigned to establish a Forest Reserve in Cass Lake. The Morris Act of 1902 established a Forest Reserve in Cass Lake and the Minnesota National Forest Act of 1908 created a National Forest to be managed by the newly created Department of Agriculture-Forest Service. The Chippewa National Forest acquired an additional 37,135 acres of allotment (Indian) lands under authority of the Weeks Act of 1911. In June 1928 the name was changed to the Chippewa National Forest to honor the area's original inhabitants."<sup>151</sup>

Two of the three monologues analyzed for this study do not even mention these acts. In his book, Searle makes no mention of Ojibwe in context of the formation of the first national forest in the nation, only that the "preservation of the Quetico-Superior country began in 1902 under the leadership of C.C. Andrews."<sup>152</sup> Witzig, who makes no mention of Ojibwe people in his book, brings up the establishment of Chippewa National Forest in the context of the first proposal to create a Northern Minnesota national park 1891 and a precedent of opposition to federal control over lands:

Another national park proposal was advanced eight years later, in 1899, when the Minnesota Federation of Women's Clubs campaigned for a national park in the area that eventually became the Chippewa National Forest. Again, northern Minnesotans saw the meddling had of the people from the "south" who were attempting to impose their values as they related to the utilization of the region's' natural resources, thus interfering with established practices in northeastern Minnesota.<sup>153</sup>

Absent narratives of Ojibwe in national forest and park histories reflect a preoccupation with an idealistic "wilderness narrative" that upholds the value of these lands as uninhabited and pristine only in their "natural state." Ojibwe narratives complicate that image and make a triumphant conservation narrative difficult to maintain. Conservation histories that include an all-too-often absent narrative of what these acts entailed for the Ojibwe still preserve the triumphant,

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<sup>151</sup> "FAQs: History," USDA Forestry Service: Chippewa National Forest, accessed July 11, 2017, <https://www.fs.usda.gov>.

<sup>152</sup> Searle, *Saving Quetico Superior* 15.

<sup>153</sup> Witzig, 4.

binary narrative of forest and national park-making. Only Treuer and Searle (in his article for *Minnesota History*) attempt to uncover the effects of these acts on Ojibwe life. None of the sources meant for public consumption characterize Ojibwe occupation, land use, or worldview about the incredible forces of change happening in early twentieth century Minnesota. Treuer and Searle give agency to major players who pushed for conservation: C.C. Andrews, Pinchot, and Bramhall of the Minnesota Federation of Women's Clubs who play an active part in the establishment of Chippewa National Park and the formation of national forestry in general. Not one Ojibwe individual is named as the forces of land dispossession (timber interests, settlement, allotment) happen *to* them. The result is a problematic "prisoner narrative" that frames Indians as powerless, voiceless pawns.<sup>154</sup> While these historians have good intentions, they relegate the Ojibwe to poverty, cultural loss, and isolation on the reservation.

On the surface, Treuer and Searle's conclusions seem harmless enough. With passage of the Morris Act of 1902, "everyone was happy, except the disenfranchised Indians, and not one realized the patterns and precedents that had been set. Over the decades the size of the Chippewa National Forest, so named officially in 1928, doubled, and the erosion of remaining Indian lands was stopped or slowed under the New Deal."<sup>155</sup> Searle characterizes "everyone's" reaction to the Morris Act as "jubilant," and includes an Ojibwe perspective reported through a local newspaper: "The Indians, the *Duluth News Tribune* reported, were "relieved that the long

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<sup>154</sup> Treuer, regarding the allotment and government seizure of "surplus" lands Leech Lake Reservation: "The divided Indians were voiceless pawns in the developments that all but destroyed their home base at Leech Lake."

<sup>155</sup> *Ibid.*, 94.

suspense is ended, and are glad that their interests have been subserved [sic].”<sup>156</sup> Moreover, though the Ojibwe loss of land was regrettably high and lifeways so forcibly altered, they were

among the earliest to lead the current national renaissance of Indian self-determination and self-government. The northern Minnesota reservations at Grand Portage, Nett Lake, Fond du Lac, Leech Lake, Red Lake, White Earth, and Mille Lacs are testing the proposition that Indian culture and sovereignty can survive, can surmount the damage of two centuries, and can flourish. It is an essential ingredient of Indian belief that a wholesome existence stems from respect and the conservation of the land and of the spirit. Western values seem to be moving closer to this belief.<sup>157</sup>

In this one sweeping statement, Treuer attempts to fold Ojibwe worldviews regarding their homelands into the ideal of American conservation. However, the inclusion of Ojibwe narratives of this time period challenge the validity of a triumphant conservation narrative by framing Ojibwe land-loss in general as an act of colonization. It is important not to lose sight of the forest and national park movements within the context of dominant ideas of resource management within an industrial economy. While the development of bureaucratic conservation through the USFS was “tested” in Minnesota, the stripping of the great forests in the 1910s were devastating to Anishinaabeg forest culture. White Earth activist Winona LaDuke describes hunting and gathering, essential to their culture, economy, and spirituality, was difficult on lands increasingly considered “private” or “public” property. The “need” to create a sustainable timber industry and temper political power of industrial giants still led to old-growth maple trees and maple sugarbushes moving “horizontally toward logging mills,” and acres of stumps that replaced “biodiverse groves of medicinal plants and trees.”<sup>158</sup> In spite of a strong Progressive preservationist movement in Minnesota that demanded “justice for the Indians,” dominating

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<sup>156</sup> Searle, “Minnesota National Forest,” 256.

<sup>157</sup> Treuer, 156.

<sup>158</sup> Winona LaDuke, *All Our Relations: Native Struggles for Land and Life* (Chicago: Haymarket Books, 2015), 120.

conservationist ideals eclipsed any meaningful debate in this regard.<sup>159</sup> Meanwhile, Ojibwe basket-makers found it difficult to find materials and birch-bark canoe-makers could no longer find huge trees for “great Anishinaabeg canoes.”<sup>160</sup> Instructing young people in traditional subsistence practices was increasingly difficult, particularly after the Bureau of Indian affairs began allocating money for boarding schools. By 1930, for example, band members living on Bois Forte reservations had fallen by almost half the total enrolled population of 8,584.<sup>161</sup> Half of the reservation was up for sale in 1904 and, by 1971, only forty-one percent of lands were Indian-owned.<sup>162</sup>

Dominant conservation histories that attempt to add an Ojibwe perspective ultimately portray this as a declensionist “prisoner narrative” with no context of forest and national park-making as an act of colonization. Indians seem relegated to poverty on reservations or move off to the city, their views then or now about contested lands completely absent from the narrative. Ojibwe narratives set cultural degradation of Ojibwe firmly within decolonization history. Moreover, they provide evidence that, simultaneous with raging debates over the the “needs” an industrial economy vis a vis conservation and preservation, Ojibwe persisted, even resisted further colonization efforts.

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<sup>159</sup> For the sake of brevity, I did not delve into the diversity of opinion among preservationists and conservationists regarding justice for the Ojibwe. Suffice to say, the portrayal of conservationists like the Federation of Women’s Clubs and Ernest P. Oberholtzer are cut from the same cloth, leaving more questions than answers regarding the paradoxical promotion of forestry and belief that the boundary waters be preserved so that Ojibwe culture could thrive. In the end, each believed forestry would serve some sort of justice to the Indians.

<sup>160</sup> LaDuke, 120.

<sup>161</sup> *Ibid.*, 120.

<sup>162</sup> Jeffrey J. Richner, *People of the Thick Fur Woods: Two Hundred Years of Bois Forte Chippewa Occupation of the Voyageurs National Park Area* (Report No. 3. Lincoln, Nebraska: National Park Service, 2002), 19.

The strongest of tribal governments would find it difficult to maintain rights over remaining lands in this context, but they did and some have continued to expand their sovereignty to include usufruct rights to federally protected lands. Thus, we must frame histories of conservation over currently contested lands within earlier colonizing forces of military conquest, disease, and commodification of the land. These elements culminated in Western ideas of conservation, all of which have served to undermine Indigenous rights to their own land. In essence, the very nature of conservation -- national park or forest varieties -- were, and still are, another form of colonization.

### **Early Ojibwe Resistance to the National Forest**

The following chapter will highlight an absent narrative of Ojibwe resistance to the CNF and continued occupation of region at the turn of the twentieth century in order to further complicate a benign narrative around the establishment of national forests in Minnesota. However, it is useful to provide historical context to ongoing claims to Chippewa National Forest that stem from disputes over dam-building in the Upper Mississippi watershed beginning in 1881. Under the *Rivers and Harbors Act of 1880 and 1881*, the U.S. secretary of war authorized the construction of two dams at the Mississippi headwaters and compensation to landowners who would be affected. Large portions of the lands ultimately flooded belonged to Ojibwe bands, principally the Pillager or Bear Island and Lake Winnibigoshish bands who lived on shores and islands near the Pokegama Falls and other dam sites.<sup>163</sup>

Leaders sought restitution over flooding of critical rice habitats and desecration of burial sites. Two government commissions in 1881 and 1882 responded to their claims by

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<sup>163</sup> Jane Lamm Carroll, "Dams and Damages: The Ojibway, The United States, and the Mississippi Headwaters Reservoirs," *Minnesota History* 52, no. 1 (Spring, 1990): 3, 5-6.

recommending compensation, but without consulting leadership among affected bands. Over the years, the issue languished within the Indian Bureau and caused resentment among the affected Ojibwe groups. Needless to say, their leaders refused to accept any proposal deemed inadequate and without their consultation. Over the next few years, work on dams at Leech Lake and Lake Winnibigosh continued in spite of resistance among Pillager and Lake Winnibigosh Ojibwe leaders who refused any further concession to the federal government until their concerns were adequately addressed.<sup>164</sup>

Indian Agent C. P. Luse reflected in 1883 that Ojibwe at Leech and Winnibigosh Lakes should be removed to White Earth because of extreme poverty, poor prospects for farming, and increasing anger “because there has been no settlement of damages for building the dams. They have made threats as to what might occur if their claims for damages were not heeded soon.”<sup>165</sup> Band members at Leech, Cass, and Winnibigosh Lakes maintained that flooding had decimated maple trees, wild rice, cranberry, and reeds they relied upon for subsistence. Sturgeon Man, an outspoken Pillager, questioned whether a second commission to assess damages could truly “know of that damage that will be done to us. As long as the sun shall pass over our heads we would have been able to live here if this dam had not been commenced. Every year what supports us grows on this place. If this dam is built we will all be scattered, we will have nothing to live on.”<sup>166</sup> Pillager Chief Flatmouth refused to acquiesce to the law of eminent domain, maintaining that the government had unjustly trespassed on the reservation in building dams and

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<sup>164</sup> Leah Carpenter, “Tracking the Land: Ojibwe Land Tenure and Acquisition at Grand Portage and Leech Lake” (PhD diss., University of Arizona, 2008), 163.

<sup>165</sup> C.P. Luse, “Report of Agent in Minnesota,” *Annual report of the commissioner of Indian affairs, for the year 1883* (Washington, D.C.: Government Printing Office, 1883), 96.

<sup>166</sup> Jane Lamm Carroll, 10.

“startled” the Ojibwe. “If these dams are made,” he declared, “we will all be destroyed.”<sup>167</sup> Though a third commission sent in 1886 assessed damages at a more favorable \$150,000 settlement, they did so in exchange for Ojibwe promises to remove to White Earth Reservation. This time, both Congress and the Ojibwe balked at the proposal, the former due to the cost outlined and traditionalists among the latter at any discussion of removal.<sup>168</sup> It is no accident that this shifting in the nature of talks from redress to removal coincided with the development of general allotment laws at the federal and state levels.

Furthermore, discontent among those at Bear Island and Lake Winnibigosh was not isolated among bands who resided at the Leech Lake Reservation. By the time a three-man Commission arrived in 1889 to ratify the Nelson Act and move forward on its implementation, Ojibwe leaders representing various band concerns adamantly sought redress for a variety of unresolved claims: “borrowed” lands under treaties, outstanding annuities and other payments, and damages due to flooding from dams.<sup>169</sup> From July 8th to November 21st of 1889, former senators Henry Rice and Martin Marty, and Bishop Joseph B. Whiting who became known later as “Rice Commission,” held council with leaders from Leech Lake, Cass Lake, Lake Winnibigosh, White Oak Point, Grand Portage, Red Lake, White Earth, Gull Lake, Mille Lacs, Bois Forte (Nett and Vermillion Lakes), and Fond du Lac. They remained with each band and convened councils until an agreement was exacted from each regarding implementation of the *Nelson Act*, but not before facing palpable resentment from various Ojibwe leaders who demanded redress. Pillager spokesman Mahgegahbow addressed Rice pointedly:

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<sup>167</sup> *Ibid.*, 10.

<sup>168</sup> *Ibid.*, 11.

<sup>169</sup> Carpenter, 163.

If it had not been for the action of the whites in stopping up the rivers with the reservoirs we would not be compelled to do that [dig snake root] for subsistence. We thought we had arrived at a time when a settlement for those reservoirs should be made; something of a sufficiency to support us; that is the idea we still entertain. And, my friend, you are the one who told us to keep quiet and live in peace, and that is why we have; but we see that those dams are conquering us. If you had not spoken to us we would have opened those dams long ago.<sup>170</sup>

In one case, Ojibwe leaders kept the Commission under armed guard while they discussed how to extract a “solemn promise” from the men that they would do everything under their power to settle outstanding claims.<sup>171</sup>

The Commission did promise the various councils of Ojibwe leaders redress for outstanding claims, including the \$150,000 for flood damages to go into the “Chippewa in Minnesota” fund, plus five percent interest and \$1.25 per acre of flooded reservation land. The Commission also promised 160 acre allotments under the *Nelson Act* to each man, woman, and child at White Earth or Red Lake; eventually, the Commission added a proviso for band members to take allotments at old reservation sites, such as Mille Lacs, Grand Portage, Vermillion and Nett Lakes. For those who allotted at Leech Lake reservation, they promised a school, sawmill, and blacksmith at Cass Lake.<sup>172</sup>

It is important to note concessions were not universally well-received among various geographically and even ethnically-diverse groups, which reflects the absurdity of the Commission in treating multiple groups as one “Chippewa Tribe.” The Chippewa Commission that proceeded with implementation of the *Nelson Act* addressed the definition of “Chippewa

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<sup>170</sup> Carroll, “Dams and Damages,” 12.

<sup>171</sup> Carpenter, 163.

<sup>172</sup> Reverend J. A. Gilfillan, “The Minnesota Trouble,” in *Proceedings of the Sixteenth Annual Meeting of the Lake Mohonk Conference of Friends of the Indian*, ed. Isabel C. Barrows (Boston: The Lake Mohonk Conference, 1896), 20.

Indian” increasingly in terms of “mixed blood” and “full blood” status in order to determine entitlement to selections of allotments on ceded lands.

Historian Melissa Meyer has uncovered how this confusing characterization of status according to blood quantum over sovereign geographical status is more accurately understood in terms of market-orientated Anishinaabeg and traditional or conservative Anishinaabeg. Until the reservation era in northern Minnesota, Ojibwe settlements were characterized according to the degree of connection to a Euro-American market economy; LaPointe, Fond du Lac, and Grand Portage, for example were relatively permanent settlements that had incorporated elements of Euro-American culture during the fur trade, while Bois Forte, Pillager, and other remote bands lived in a more traditional Anishinaabeg fashion according to seasonal round. As bands of both market-oriented and conservative Anishinaabeg were induced to consolidate on reservations and treated polemically as a “Chippewa Tribe,” this interethnic diversity crystallized into political and often antagonistic fragmentation.<sup>173</sup>

The outcome of the Rice Commission, based on months of wrangling between bands to get reluctant signatures among Ojibwe leaders, was implementation of allotment measures that can only be described as inconsistent and haphazard. Pillager leader Kaykenoausekung only reluctantly signed the *Nelson Act*, stating, “I signed for the Northwest Commission and it did not amount to anything. I am now about to sign again, and if this don’t amount to anything I would rather be taken and strangled by the neck with a rope.” His words proved almost prophetic.

Congress appropriated the \$150,000 for damages due to flooding without any compensation for

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<sup>173</sup> Melissa Meyer, *White Earth Tragedy: Ethnicity and Dispossession at a Minnesota Anishinaabe Reservation* (Lincoln: University of Nebraska Press, 1994), 4-6, 152; Leah Carpenter also illustrates how this played into variation of experience regarding allotment in her comparison of Leech Lake and Grand Portage land tenure status over time, the significance of which will be addressed further in the next chapter and conclusion to this thesis.

lost lands and proceeded to disperse those funds over a thirty-four year period.<sup>174</sup> Later, the Chippewa Commission used the dam construction damages as leverage for removal to White Earth or allotment.<sup>175</sup>

It is within this context that the widespread abuse of the “dead and down” provision of the *Nelson Act*, the same fraud that galvanized a forest park movement in Minnesota, must be understood. Among Ojibwe who allotted or utilized reservation resources, it was becoming more and more evident that even the resources on reservation lands were in danger of being taken. Band members at Red Lake, White Earth, and Leech Lake protested, the loudest of whom were the Pillagers, still incensed at the lack of redress due to loss of lands from the damming.

The Battle of Sugar Point in 1898 must also be understood within this context. It had been eighteen years since Pillager leaders voiced opposition to the destruction of their ricing, fishing, and garden areas because of damming. Up to 1900, smaller bands that later became the “Leech Lake Band” and their separate reservations remained distinct. The lands available for allotment were restricted to cut-over pine lands, leaving open only scattered tracts and lands that were poorly surveyed through the Land Grant Office.<sup>176</sup> By then, tensions had been building for quite some time while Ojibwe on reservations could see white men getting rich by illegally taking pine on their lands. Ten days before the impending battle, “the chiefs and headman of the Pillager Band of Chippewa Indians of Minnesota” petitioned President McKinley to take action against theft by “dead and down” provision precipitated by lumber companies and their

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<sup>174</sup> Carroll, 13.

<sup>175</sup> Carpenter, 165.

<sup>176</sup> *Ibid.*, 173; “Dams and Damages,” 13.

agents.<sup>177</sup> In fact, as panic ensued in the general region over the opening of hostilities, this petition was published in the *Cass County Pioneer*:

We, the undersigned chiefs and headmen of the Pillager band of Chippewa Indians of Minnesota... respectfully represent that our people are carrying a heavy burden, and in order that they may not be crushed by it, we humbly petition you to send a commission, consisting of men who are honest and cannot be controlled by lumbermen, to investigate the existing troubles here... We now have only the pinelands of our reservation for our future subsistence and support, but the manner in which we are being defrauded out of these has alarmed us. The lands are now, as heretofore, being underestimated by the appraisers, the pine thereon is being destroyed by fires in order to create that class of timber known as dead and down timber, so as to enable [others] to cut and sell the same for their own benefit.<sup>178</sup>

The details of the “Last Indian Uprising” in 1898 are often characterized in terms of one man’s stand against unfair treatment by state law enforcement and will be described later in the following chapter.<sup>179</sup> In regard to the immediate details surrounding the causes of the Battle of Sugar Point, that is true; however, the fact is this incident occurred as grievances among Ojibwe leaders harbored against the federal government since at least 1881 began to crystalize.<sup>180</sup> It also led directly to federal investigations in 1898 and 1901, an Interior Department report that confirmed fraud from sales of Ojibwe timber and agricultural lands, and suspension of further

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<sup>177</sup> William E. Matsen, “The Battle of Sugar Point: A Re-Examination,” *Minnesota History* 50, no. 7 (Fall 1987), 270-271.

<sup>178</sup> Denis P. Gardner, *Minnesota Treasures: Stories Behind the State’s Historic Places* (St. Paul: Minnesota Historical Society Press, 2004), 17.

<sup>179</sup> Matsen, 270: “Later, the news reporters would make him [Bugonaygeshig] a chief, a tribal leader, and a medicine man, but Bug-O-Nay-Ge-Shig was, in truth, only a 62-year-old man whose neighbors rose to protect him from what they perceived to be a flagrant misapplication of the whites’ law.”

<sup>180</sup> Carroll, 14: “Although a seemingly trivial series of events precipitated the battle, this brief but violent action of the Pillager band represented the degree to which the headwaters Ojibway had been tormented by United States policy.”

sale of any ceded reservation lands in 1899.<sup>181</sup> These events provide historical context through which to view the first forest conservation efforts in Minnesota that would form USFS policy.

In other words, the Battle of Sugar Point provided an opportunity for Ojibwe leaders to voice their outrage at decades of mismanaged federal policy. Reverend J. A. Gilfillan, who served as a missionary at White Earth from 1873 to 1908, characterized three main points of contention that led to “The Minnesota Trouble:” proceeds from pine coming out of the Chippewa General fund to pay representatives of what they considered a bloated and corrupt Indian Bureau, unfair estimation of timber value by the federal estimators, and fraud committed by white lumberman who set fire to green pine for harvest under the “dead and down” provision of the *Nelson Act*. On the first point, the three man “Rice Commission” was quartered among the Ojibwe without allowance, all living and administration expenses, including “mixed-blood and other” employees sympathetic to the Commission, came out of the “Chippewa in Minnesota Fund.” In addition, other federal officials besides the Commission were sent to supervise timber cutting, whom were also paid in the same way. Dissenting voices among Ojibwe leadership expressed aggravation “to see so many white men and others drawing fat salaries... and doing very little or nothing.” This imposition became so glaring that the Chippewa Commission and “numerous retainers were reduced to one, and everything seemed to go just as well or better under that one.”<sup>182</sup>

On the point of unfair estimations of timber value, arguments against bloated and corrupt nature of federal officers carried through. Melvin R. Baldwin, Chairman of the Chippewa Commission testified that the first two corps of pine estimators at Red Lake Reservation had cost

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<sup>181</sup> Carpenter, 181.

<sup>182</sup> Gilfillan, 21.

the General Fund \$350,000, of which the real value of the work was \$6000 if he could have done it himself. "Paper hangers, "saloon keepers," and "Southerners" who received appointments through graft, "some had never seen a pine tree, and most knew nothing about estimating pine."<sup>183</sup> At Red Lake, Ojibwe people witnessed surveyors spending most of their time playing cards, imbibed on a steady supply of whiskey, and spent copious amounts of time carousing in neighboring towns fifteen to twenty miles distant for days before returning to pine stands. Some were absent for months and still drew pay. Baldwin denounced this fraud and went to Washington himself to prevent confirmation of results from the incompetent second corps of estimators. Meanwhile, a third corps of estimators was sent in what seemed like "an estate sometimes among white people, which is all frittered away in legal expenses till nothing is left for the heirs."<sup>184</sup>

The third point of contention -- fraud due to the "dead and down" provision -- set forth a legal battle that would ensue between the future consolidated Minnesota Chippewa Tribe and U.S. government for decades. At Red Lake and White Earth, vast forests were being fired for harvest, prompting many Leech Lake Ojibwe, specifically Bear Islanders, to protest the same practice in their reservation. Traditional Anishinaabeg among these reservations came up with their own solution to these problems: undo the *Nelson Act*, take back their land, and release non-Indians from promises they had failed to keep.<sup>185</sup>

Yet, as illustrated previously in this chapter, Ojibwe concerns were not primary among the myriad of special interests that had claims to contested "surplus lands," though interested parties shared the same rhetoric regarding the Indian problem. Whether opening lands to further

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<sup>183</sup> *Ibid.*, 21.

<sup>184</sup> *Ibid.*, 21.

<sup>185</sup> *Ibid.*, 23.

sale or setting them aside as a forest park, it was done to “protect” Ojibwes from further robbery of their lands and valuable pine. However, Ojibwes at Leech Lake were certainly not silent observers caught in a tug-of-war between special interests, as illustrated in the next chapter of this thesis. Even as the Federation of Women’s Clubs voiced outrage over this and fraud due to the “dead and down” provision of the *Nelson Act* sparked a “forest park movement” that culminated in establishment of the Minnesota National Forest in 1908, Ojibwe leaders at Leech Lake and other reservations voiced opposition to the national forest and other federal and state encroachments on their lands.

Research thus far has revealed important differences in worldview between Anishinaabe and Euro-American worldviews regarding the landscape, particularly in the development of conservation ideas within dominant Euro-American culture. Ojibwe land dispossession for the creation of Chippewa and Superior National Forests during the formative years of treaty-making in the U.S. left Ojibwe leaders of affected reservations to grapple with a new understanding of their tie to their lands. Broadly, Anishinaabe leaders believed they would have to cede large tracts of land in order to maintain sovereign control over reservations and utilize resources on outside lands guaranteed by treaty. Yet, the U.S. government increasingly infringed on treaty policies in favor of “civilizing” ventures in the form of allotment. In the 1890s, dominant conservation policy in Minnesota was formed in alignment with other federal ventures in Indian policy and industrial expansion. The formation of the first national forest in the U.S. is tied to the government appropriation of Leech Lake reservation lands through the *Nelson Act* and failures of allotment policy surrounding Ojibwe ownership and use of their resources on “surplus lands.” Controversy surrounding the fraudulent taking of pine from these lands under the “dead and

down” provision fed into fiery debates between multiple interests over what to do with “surplus Indian lands.”

In the end, sustainable forestry conservation initiatives and new civilizing projects for Indians based on federal organization of reservation lands led to the creation of Chippewa and Superior national forests. Just before allotment and subsequent establishment of the Minnesota National Forest, bands at Leech Lake occupied settlement areas according to the original eight separate reservations consolidated into “Leech Lake Reservation” in 1874. Consistent demands for self-determination among multiple Leech Lake bands following desecration of subsistence areas and burial sites after federal dam building projects commenced in 1881 and reveals some of the earliest collective efforts among distinct Ojibwe bands to maintain control over reservation lands and resources. Challenging the absent or prisoner narrative of Ojibwe resistance to the establishment of national forests reveals an “untouchable” bureaucratic engine fueled by the sale of Ojibwe lands and resources, a system in which accountability among a host of federal “officials” was almost impossible to attain. Yet, Ojibwe people at large persisted, sometimes by challenging federal and state policy and sometimes through outright continuance of traditional lifeways in spite of challenges that made these pursuits difficult.

The next chapter of this thesis examines Ojibwes persistence and adaptation of traditional lifeways within national forest lands. As Leech Lake Ojibwe leaders in particular struggled to unify around a host of problems related to dispossession of their lands before and after the *Nelson Act*, many band members seemed to unify around opposition to the Minnesota National Forest. Interestingly, ownership and use of lots within Superior National Park lands by Bois Forte Band members continued, making them part of a history of continuous occupation of traditional settlements in and around the present-day Voyageurs National Park area from the

mid-1700s to 1930s. Their stories reflect the maintenance of traditional Anishinaabe lifeways that challenge the absence of Ojibwe narrative of occupation in Superior National Forest lands that would become the VNP.

#### Chapter 4: Complicating the Dominant Narrative of Conservation

“Old Bug” Bugonaygeshig was fed up. After being arrested on bootlegging charges in April of 1898, transported over one hundred miles east to Duluth, and freed when enough evidence to hold him failed to be presented, he was released without a cent to carry him back home.<sup>186</sup> The long trip was especially arduous for 62 year-old Bugonaygeshig and cost him his well-worn moccasins, but steeled his convictions: he vowed never to fall into the hands of the white judicial system again.<sup>187</sup> In September, he went with a fellow Pillager named Shaboondayshkong to the village of Onigum at Leech Lake to collect their annuity payments, but was seized again as a witness to a bootlegging case, this time by a U.S. deputy marshal.<sup>188</sup> As the two were being led to a boat that would take them to Duluth, Bugonaygeshig called out to a crowd of onlookers for help. Though the deputies claimed they were subsequently attacked by a group of two hundred Ojibwe, witness accounts reveal the number was probably much smaller and composed of mostly women.<sup>189</sup> Bahdwaywedug, or George White, tackled one pursuer and was arrested along with twenty other Ojibwes who aided Bugonaygeshig and his friend Shaboondayshkong.<sup>190</sup> The two made a hasty escape to Old Bug’s house at Sugar Point. This marked the beginning of the Battle of Sugar Point, one of the contributing conflicts that fed into the establishment of the Minnesota National Forest in 1908.

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<sup>186</sup> Denis P. Gardner, *Minnesota Treasures: Stories Behind the State’s Historic Places* (St. Paul: Minnesota Historical Society Press, 2004), 17. Gardner maintains he was actually charged as a witness to a bootlegging case.

<sup>187</sup> Gardner, 18; William E. Matsen, “The Battle of Sugar Point: A Re-Examination,” *Minnesota History*, Fall 1987, 270.

<sup>188</sup> Matsen, 271.

<sup>189</sup> Gardner, 18; Matsen, 271.

<sup>190</sup> Matsen, 271.

After one day of fighting that left ten wounded and five killed, the U.S. infantry sent to Sugar Point to retrieve Bugonaygeshig was surrounded on all sides, the lake at their backs. The infantry made a hasty retreat by steamer to Walker, where a wave of panic set in. State headlines declared imminent attack in the surrounding region, sometimes as far away as Aitkin, and fanned flames of irrational anti-Indian sentiment.<sup>191</sup> A force of militia from Duluth were sent to Bemidji to “protect” residents who had barricaded themselves in the courthouse. Walker was overrun when over two hundred infantrymen and a Gatling gun arrived as reinforcements.<sup>192</sup>

However, cooler heads prevailed as Leech Lake band leaders agreed to surrender the fugitives, but only after taking the opportunity to voice to Indian Agent William Jones their bitter resentments against federal government over unsettled issues on Pillager lands regarding reservoir projects and dam building at Leech Lake described in the previous chapter of this thesis.<sup>193</sup> In fact, when officials promised a federal investigation into these matters, most of those with outstanding warrants for aiding in the escape turned themselves in. Bugonaygeshig, however, remained true to his word. He was never captured and none of the Pillagers who fought at Sugar Point ever surrendered.<sup>194</sup>

The Battle of Sugar Point and Pillager resistance to criminalization of Indians off reservation became a flashpoint for renewed controversy due to timber fraud at Leech Lake. After the battle, Commissioner of Indian Affairs William E. Jones condemned the practice of arresting Indian men, carting them off to cities hundreds of miles from their agency, and

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<sup>191</sup> *Little Falls weekly transcript*. (Little Falls, Morrison Co., Minn.), 11 Oct. 1898. *Chronicling America: Historic American Newspapers*. Library of Congress. <http://chroniclingamerica.loc.gov>.

<sup>192</sup> Matsen, 274.

<sup>193</sup> Carroll, “Dams and Damages, 14; Matsen, 275.

<sup>194</sup> Gardener, 19-20; Matsen, 275.

releasing them without means to get themselves home.<sup>195</sup> While bootlegging was a common charge, hunting off reservation was another occasion for frequent arrest. It is not clear whether Bugonaygeshig stood his ground because of these broader issues, but it is clear that Pillager chiefs and headmen had the Battle of Sugar Point on their minds when they petitioned for redress over damming projects and timber fraud at Leech Lake in 1898.<sup>196</sup> Ojibwes perceived these occurrences as part of broader failures of the federal government to make good on treaties and old promises.

As illustrated in the previous chapter, concerns over the “dead and down provision” and fear stoked by the Battle of Sugar Point combined to fuel debate on all sides about what to do with “surplus Indian lands,” leading to the establishment of the Minnesota National Forest. It seems a historical irony that controversy over Old Bug’s stand against prosecution by the state would directly lead to consolidation of Leech Lake reservation lands into a National Forest and further prosecution for utilizing treaty rights. It is no wonder that Ojibwe opposition to the establishment of the Chippewa National Forest solidified during a series of meetings generated through the establishment of the General Council of the Chippewa during the 1920s and 1930s.

As illustrated in the second chapter of this thesis, the concept of American conservation itself had been constructed over time according to tensions over the expansion of industrial civilization, moral concerns over human connection to the land, and ethnocentric and anthropocentric conceptions of proper land use. This chapter explores late nineteenth and early twentieth-century Ojibwe land and resource use in northern Minnesota to further challenge the absent narrative of Anishinaabeg people in early twentieth century Minnesota conservation

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<sup>195</sup> Matsen, 270.

<sup>196</sup> Carroll, 14; Gardener, 17-18.

history. Even as federal and state conservation efforts curtailed Ojibwe band members' use of these lands, the historical record reveals how Ojibwes responded to these challenges in a variety of ways. Early twentieth century Ojibwes of various bands persisted in spite of Congressional actions by upholding nineteenth century treaty rights as self-governing nations, asserting tribal sovereignty through the Chippewa General Council, utilizing the allotment system to maintain ownership of homelands, and adapting traditional labor to commercial enterprise.

The first section of this chapter explores Ojibwe band members' resistance to state conservation efforts that curtailed treaty rights in national forest lands in the early part of the twentieth century. The second section reveals how Bois Forte band members adjacent to the Superior National Forest and present-day VNP and BWCA lands utilized allotment and homesteading laws at the turn of the twentieth century to maintain ownership over ancestral lands and maintenance of traditional ways in a region that remained relatively remote into the 1940s. The third part of this chapter reveals how early twentieth century Ojibwe fisher men and women and berry pickers adapted traditional labor practices as they participated in Euro-American economies to supplement traditional subsistence in the border lakes and Arrowhead region. As the berry industry thrived in the region, Ojibwe labor in the form of berry picking was acceptable to the dominant culture within Superior National Forest lands.

This frame of reference reveals persistence and adaptation of Anishinaabe traditions and provides historical context for ongoing land reclamation efforts and protection of treaty rights. Stories like these also reflect understanding of *change over time* as endemic to Anishinaabe culture, labor, and ways of "making a living" from the land that reveal distinctiveness among separate Ojibwe bands. However, there are consistencies to be highlighted in these histories. Though distinct Ojibwe band histories reveal differences in the development of Anishinaabe

lifeways after allotment, each fought for self-determination in ways that inform current struggles toward land reclamation among Bands. As the effects of allotment were felt among Ojibwes through first few decades of the twentieth century, the historical impact of developing state and federal conservation efforts cannot be divorced from their stories.

### **Treaty Rights and Minnesota National Forest Lands**

During the ensuing years after establishment of the Minnesota National Forest in 1908 from Leech Lake “surplus” lands, Ojibwes initially avoided federal overtures to appoint a “General Council of the Chippewa” to oversee this process. The federal government had proved untrustworthy and incapable up to that point of carrying throughout prior promises. Yet, as the severe consequences of curtailment from resources due to the *Nelson Act* set in, several Ojibwe bands formed a Chippewa General Council in 1913 as sounding board and central body to monitor further federal actions on their own terms.<sup>197</sup> Their primary goal was to make certain the promises of the Rice Commission, explained in the previous chapter, were fulfilled. As the federal government struggled to implement the *Morris Act of 1908*, Ojibwes struggled to maintain control of these lands they viewed as taken illegally.

At a July 10th Council meeting in 1922, the first of three meetings requested by Agent Henry Wadsworth on behalf of Indian Bureau Commissioner Charles Burke, Ojibwe band members faced a resolution to designate a Band member to oversee the survey of timber in “reserve” National Forest lands. Ultimately, these meetings precipitated two important events that held long-term consequences for the Leech Lake Band in particular. The first was legislative action in 1925 to provide some compensation for timber taken during the establishment of the

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<sup>197</sup> Leah Carpenter, “Tracking the Land: Ojibwe Land Tenure and Acquisition at Grand Portage and Leech Lake” (PhD diss., University of Arizona, 2008), 186.

National Forest under the *Morris Act of 1908*. Second, in 1928, the USFS assumed jurisdiction over the National Forest.<sup>198</sup> It is not clear that federal representatives had this outcome in mind, but related documents to the minutes of the 1922 meeting reflect urgency to ensure Ojibwe participation in a Commission in order to implement further provisions of the *Morris Act*.<sup>199</sup> It is also clear from the minutes that Ojibwe Band members interpreted acquiescence to federal overtures as giving up any claims they had on the contested National Forest.

It is also clear that Burke's intention was to have Ojibwe representation on the Commission, but only from factions that might support management of the Forest's resources according to federal wishes. Burke and Wadsworth's urgent correspondence during this time reveals their belief that the failure of the Chippewa Council to elect representation was due to "the evil influence of a few White Earth Indians."<sup>200</sup> Burke's recommendation was to restrict voting to Leech Lake, Cass Lake, Winnibigoshish, and Mississippi Reservation Band members only. Yet, Band members continued to stymie Wadsworth's attempt to cajole an election of representatives at the first two General Council meetings on July 10th and 12th and questioned attempts to circumscribe participation of wider band membership.

Just as a generation of Ojibwe leaders had done before with Rice Commission, the majority of the General Council refused to move on to other matters before unsettled issues from

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<sup>198</sup> *Ibid.*, 190. A 1999 settlement would award the Minnesota Chippewa Tribe \$20 million, but the distribution of these funds would remain contested by the Leech Lake Band until legislative resolution in 2008. Leech Lake Band members believed they should receive a bulk of these funds due to their historic struggle for redress over timber take illegally under both the Nelson Act and Morris Act of 1908 that established the Minnesota National Forest. In short, the negative effects of the *Morris Act* in particular and federal treatment of distinct Bands as one body in general would carry into the present for Leech Lake Band members.

<sup>199</sup> Documents related to general councils of the Chippewa Indians of Minnesota, 1918-1923. "Department of the Interior Office of Indian Affairs, June 13, 1922" [Electronic File]. Record Group 75.19.17, National Archives, Kansas City, KS.

<sup>200</sup> *Ibid.*

the *Nelson Act* were handled at the first meeting in 1922. James I. Coffey of Fond du Lac and George Cloud of Leech Lake were most adamant, warning that electing a representative to the survey team would signal the loss of rights to using resources in the National Forest. Other members, particularly David Boyd of Cass Lake, declared they were “owners of the National Forest” and that the Commissioner would not be allowed to move forward on the issue over “the other unsettled matters.”<sup>201</sup> Ojibwes in attendance and members of the General Council accused the State of severe breaches of trust as the government failed to gain consent from Ojibwe leaders prior to amending “that treaty” (the *Nelson Act*) on several fronts. For example, timber on “swamp lands” should have been felled, sold, and added to the Chippewa General Fund before being granted to the State. Similarly, the establishment of National Forest was done without proper notice, information, consent, or compensation.<sup>202</sup>

Bear Islander (Pillager Leech Lake) leader Wahbeshaysheence, who had traveled to Washington to speak with the Commissioner of Indian Affairs a year before, addressed the General Council about severe poverty, starvation, and inability to maintain subsistence as a result of removal and consolidation under *Nelson Act*. Under “the ruling” of the *Nelson Act*, they had been “compressed” on reservations until they were “hardly able to breathe.”<sup>203</sup> James I. Coffey of Fond du Lac summed up major anxieties of General Council toward the National Park:

If you let this go, everything will be closed up. This is a Forest Reserve, and it is not to be used for the other Indians to live in, it shall be a Forest Reserve only. If you let this go, all

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<sup>201</sup> Carpenter., 187; Documents related to minutes of the General Council and related records, 1922. “General Council of the Winnibigoshish, Cass Lake, Leech Lake, and Chippewas of the Mississippi Reservations, Held at Cass Lake, MN, July 10, 1922,” [Electronic File]. Record Group 75.19.17, NARA, Kansas City, KS, 11-12.

<sup>202</sup> *Ibid*; 21-26.

<sup>203</sup> *Ibid*, 12.

you will be able to do is walk in the road, you can't get wood and you can't build a fire. A man will be standing along the road to guard this Forest Reserve.<sup>204</sup>

Band members unanimously voted to refuse to appoint a Commissioner and the fundamental issue of control and use of the National Forest continued as a point of contention in General Council meetings that followed.<sup>205</sup>

At the second meeting of the General Council on July 12th, the issue of access to the National Forest continued to dominate the conversation, in addition to past promises unkept, before agreement could be reached to appoint another survey commission. Mrs. Manypenny of White Earth testified that women had already been stopped for fishing within forest reserve lands and signs prohibited berry-picking. O Nah Nah E GeShig of Winnibigoshish (Leech Lake) declared "we are not permitted to hunt or take game on the forest reserve."<sup>206</sup> Wahbeshaysheence spoke again at the second meeting, stating that they were fearful because of the little time given to talk, that they would make a mistake in losing the "last piece of property" they had. "We are afraid because, this being the last property, and there is a generation to come behind us." Addressing the Indian Agent and other representatives, of whom many band members had expressed their respect, he added, "Do not take this as a personal matter to you that we are hold out."<sup>207</sup>

David Boyd again added concerns about unfinished business from the Rice Commission decades earlier and reiterated that the band members present would stand their ground. "I am

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<sup>204</sup> Ibid., 26.

<sup>205</sup> Ibid, 30-32.

<sup>206</sup> Documents related to minutes of the General Council and related records, 1922. "General Council of the Chippewa Indians of the Winnibigoshish, Cass Lake, Leech Lake, & Chippewas of the Mississippi Reservations, Cass Lake, Minn. The Armory. July 12, 1922" [Electronic File]. Record Group 75.19.17, National Archives, Kansas City, KS, 14-15.

<sup>207</sup> Ibid, 11-12.

speaking for the four reservations mentioned here. We have concluded and raised our hands to the Great Spirit. We have agreed among ourselves not to name any representative or designate a commissioner. We trust the Great Spirit with our business and are unable to change that trust.”<sup>208</sup>Wadsworth expressed how he “wished they had told” him that two hours prior, even though the record shows they had repeatedly told him they would not choose a representative during the current and the previous meetings. David Boyd responded that Wadsworth had brought them there to talk. Charles A. Wakefield of the “Mississippi Reservation” and Benjamin Gaswell of Cass Lake reiterated that the decision had been made: those present did not wish to speak for the wider Chippewa Council and believed they would be best served by sending a delegation to Washington. Wadsworth called for a vote to appoint representatives, to which none raised their hands, and concluded the meeting.<sup>209</sup>

On July 19, 1922, Wadsworth called a third meeting for the same purpose just before eleven a.m. at the Armory in Cass Lake. This time, he maintained a position of simultaneously conceding to Ojibwe demands by promising an investigation into past grievances and discounting their position by illustrating they had lost their claim to forest reserve lands years ago under the *Nelson Act*. David Boyd again addressed the Council and Bureau representatives, hoping to clarify whether appointing a representative would nullify Ojibwe claims to compensation promised by the Rice Commission. William Washington of Leech Lake followed by asking whether they would receive “benefits” from the sale of timber from the National

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<sup>208</sup> Ibid, 16.

<sup>209</sup> Ibid., 16-17.

Forest Act of 1908.<sup>210</sup> Wadsworth responded that the benefits they receive would be the result of the newly appointed Commission.<sup>211</sup> “Captain” John Smith of the Winnibigoshish Band addressed the Council about their treaty rights in the National Forest and the seemingly untouchable bureaucratic process that had impeded the exercise of their rights:

They are not the people we should shake our fingers at. They have been directed to do their work... simply carrying out their orders. No other persons own this forest reserve but the Chippewa Indians. The law is good and then again sometimes the law is bad... The Commissioner can't show you any rights to this forest reserve that he may claim and the Minnesota Chippewas can show that they have rights to this forest reserve. There is no authority of the law within the forest reserve upon which you can be arrested for getting the food you want if the law is properly followed when you are arrested for killing game, ducks, fish and all that. There isn't any place in the treaties where it says that these rights were relinquished by the Chippewas.... If the Government had owned the forest reserve you wouldn't be permitted to go there at all. These men come to us and tell us that they are here as our friends, for our benefit, but if we should go to the forest reserve tomorrow we would be arrested for killing game.”<sup>212</sup>

After a lunch recess, the tone of the meeting had changed as rifts between traditional-minded and market-driven Ojibwes emerged in the dialogue that followed regarding action on the valuation of National Forest timber. It also seems that at least one mind had changed over lunch. In a complete reversal of his original argument, James I Coffey began to advocate for appointing an Ojibwe representative, in spite of the fact that he had been sent in earlier that spring to Washington to represent the full blood faction of the Council. Coffey now asserted that the Ojibwe had in fact ceded all lands other than that which had been allotted with the Nelson Act. Furthermore, with the National Forest Act of 1908, the Ojibwe had ceded the remaining

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<sup>210</sup> Documents related related to minutes of the General Council and related records, 1922. “Cass Lake, Minnesota. The Armory. July 19th, 1922” [Electronic File]. Record Group 75.19.17, National Archives, Kansas City, KS, 6-7.

<sup>211</sup> *Ibid*, 7.

<sup>212</sup> *Ibid*, 8.

lands to avoid taxes and with the agreement that they would be compensated for timber extracted from unallotted lands.<sup>213</sup>

Ojibwe leaders who had, up to this point, shared Coffey's sentiment, were shaken and voiced their anger at this about-face. Many Ojibwe band members, apparently fed up, left the meeting. Wadsworth grew increasingly impatient, cajoling the few that remained to nominate Mark Burns, a member of the mixed-blood faction at White Earth, as Forest Commissioner. Four people voted for Burns, while thirty three voted not to appoint anyone. Edward Rogers, also of White Earth, was nominated as legal representative, presumably in much the same way. Chief White Cloud opposed all of the actions taken since the majority had voted not to appoint anyone. After final votes were cast, the remaining General Council demanded the addition to the second General Council meeting minutes of a list of seventeen wrongs by the federal government against the Ojibwe. The controversy over appointments prompted a visit from the Commissioner of Indian Affairs in October of 1922 to validate them; this resolution was passed by the General Council, 39 votes in favor and 34 against.<sup>214</sup>

This vignette illustrates the complicated nature of allotment procedure that exacerbated internal Band struggles over what the loss of their lands meant to the Ojibwe. It is apparent that at least one faction from White Earth was determined to procure a settlement for extracted timber, while others wanted to remain the "owners" of the National Forest and retain usufruct rights to the territory. And while internal struggles over how to demand redress for these losses persisted, allotment procedure continued to undermine Ojibwe control over remaining lands. By

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<sup>213</sup> Ibid, 12-14.

<sup>214</sup> Carpenter., 189-190; Documents related related to minutes of the General Council and related records, 1922. "Cass Lake, Minnesota. The Armory. July 19th, 1922" [Electronic File]. Record Group 75.19.17, National Archives, Kansas City, KS, 31-33.

1923, the USFS assumed jurisdiction over the National Forest lands as General Council demands for redress remained unaddressed. In 1928, the Minnesota National Forest was changed to the Chippewa National Forest. An additional 489,000 acres of land were added by 1936. By the time the Bureau of Indian affairs recognized Band members' need for land reclamation under the Indian Reorganization Act of 1934, the scope of the Bureau's tribal land restoration project was limited due to the small amount of land within allotted reservations. The effect that National Forest status had on Leech Lake Band efforts to reclaim lands after 1934 is staggering. The process of tribal land restoration involved the "withdrawal" of "undisposed" or "surplus" lands from the public domain and transfer of those lands to tribal trust status. Leech Lake proved to be particularly difficult, since so many "surplus" lands had been tied up in national forest status.<sup>215</sup>

Due in part to these complications, allotment at Leech Lake took some staggering twenty-one years to complete. Moreover, a series of congressional actions in 1906 made it possible to transfer Ojibwe allotments out of trust status, thereby opening it to public sale and a "fee patent frenzy" upon Leech Lake lands ensued.<sup>216</sup> The fractionated or checkerboard pattern of privately owned/Ojibwe owned tenure status of Leech Lake Reservation that emerged by 1917 reflects tribal ownership patterns at Leech Lake to this day.<sup>217</sup> The sheer size of their reservation and problems with federal consolidation of separate bands and smaller reservations into a "Leech Lake" reservation created difficulty among Indian agents in assigning allotments.<sup>218</sup> Though

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<sup>215</sup> Carpenter, 209; 307-308. With less than 5% tribal ownership of Leech Lake lands today, the reservation -- particularly national forest lands -- remains a contested territory within a broader era of indigenous self-determination and reclamation of Native lands.

<sup>216</sup> *Ibid.*, 175-176.

<sup>217</sup> *Ibid.*, 20. Carpenter describes a "checkerboard" reservation is one in which there is Indian and non-Indian ownership throughout a reservation, such that tribal lands held in trust are geographically intermixed and scattered throughout the reservation territory.

<sup>218</sup> *Ibid.*, 172-173.

concerns of early twentieth century Ojibwes and the General Council about the Chippewa National Forest stemmed from problems with allotment policy, not all agreed on how these problems ought to be addressed. Though some were open to payment of the value of timber extracted after the *Nelson Act*, others wished to regain the National Forest lands. This history certainly sheds light on current controversy within the Minnesota Chippewa Tribe over the now \$28 million settlement for *Nelson Act* timber reached in 2008.<sup>219</sup>

Yet, this vignette also reveals how the issue of usufruct rights to National Forest lands remained a unifying point of contention for Ojibwes throughout the twentieth century, in spite of the bifurcating nature of allotment within Ojibwe Tribal leadership. Through all of this, Ojibwes struggled against contradictory and racialized state conservation policies through ongoing defense of sovereign rights to hunt, fish, and gather on ceded territories. Though the federal officials often paid lip service to the right of Ojibwe people to harvest resources from lands held in federal trust, including national forest lands, state fish and game conservation officials prosecuted hundreds, if not thousands who exercised this right through the 1980s.<sup>220</sup> As illustrated in the previous chapter, the Chippewa and Superior National Forests were established in 1908 and 1909 on lands subject to treaty rights negotiated between the U.S. and the Ojibwe in nineteenth century treaties. Until Courts confirmed Ojibwe bands retained the right to hunt, fish, and gather on public lands without regulation by the State of Minnesota nearly a century later, band members risked prosecution by state game and fish wardens as they continued to rely on wide array of plant and animal resources in the national forests. A history of hunting, fishing, and gathering among Minnesota Ojibwe bands during the latter part of the nineteenth and first

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<sup>219</sup> This controversy will be outlined in the conclusion of this thesis.

<sup>220</sup> Cleland, 106.

half of the twentieth centuries is punctuated by their assertion of rights to hunt, fish and gather under the treaties of 1837, 1842, and 1854.<sup>221</sup>

This history is further complicated by the context of developing state and federal conservation. Federal responses to band members' use of the land seems to have varied depending on the degree to which the Euro-American groups had a stake in development of contested lands. Early on, the federal government actually encouraged Ojibwe communities to exercise usufruct rights on relatively remote Superior National Forest lands. Within the first decade of the twentieth century, Bois Forte Indian Agent Albert Reagan described how the border lakes region was still rich in furs during his tenure at Nett Lake, allowing Ojibwe bands there to trap fur-bearing creatures to sell for "thousands of dollars' worth of skins annually."<sup>222</sup> Through the early and middle decades of the twentieth century, Bois Forte and Grand Portage Ojibwes certainly hunted for fur to gain income for items they could not produce themselves. A variety of game birds, fish, large game, and small game provided sustenance, even after the caribou left the region. Reagan witnessed Bois Forte who speared "all the fish they could carry in one hour" and snared "half a sled load of rabbits in a day."<sup>223</sup> Reagan's understanding of the need for Ojibwe people to look elsewhere beyond the reservation for subsistence and supplementary income was rare among Indian agents at this time and probably reflects a basic human understanding of the necessity of reliance upon hunting for survival in remote areas.<sup>224</sup>

However, maintenance of Anishinaabe lifeways and exercise of Ojibwe sovereign rights in the more diversely populated Chippewa National Forest region and surrounding areas did not

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<sup>221</sup> Charles E. Cleland et. all, *Fish in the Lakes, Wild Rice and Game in Abundance* (East Lansing: Michigan State University Press, 2000), 104.

<sup>222</sup> *Ibid.*, 124.

<sup>223</sup> *Ibid.*, 125.

<sup>224</sup> Norrgard, 47.

go unchallenged, particularly in terms of hunting and fishing. Broadly, Ojibwes struggles to maintain usufructuary rights on and off reservation lands continued to be challenged by state conservation officials in Northern Minnesota after 1900. This thesis has primarily traced Ojibwe agency in federal conservation policy, but it is important to highlight how state game and fish conservation exacerbated the situation for Ojibwes struggling to reorient themselves on shifting ground. As early as the 1890s, Ojibwe hunters and fisher men and women had been held as negative examples around which non-Indians could unite in order to preserve fish and game or as scapegoats for declining fauna.<sup>225</sup> Fifty miles south of Duluth at Kettle River, Special Deputy Warden F. Mecklin relied on non-Indians, including sportsmen, to help apprehend Ojibwe hunters. “Twice during the present month I was notified by farmers that some half-breeds were come into the woods deer hunting. I started after them on horseback and made them get out before they could do any damage. They are commencing to run now and these fellows have to be watched closely. Sportsmen report to me that a man named Finleyson buys game from the Indians and ships it at night to St. Paul. This will show you how the law is respected by citizens and sportsmen. White people don’t hunt nor fish against the law at all.”<sup>226</sup> Mecklin’s racist overtones are contradicted by Rudolph App of Embarrass in St. Louis County, who was alarmed by fishermen dynamiting lakes to harvest fish, not an Anishinaabe practice. He identified the dynamiters as men employed at the Diamond Drill on Embarrass Lake.<sup>227</sup>

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<sup>225</sup> Chantal Norrgard, *Seasons of Change: Labor, Treaty Rights, and Ojibwe Nationhood* (Chapel Hill: University of North Carolina Press, 2014), 51; Bruce White, “Early Game and Fish Regulation and Enforcement in Minnesota, 1858-1920.” A Report Prepared for the Mille Lacs Band of Ojibwe, December 1995.

<sup>226</sup> *1892 Annual Minnesota Game and Fish Commission Report*, 18.

<sup>227</sup> *1892 Annual Minnesota Game and Fish Commission Report*, 20.

In 1892, William Paine, Special Deputy Warden of Brainerd recalled how he “siezed [sic] nets... some were burned, some cut up and sunk. They were all destroyed. Also six fish houses destroyed... Moose are working down from the north all along the line of the Northern Pacific Railroad, but the Indians are shooting them at every chance they get, and it is almost impossible to catch the red devils.”<sup>228</sup> Special Deputy Warden of Hubbard County W. A. Casler at Park Rapids reflected on “illegal” spearfishing and gillnetting: “I think the Indians will be the hardest lot to contend with. I would like your ideas in regard to stopping these red skins. You can get no fine from them and the agents will not keep them on the reservations.”<sup>229</sup>

Research reveals that Progressive era state prosecution of Ojibwe hunting in more populated Minnesota regions followed this pattern, particularly if Ojibwe harvests yielded profit. Complaints from settlers and later Minnesota officials asserted that Indians were violating newly enacted Minnesota game laws by hunting out of season and selling their bounty. The Minnesota state government argued that assimilation and allotment undermined treaties and sovereignty, making Ojibwes hunters subject to state game and fishing laws. In spite of evidence to the contrary, Ojibwe hunters were characterized by game wardens, conservation deputies, and Euro-American hunters as wasteful and savage. Yet, many Ojibwes continued to hunt and fish on ceded lands, aware that earlier treaties guaranteed them the right to do so.<sup>230</sup>

As illustrated in chapter two, land dispossession was tied to federal attempts to ameliorate negative environmental impacts from industry; likewise, game and fish conservation was tied to Euro-American views about the value of a specific type of hunting that benefitted wealthy urban

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<sup>228</sup> Game and Fish Commission of Minnesota, 1892. *Second Annual Report of the Game and Fish Commission of Minnesota* (Minneapolis: Harrison & Smith, Printers, 1892), 17. Referred to from here as *1892 Annual Minnesota Game and Fish Commission Report*.

<sup>229</sup> *1892 Annual Minnesota Game and Fish Commission Report*, 19.

<sup>230</sup> Cleland, 105-106.

sportsmen and local tourism. Market hunting, made possible due to the railroad connections to urban restaurants, compounded this problem. While non-Indians could freely participate in this economy, state interpretations of treaty rights criminalized Ojibwes who attempted to do so.<sup>231</sup> Over time, rules and regulations regarding Anishinaabe hunting, fishing, and gathering practices on and off reservation lands complicated Ojibwes efforts to make a living, particularly from the Chippewa National Forest.

As Progressive Era politics of regulation and ethnic nativism continued to grip national consciousness after the turn of the century, state and federal governments responded to questions about who was entitled to use of Minnesota's natural resources. For example, the State Game and Fish Commission described Ojibwe hunting and fishing in terms of dominating Euro-American characterizations of proper use of land and its resources and valid forms of labor to extract subsistence from the landscape. Samuel F. Fullerton, head of the Commission, reflected changing views about Anishinaabe hunting and fishing for profit that were divorced from a historical reality. "If the rights that these Indians claim was originally granted to them by treaty, it was at a time when there were no market interests whatever and no value in game other than what it was worth as food to the parties securing it, and the purpose for which they now kill game -- simply for trade or barter -- was not at all contemplated at the time."<sup>232</sup>

In spite of increasing restrictions and Euro-American reinterpretations of Anishinaabe hunting guaranteed by the La Pointe Treaty of 1854, many Ojibwes found ways to continue seasonal rounds after 1900. While more isolated bands such as the Bois Forte who lived adjacent to public lands faced less harassment, Leech Lake band members encountered opposition as they

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<sup>231</sup> *Ibid.*, 105.

<sup>232</sup> Norrgard, 51.

claimed usufruct rights to maintain economic subsistence. In 1921, Commissioner of Indian Affairs Malcolm McDowell described how Leech Lake Band members were making a living from their lands, including the contested swamp lands and timber forest:

The Indians seem to realize more money from swamps and woods, for last year they gathered 20 tons of wild rice, which brought them \$6000; 1500 bushels of wild berries, which brought them \$4500; about 35,000 pounds of maple sugar, which brought \$10,500; and 1,000 bushels of cranberries, which were sold for \$3000. In addition about 200 Indians made \$7000 fishing. Rations were issued last year to only 92, and they were old, dependent men and women. The total value of the flour, mess pork, beans, tea, and coffee issued as rations amounted to only \$1300.<sup>233</sup>

Through the decades, Ojibwe band members simply refused to let go of their treaty rights. Esther Nagahnub of Fond du Lac reflected that her family members were always avid treaty supporters throughout this time period and believed it was important enough to put themselves “on the line for it.”<sup>234</sup> Her grandfather, a descendant of war chief Nagahnub who was a signer of the Treaty of 1854, told her of one incident after shooting a bear, sometime in the early decades of the twentieth century. After dressing the carcass, he realized he had more than he needed and proceeded to sell some to the game warden. In turn, he was arrested. Her grandfather took his case to court and it was dismissed, the justice citing the 1854 Treaty.<sup>235</sup>

Though many cases were thrown out, band members’ resources would be spent in the litigation process that seemed pointless and confusing. Naghanub described how many of her contemporaries in the early decades of the 1900s did not understand their rights or perhaps lacked the resources to carry out litigation and, therefore, paid the penalty. “They didn’t realize

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<sup>233</sup> Malcolm McDowell, “Appendix M. Report on the Chippewa Indians of Minnesota,” *Fifty-Second Annual Report of the Board of Indian Commissioners* (Washington: Government Printing Office, 1921), 109.

<sup>234</sup> Thomas D. Peacock, ed. *A Forever Story: The People and Community of the Fond du Lac Reservation* (Cloquet: Fond du Lac Band of Lake Superior Ojibwe, 1998), 179.

<sup>235</sup> *Ibid.*, 179.

we still had the rights because the game wardens and everyone had inflicted all these rules on us... telling us... you can go hunt anywhere you want but you have to eat it right there because you can't take it over a county road. I was told that personally.”<sup>236</sup>

Efforts among Ojibwes to assert treaty rights at Chippewa National Forest became increasingly formal after federal Indian policy shifted during the era of Indian Reorganization in 1934. Leech Lake, Grand Portage, and Fond du Lac Band members' concerns culminated in a statewide meeting of the Chippewa Tribal Council, held at Fond du Lac Reservation in 1946. One after another, delegates rose to protest Minnesota Conservation Commission and Legislature rulings that curtailed Ojibwe hunting and fishing rights, principally a law that prohibited the transport of fish and wild game on state roads. Attorney Clarence G. Lindquist counseled the Ojibwe in attendance to contest the ruling in court or appeal directly to the Conservation Commission and state legislature. He urged band members to unify against state efforts to pass laws without permission of the federal government. Delegates selected members of a committee from Grand Portage, Fond du Lac, East Lake (Mille Lacs), and Nett Lake (Bois Forte) communities to fight for protection of usufructuary rights. Lindquist instructed the committee to appeal to the United Nations as a sovereign nation with a history of treaty negotiations with the United States. “Often times under fraudulent conditions the white man seized your lands. But even if you have lost your timber and your mineral wealth, you still retain your hunting and fishing rights. And I feel certain you can get those rights back if you fight for them.”<sup>237</sup> It would

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<sup>236</sup> Ibid., 178.

<sup>237</sup> Lawrence Murray, “Chippewas Vote to Present Case before State, UNO.” *Duluth Herald*, Nov. 18, 1946. Reprinted in *A Forever Story: The People and Community of the Fond du Lac Reservation*, 146-148.

take decades, but those treaty rights would be upheld by the Supreme Court in the 1999

*Minnesota v. Mille Lacs Band of Chippewa Indians* ruling.

### **Bois Forte Ojibwe: Persistence and Adaptation of Anishinaabe Ways**

Ojibwe Band members' persistence in exercising treaty rights into the twentieth century provides historical context for later successes in Court to defend treaty rights on public lands, yet this is part of a broader and more complicated narrative of persistence and adaptation of Anishinaabe lifeways in contested lands in Northern Minnesota. An analysis of Bois Forte Band member occupation of the region, interactions among Euro-American community members, and use of resources during the first three decades of the twentieth century provides another window into persistence and adaptation of Anishinaabe lifeways. In essence, Bois Forte Ojibwe allotment and land tenure patterns are a microcosm of the persistence and adaptation of Anishinaabeg people within their changing landscape. By the turn of the century, Bois Forte Band members were still primary residents of the relatively remote border lakes region of Northern Minnesota stretching from western portions of the Superior National Forest to the Rainy Lake region near International Falls, a portion of which would become VNP lands in the 1970s. Though the deleterious effects of logging and damming in the region destroyed wild rice in much of the Rainy River watershed and waves of disease through the 1910s and 1920s made life difficult for Bois Forte Band members, deeper research in this time period also reveals a relatively more cooperative relationship between Euro-Americans and Bois Forte Band members who maintained use of lands in the area. This can be understood as a result of the remote and isolated nature of the region, as Bois Forte people maintained a foothold in the region well into the first two decades of the 1900s. An examination of Bois Forte persistence and adaptation in the region

at this time also reveals varied responses among Ojibwes in general to changes in land tenure, access to resources, and persistence of lifeways.

This can also be explained partly in terms of timing. By the turn of the twentieth century, much of the vast pine forest along the border lakes region had already been clear-cut, contributing to conservation debates over what to do with remaining pine stands in the what would become the Chippewa and Superior National Forests by 1908 and 1909. Yet, American settlement of the region took longer, as “Good Roads” bills to provide solid infrastructure along old logging roads and Indian trails for the movement of goods and people to the region slowly made their way through the state legislature in the 1910s.<sup>238</sup> While Leech Lake Bands contested further loss of pine stands within their reservation, it is not clear whether or not Bois Forte Band members contested the establishment of the Superior National Forest. Yet, with other Ojibwe bands, Bois Forte Band members continued to occupy and utilize their lands that had been primarily stripped of timber while using resources still available in the Superior National Forest.

Evidence of persistence of traditional Anishinaabe worldviews among the more relatively isolated Bois Forte also reveals how allotment served to solidify their connection to Superior

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<sup>238</sup> E.L. Powers Co. “Road Improvement in the United States in 1910 and 1911,” *Good Roads: Devoted to Street and Highway Improvement*, 12 no. 4 (April 1911): 131; “An Epoch of Good Highways: Elimination of Waste in Road Management,” *Bemidji Daily Pioneer*, March 29, 1917, accessed December 9, 2017, Library of Congress, *Chronicling America* site: 3. Establishing “good roads” became another populist topic of focus for improvement of American society around the turn of the century. For example, Jacob S. Coxey, a champion of “good roads” bonding bills in the late 1890s, demonstrated in Washington D.C. in 1894 for the establishment of public works road bills to provide infrastructure and relief for the poor. His populist cause garnered some support, though he would lose bids for congressional, gubernatorial, and presidential seats through the 1890s, 1920s, and 1930s. By the 1910s, “good roads” were certainly a topic for public support, particularly in Minnesota, and at least one long-running periodical for contractors and engineers regarding the state of road-building in the nation provides a window into the economic and political developments of “good road” infrastructure in states. By the middle of the decade, how this money ought to be spent occupied the pages of local newspapers, such as the *Bemidji Pioneer*.

National Forest. After allotment, much of the original Bois Forte reservation lands were sold; however, a few Bois Forte chose to homestead areas or outright purchase lands “off-reservation” in former homelands. A positive effect was that most Bois Forte people remained where they were around Nett and Vermillion Lakes and in the area of Superior National Forest and present-day VNP lands and became part of an increasingly diverse community of Ojibwes and Euro-American settlers through the turn of the twentieth century. Relative isolation of Bois Forte people in the Superior National Forest and the present-day VNP region and southward around Nett and Vermillion Lakes allowed many to continue to live in traditional ways well into the 1900s, spreading throughout Northern Minnesota and the international lakes region. A brief examination of allotment can shed light on how these patterns resulted in the maintenance of a relatively homogenous traditional Anishinaabe culture among Bois Forte people through the 1930s.

The U.S. side of the border remained basically unsettled by Euro-Americans until after Rainy Lake Gold Rush of 1890s and removal efforts had failed to disperse Bois Forte band members there. Furthermore, the Bois Forte Band was not consolidated with other more distant bands, as had been done at Leech Lake and White Earth. Thus, Bois Forte band members maintained traditional ways and worldviews that were relatively consistent with previous generations into the twentieth century. Methodist missionaries failed to establish a large calling, an indication that the Bois Forte did not need a replacement for traditional beliefs or culture. Moreover, the environment did not change substantially until the 1910s, allowing for maintenance of traditional subsistence practices and spiritual culture that revolved around wild rice and hunting. For example, the Midiwiwin Society persisted among Bois Forte, integral to the

spiritual and cultural Ojibwe way of life flourished well into the twentieth century.<sup>239</sup> This encouraged relative cultural homogeneity and persistence of traditional Anishinaabe ways among the Bois Forte.

Though there is solid evidence for a strong Ojibwe presence in the present-day VNP through allotment records, they are also incomplete. Special Dispersing Agent Albert Reagan, also a former Bois Forte Superintendent, took great pains to identify allotment owners and their heirs from 1909-1914. By 1913, Reagan estimated there were about 40 Bois Forte allotments off reservation. He also estimated that about fifty-eight percent of the original allottees were deceased at that time, the remainder being elderly and living in poverty, as he struggled to complete heir and probate records.<sup>240</sup> Though Reagan was unable to account for all allotments in the wider region, archaeological evidence can fill out the historical record and reflects strong Bois Forte band presence in concentrated areas.

Of the sixty-two documented “off-reservation” Bois Forte allotments now known to have been made in the region, twenty-seven of them are adjacent to or within the present-day VNP region.<sup>241</sup> Most of the latter were shoreline lots that were part of settlements at Moose Bay, Kabetogama, Sand Point, and Crane and Rainy Lakes. Archaeological finds suggest Bois Forte families who allotted in these settlements were part of a continuous Ojibwe occupation of the

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<sup>239</sup> Richner, 16.

<sup>240</sup> *Ibid.*, 19.

<sup>241</sup> *Ibid.*, 19. Richner includes handwritten “off-reservation” allotment lists in Duluth and Kansas City archives to come to a total of sixty-two. In his archaeological evidence sections for each settlement, he also mentions other allotments not accounted for but referenced in historical documents and interviews in context at each site dig. One example is a record of a 1911 interest payment roll that suggests King Williams Bego, adopted child of John Bego, owned an allotment on Crane Lake. Another interest payment roll from 1914 suggests Mah je way “Dr. Drift” in the Moose Bay Area. The allotment number for Ogahbakeshig, or All Day, is marked “lost” in the same document. These examples suggest there were additional allotments within the VNP region that have yet to be discovered.

region since the 1700s, carrying on with traditional subsistence and kinship social patterns through the 1920s.<sup>242</sup> Through the end of Bois Forte occupation at Moose Lake, stores provided canned and bottled food; however, traditional food gathering remained important while wild rice was abundant in the Rainy River watershed.<sup>243</sup> Individual Bois Forte Band members were known to have traveled as far as James Bay, Ontario, as hunters and guides into the 1900s, an indication that their knowledge of the entire region was substantially larger than just the local areas they occupied.<sup>244</sup>

Of the five settlements continuously occupied into the 1930s, Moose Bay was the largest. The settlement was made up of several small, dispersed sites utilized for living space and special use. Between the 1800s and 1900s, various points at Moose Bay were the focus of Bois Forte occupation and taken together make up the Moose Bay “village.”<sup>245</sup> Most owned land through allotment. Others may have chosen to forgo the allotment route, opting instead for homestead claims or through simple purchase. In 1885, Adikamig paid outright for 121.25 acres of land on Williams Island, which became center of a later allotment cluster at Moose Bay. Under the homestead program, individuals were allowed to claim 160 acres of land off-reservation, provided they relinquish tribal status and meet the usual homestead requirements regarding farming. Wagimawub, known as “former chief” John Wakemup among whites who knew him, and his brother Ernest made final payments on their homesteads in 1903. He was well known as a Bois Forte chief who signed the “1889 treaty” for allotment. The precise location of his homestead is not known, though the photographic evidence and personal stories show he was at

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<sup>242</sup> Ibid., 55.

<sup>243</sup> Ibid., 54-55.

<sup>244</sup> Ibid., 55.

<sup>245</sup> Ibid., 57.

Lake Vermillion, probably where his band had been living for years.<sup>246</sup> While allotment, homesteading, and outright purchase opened up the possibility for some to remain at Moose Bay, others moved back and forth seasonally and also lived elsewhere. Some likely lived in unclaimed lands without title.

Studies of allotment records in relation to band structure also show persistence of clan-based structure of the Bois Forte in the region. There is a direct correlation between allotment number sequences and individual bands, an indication that the allotment process was carried out by band. In other words, each number sequence reflects kinship ties vis a vis close residential relationships.<sup>247</sup> Even within the systematic demarcation of land with the intrusion of private ownership in the Bois Forte experience, they still maintained communities based on band affiliation in off-reservation areas in the VNP area as late as 1910.<sup>248</sup>

The persistence of clan-based structure of the Bois Forte in this area is further explained through anthropological studies of Ojibwe across the upper Great Lakes area at the turn of the twentieth century. Anthropologist Charles E. Cleland describes continuity in patrilineal band structures based upon close cooperation of males for hunting. Exogamy, the practice of daughters marrying men of other bands, and males staying within natal bands ensured this

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<sup>246</sup> Ibid., 18.

<sup>247</sup> Ibid, 32.

<sup>248</sup> Ibid, 33. Richner gives many reasons for this number being too low. Annual tribal census and payment rolls contain several errors in name, age, gender, family relations to heads of household, though matches between membership of the four bands from payment rolls and heads of families are strong. 1910 U.S. census records for off-reservation houses at Rainy Lake and the northern Kabetogama Lake areas contain errors and the copy Richner used was partially illegible. Thus, the membership of the Ah quay way be nais (Joe Bignose) band was not included in his study. Crane Lake Ojibwe sites that likely date into the 1910s lack data to support numbers of this band, as well. Also, when comparing contemporary payment rolls, there is an indication that “several” children were not listed in the 1910 census record.

outcome.<sup>249</sup> After the 1880s, bands in the heavily populated areas of Voyageurs likely consisted of around thirty families, while smaller settlements probably had around ten families. The clan system was carried on as young men stayed within their bands, incorporating wives and children within their extended families. Men did not typically leave the regions where they grew up, since they had hunting knowledge that was specific to their homelands.<sup>250</sup>

Thus, Bois Forte families who selected allotments in present-day VNP area not only chose areas in proximity to members of their band, but also for economically viable resources. Of the 27 Bois Forte allotments in that specific region, most formed clusters of settlements along shorelines in the Moose Bay area of Namakan Lake, the Gold Portage region around the northern part of Kabetogama, and along the southern edge of Black Bay in Rainy Lake. Others chose to remain relatively isolated, such as Binawanise, who made his allotment at the Net Point shoreline near Kettle Falls.<sup>251</sup> Concentrated or isolated, it is notable that all allotments are along shorelines and many, particularly the Moose River settlement, are within proximity to islands known to have been used for gardening, hunting, or gathering. Again, this reflects continuity of traditional Anishinaabe settlement patterns that carried into the twentieth century.

These patterns of settlement can also be partially explained by going back further into the historical record vis a vis shifting horticultural practices of the Ojibwe in the Upper Mississippi Valley, Boundary Waters, and Ontario during the early 1800s. While nineteenth century observers often focused on the lack of Euro-American style sedentary farming, or at least lack of success in making rocky landscapes conform to this style, Anishinaabeg throughout the regions

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<sup>249</sup> Charles E. Cleland, *Rites of Conquest: The History and Culture of Michigan's Native Americans* (Ann Arbor: University of Michigan Press), 43.

<sup>250</sup> Richner, 27.

<sup>251</sup> *Ibid.*, 19.

had been practicing an integrated, and diversified form of horticulture since at least 1807. By winter of 1842, for example, the nearby Red Lake Ojibwes were able to feed fifty families from other bands with produce from their gardens.<sup>252</sup> Grace Nute observed that, by 1848, the Red Lake Ojibwes maintained gardens over a space of one hundred and fifty acres.<sup>253</sup> In addition, there is evidence that surplus crops were sold to supplement “trapping of low food value, but commercially important fur-bearing animals.” Cultural expectations of hospitality and reciprocity would also have led Ojibwe to store surplus crops for distribution among needy families.<sup>254</sup>

Therefore, warm-weather activities like gardening and ricing had become integrated within Ojibwe seasonal round much earlier.<sup>255</sup> According to Hudson Bay Company Archives, Ojibwe of northern Minnesota and Ontario planted corn along river beds and on islands lined with wild rice and cached both crops for winter use, a fortuitous result of the complementary relationship between water requirements for both grains.<sup>256</sup> Between 1909 and 1914, Special Dispensing Agent Albert Reagan described how wild rice still grew in numerous small lakes throughout the Great Lakes region westward to the Red River Valley. At Nett Lake alone, which is still the largest contiguously rice-producing lake in the world, wild rice grew “in such quantities that the lake looks like a great barley field.”<sup>257</sup> The abundance of wild rice and

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<sup>252</sup> Ibid, citing Erwin Mittelholtz, “Historical Review of the Red Lake Indian Reservation,” (Bemidji: Beltrami County Historical Society) 4.

<sup>253</sup> Grace Nute, “A Description of Northern Minnesota By A Fur Trader In 1807” (St. Paul: Minnesota Historical Society, 1923), 4.

<sup>254</sup> Ibid., 9.

<sup>255</sup> Tim Holzkamm, “Ojibwe Horticulture in the Upper Mississippi and Boundary Waters” (New Haven, CT: Yale Human Relations Area Files, 2000), 3.

<sup>256</sup> Ibid, 4.

<sup>257</sup> Albert B. Reagan, “The Bois Fort Chippewa,” *Wisconsin Archaeologist* 3 no. 4 (January 1924): 127.

potential for maintenance of complimentary horticulture practices is a likely explanation for Bois Forte choices for allotments.

Well into the twentieth century, Bois Forte communities continued to rely upon a combination of short-term shifting between gardening, hunting, fishing, sugaring, and ricing areas for not only for subsistence, but to continue to cultivate the resources of their homeland in traditional ways. Reagan recorded his observations of Bois Forte people in a *Wisconsin Archaeologist* article in 1924. He describes the adaptation of horticulture practices and commercial goods into the seasonal hunting and gathering rounds:

The food of the Bois Fort [sic] Indians consists of such vegetables as they can raise, such as corn, potatoes, and other grain stuff, the white man's flour and sugar, coffee, tea, pork, beef, and canned goods as they can buy, together with the wild animals and native vegetable foods and wild fruits they can procure in the region.<sup>258</sup>

As state and federal conservation efforts developed in Minnesota, Bois Forte Ojibwes had already established traditional practices for the cultivation and management of lake shores, river beds, and islands for hunting and gathering purposes. William Latady of the Bois Forte Heritage Center described the practice of management of land for blueberry picking. Burntside Lake, located between Lake Vermillion and Ely, was named for the Anishinaabe practice of burning off the brush to manage the resources there, including blueberries. It is important to understand that Bois Forte Ojibwes had multiple goals in mind when they burned a particular area. Certainly, they burned hillsides, shorelines, and islands to keep blueberry production up or clear space for planting, but also to open an area up during the summer months so that the mosquitos would blow through. These areas were also typically summer fishing locations and burning could simply make living conditions better. A well maintained island might have been a particularly

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<sup>258</sup> Ibid., 127.

good place to grow food, pick blueberries, or fish, but it was also highly defensible against bear who may have been as fond as humans of blueberries and/or other crops. In short, according to Latady, “Fire was... a tool used by tribal members in order to obtain environmental change for a short period of time.”<sup>259</sup>

Furthermore, research reveals how Bois Forte land and resource use after the turn of the twentieth century continued to reflect economic, cultural, and spiritual elements of Anishinaabe life. Reagan described how Bois Forte would hold ceremonies and powwows as soon as the rice began to ripen, followed by permission from spiritual leaders to gather the rice in canoes. Reagan’s account illustrates not only the persistence of traditional hunting and gathering practices, but also the maintenance of Midiwiwin practices.<sup>260</sup>

Bois Forte families who occupied Moose Bay and surrounding settlements into the 1920s balanced traditional practices with trade in neighboring towns. They obtained goods at stores in Ranier, Rainy Lake City, Orr, and Harding.<sup>261</sup> John Woodenfrog, a well-known member of the Nett Lake band of Bois Forte Ojibwe, recalled how families used communal food storage pits, covered with a wooden, dirt, and grass. There were five houses on an island and a barn for horses. There were always wigwams, as well because family and friends made the two-day trip from Canada to stay, sometimes living there for a year or so.

The region was as forested then as it is today, but not as overgrown due to careful tending to encourage gardening, gathering, and hunting activities. They hunted deer, moose, and rabbits that wandered onto the island in winter and trapped mink, beaver, and muskrat. A nearby

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<sup>259</sup> William Latady, interview by author, Legend House at the Bois Forte Band of Chippewa Reservation, July 11, 2016.

<sup>260</sup> Reagan, 127; Richner, 38-39.

<sup>261</sup> *Ibid.*, 58.

sugarbush supplied sap for the maple sugar season each spring, but they traveled to Namakan for blueberry harvest in summer and south to the Vermillion River to rice in late summer. Wherever they went, they camped, bringing their own makings for wigwams. Woodenfrog remembers there were always other families there, too, and they used canoes long after the 1920s.<sup>262</sup>

Ojibwe and Euro-American observations of Bois Forte families in first few decades of the 1900s reveal the possibilities of seasonal living within this Ojibwe community. The Woodenfrogs shopped in the town of Ray south of International Falls, where they bought canned goods, often trading pelts in exchange for canned goods, lard, sugar, and salt pork. During the berrying season, they sold blueberries. They made their own crates, which held sixteen quarts of blueberries. Woodenfrog remembers them using birch bark baskets, though they did have pots and pans. For sugaring, they had big copper pots. Fry bread, called bannock then, was also a staple. They did not go to Nett Lake very much, but when they did, they traveled by train or car. More often, they had visitors from Nett Lake, including Indian agents. Woodenfrog also remembered the Rottonwood and Buskoggon families from Canada lived at Black Bay on Rainy Lake and other surrounding areas. The Roys lived in the Moose River and Moose Bay area of Namakan Lake. He remembered many Ojibwe families at Sand Point and Crane Lakes because his parents talked about them. They had Ojibwe names that he could not remember.<sup>263</sup>

From about 1910s to 1940s, Gina Erickson lived at Rainer, east of International Falls, making a living as a storekeeper. Her stories of life among Ojibwes at Rainer show genuine understanding about Anishinaabe worldviews that enabled her to identify important interactions between people, places, and resources. She spoke enough Anishinaabemowin to understand

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<sup>262</sup> Kay J. Davis, "Woodenfrog Interview," *Bois Forte Heritage Center*. August 16, 2004, 1.

<sup>263</sup> *Ibid.*, 2

Ojibwes “without too much trouble.”<sup>264</sup> She knew many of the locally-known Bois Forte Ojibwes there, including the Woodenfrogs, Wakemups, and Rottenwoods.<sup>265</sup> John Wakemup was said to be 130 years old by the time he died and Erickson recalls he was past 100 when she first met him during his trips twice a year to Ranier from Namakan Lake in present day VNP. Erickson remembered fondly how she always gave him a cigar, even toward the end of his years when he was blind and did not leave the canoe as he traveled to Ranier with family.<sup>266</sup>

Despite common perceptions to the contrary, Erickson saw the Anishinaabe as people with humor, emotion, and honor. “I have never known people who enjoy a joke more nor laugh more heartily than they do over things. They are sympathetic, kind and affectionate and do show their feelings. Their attitude toward their children is especially worthy of attention, as the attitude of husbands and wives toward each other.” She marveled that as many babies survived as they did, for in those days the mortality rate for children in general was high. She saw babies “two days old wrapped in rabbit skin robes, and tied in their dikinaagan (cradles) being carried around by their mothers, or in a canoe, with the mother paddling. “There is none of the fussing over their babies that there is with ours. As a result Indian children are surprisingly self-reliant at an early age.”<sup>267</sup>

Erickson also admired the relationships she recognized within Bois Forte family units. Children would whisper quietly to parents for wanted items and parents allowed them to choose their own candies, shoes, or cloth for a dress. “I have always admired this trait among them. The children seem to know enough not to demand unreasonably. As a result, there is a lovely spirit

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<sup>264</sup> Gina Erickson, “Ranier Pioneer Reviews History, Culture of Indians Who Roamed Rainy Lake Area,” Voyageur National Park Archives (September 1949), 1.

<sup>265</sup> *Ibid.*, 1.

<sup>266</sup> Erickson, 2-3.

<sup>267</sup> Erickson, 2-3.

between parents and children. They love their children intensely.”<sup>268</sup> She recalled how husbands and wives were considerate of each other, even as the women often carried heavier loads and sat in the stern of the canoe. Both husbands and wives handled money to “buy for the family pantry, usually consulting with each other before each purchase.” They paid in cash and did not leave until each coin was spent, “for money is of no value once he is away from town... These things are as they should be, even though we think differently.”<sup>269</sup>

Erickson’s view of Bois Forte Ojibwes was not clouded by the reality of their material poverty as so often revealed in Euro-American accounts. She relays the story of a fur-buyer who met an “old Indian” in the “wilds of Canada” living in a birch bark house alone. The man had many furs to sell, but was badly in need of winter clothing. He had been waiting there for the fur trader so he could send into Rainer for provisions. There are hints in Erickson’s account that non-Indians were not as kindly as she toward Ojibwe at outposts like Ranier; she remembered how the women “kissed me on the forehead, to show how glad they were to see me again” after coming back to the store from being laid up with a protracted illness.<sup>270</sup>

As a trusted member of this interestingly diverse community, Erickson’s account reveals much about the maintenance of Anishinaabe culture among the Bois Forte. She recalled that most Ojibwes at Rainy Lake followed traditional Anishinaabe spirituality, heeding the wisdom of medicine men and living according to stories, dances, and ceremonies appropriate to the season. Local Anishinaabeg held mink and wild rice dances in fall to encourage a prosperous

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<sup>268</sup> *Ibid.*, 2.

<sup>269</sup> *Ibid.*, 3; Neil Watson Interview, 1982. Voyageurs National Park Archives, #86, 24-25. Watson noted how “funny” it was that Ojibwe near Nett Lake would pay for things one by one, never taking an order, when he brought supplies like shoes, salt pork, tea, and tobacco to sell to blueberry pickers at Sheen’s Point near Junction Bay, east of the Ash River.

<sup>270</sup> Erickson, 5.

harvest and hunting season, as well as a blueberry dance in spring to ensure a large crop of berries. Each dance had a specific drum beat and song, and one well versed in Anishinaabe ritual could tell which dance was being held by listening from afar.<sup>271</sup> Erickson also found great wisdom among elders who seemed to live such a peaceful life.

“ [to] live each day as it comes, with no worry about tomorrow would insure us long life. That is why they live to a ripe old age. Whenever you visit Rainy Lake, stop in at one of these villages. Be sure you say “Bo jou” and don’t forget tobacco for the old people.”<sup>272</sup>

Gina Erickson’s narrative provides an intimate outsider’s perspective of Anishinaabe life in the the present-day the Voyageurs National Park area. Erickson believed in the preservation of stories and customs of Ojibwes living in the region, for “everywhere there is evidence of their occupation, old burying grounds, villages that have been in existence for many years, paintings on rocks, and Indian names for a great many of the lakes tributary to Rainy Lake.”<sup>273</sup>

Nett Lake residents also described an Ojibwe settlement that grew up near the town of Cook and Wakemup Bay, where Bois Forte families had taken allotments, as well as annual sugar camps near Orr.<sup>274</sup> Trader Neil Watson and his wife remembered how Ojibwe families from Canada came to the area each summer, camping so that each year there was “a regular Indian village.”<sup>275</sup> Erickson visited this Seine River settlement one summer at the extreme east end of Rainy Lake, where several families camped near one another, engaged in traditional industry. One family busily constructed a canoe, another dried moose meat around a large “cozy”

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<sup>271</sup> Ibid., 4.

<sup>272</sup> Ibid., 4.

<sup>273</sup> Ibid., 1; Recently, the National Park Service website has taken steps to incorporate this historical context within park history, providing a bridge between past and present understandings of Bois Forte Ojibwe occupation of the region.

<sup>274</sup> “Nett Lake Interviews.” *Nett Lake Photos, Part 3*. Voyageurs National Park Archives, 3. Referred to from here as “Nett Lake Interviews.”

<sup>275</sup> Neil Watson Interview, 25.

fire, and others gathered around a mother in the process of making a meal. In a “tepee,” older women smoked pipes of kinikinik. Erickson recalled that the settlement “would be home to the whole group until blueberry time, then they would all move closer to the blueberry hills. There is constant moving among most of them, all during the warm weather. To me it seems like an enchanted life.”<sup>276</sup> Martin Perrault remembered his childhood among families camped at the Seine River, living in “regular” canvas tents and harvesting wild rice there with “regular” boats and canoes. His grandparents and his wife’s mother made birchbark canoes. Into the 1930s, he remembered selling blueberries to the Ericksons in Ranier on the 4th of July.<sup>277</sup>

Overall, research illustrates many ways in which Bois Forte Ojibwes have maintained connection to the region to the present through intersections between Anishinaabe cultural and economic ways of knowing and being. Bill Latady, curator at the Legend House of the Bois Forte Heritage Center, provides one analogy:

...think of a spider web, form it into a sphere so you have a spiderweb that is a sphere and then understanding all the ties to the physical environment, the cultural, the spiritual as lines intersecting through that sphere, too, so that everything’s tied together.<sup>278</sup>

Thus, traditional subsistence, horticulture practices, and the maintenance of Midiwiwin practices are part of a rich history of Bois Forte Ojibwe in and around the present-day VNP area.

However, Bois Forte land tenure today is similar to that of Leech Lake; of the twenty-seven known allotments in the present-day VNP area, only one parcel remained in Ojibwe hands until it was purchased from the heirs of the original owner by the VNP.<sup>279</sup> The other allotments had

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<sup>276</sup> Erickson, 3.

<sup>277</sup> Interview with Mr. and Mrs. Martin Perrault, 1979. Voyageurs National Park Archives, #64, 25-26.

<sup>278</sup> Latady Interview by author.

<sup>279</sup> Richner, 20. The Gawboy family still owns a part of the original parcel.

already been passed on to heirs of the original owners, who sold to white resort owners.<sup>280</sup> Over time, this rich history has been eclipsed by dominant conservation narratives that often relegate Ojibwe occupation, Euro-American interactions, and maintenance of Anishinaabe culture to an absent narrative.

Dam construction at Kettle Falls by logging companies in 1914 devastated wild rice beds on Namakan Lake, marking the beginning of the end of seasonal occupation of Bois Forte Ojibwes at Moose Bay by the 1930s. Though the informal blueberry industry would continue to draw many to the region in the summer months, the land would dry out this last major resource that would attract Ojibwes to Moose Bay by 1938. The last Bois Forte tribal member to occupy land in the present-day VNP was Joe Whiteman, who left for health reasons in 1940.<sup>281</sup>

Dominant narratives tend to gloss over the rich history of this region between the addition of present-day VNP lands to the Superior National Forest in 1909, USFS surveys of the scenic values of the border lakes region in 1917, and establishment of the Quetico-Superior Council in 1927 to respond to the environmental impact of industry on the “pristine wilderness.”<sup>282</sup> As with dominant narratives surrounding the establishment of the first national forest in Minnesota, the story most commonly told of the development Minnesota’s only national park is framed within a benign conservation narrative absent of Ojibwe voices.

This can be partly explained by the fact that, as conservation groups like the Quetico-Superior Council began their struggle to dominate popular views of what should be done with present-day VNP lands after 1927, Bois Forte Band members were selling much of the lands

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<sup>280</sup> *Ibid.*, 20.

<sup>281</sup> *Ibid.*, 57.

<sup>282</sup> Fred T. Witzig, *Voyageurs National Park: The Battle to Create Minnesota’s National Park* (Minneapolis: University of Minnesota Press, 2004), 4-11.

they had obtained in the region through allotment, outright sale, or homestead. Latady describes what was likely the central challenges to Bois Forte people during the early decades of the twentieth century, challenges that made further sale of lands necessary at the time. Traditional ways were curtailed with radical changes to the environment after the introduction of private land ownership. Those who were used to going across lands for sugaring, maple sugaring or to lakes used for ricing or fishing would have been trespassing by law; thus, the degree to which traditional hunting, fishing, and gathering spots in public lands could be accessed often depended on the whim of the new landowners. This changed Bois Forte livelihoods. Latady explained further, “That didn’t mean that you were confined to a reservation and you didn’t get off of it, and many people did, but it was discouraged, shall we say, to go far off the reservation. But band members did, you had to survive. But what really changed was that the great distances once traveled were curtailed.”<sup>283</sup> As Bois Forte landowners faced pressures to sell, havens like the Moose Lake village that other Ojibwes could travel to for continued subsistence were no longer available.

While timing and relative geographic isolation led Bois Forte people to respond to their changing world in ways that varied from other Ojibwe band members, this particular experience was shared among Ojibwes generally. The increasing influence of American property and conservation laws prompted Ojibwes to continue to adapt their traditional use of land. The following sections further explore this context of curtailment on national forest lands on which Ojibwes were entitled to hunt and gather. As illustrated previously, Ojibwe hunters broke state game and fish regulation in order to exercise treaty rights to utilize resources for subsistence. Others, such as the Bois Forte enjoyed relative isolation for a time that yielded opportunities for

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<sup>283</sup> Latady Interview by author.

adaptation of Anishinaabe ways toward persistence of clan structure. The next section explores how Ojibwe gatherers further utilized market opportunities to make a living through adaptation of traditional practices, such as berrying.

### **Ojibwe Labor and Persistence of Anishinaabe Industry**

In 1854, Ojibwe people at Prairie Lake near Cloquet were asked to leave their homeland and move to Fond du Lac Reservation to take up farming. Some listened to Agent Selden Clark's convincing promise of tools and assistance, while others like Moquabimetem refused. He took his family to a growing village at Beaver Bay on the north shore of Lake Superior, a community of German and Ojibwe people living just south of present-day Superior National Forest. Moquabimetem made a living from trapping and hunting and earned secondary wages by delivering mail and working on a schooner called *The Charley*. His son, John Beargrease followed in his father's way, foregoing allotment on a reservation and carrying on his own mail route in 1879 along the north shore and working on the schooner. Beargrease relied on other Ojibwe trappers, likely Fond du Lac and Grand Portage Band members, to collect his pelts and trade. He would sell the pelts at grocery stores or trading posts as he delivered mail. John Beargrease became so well-known that local newspapers through the 1890s described his comings and goings, remarking on the speed and efficiency of his deliveries. The annual John Beargrease Sled Dog Marathon is a commemoration of early Minnesota history, an illustration of how hardy people of the north thrived in creative ways amid a harsh winter landscape.<sup>284</sup>

Life in northern Minnesota after the turn of the twentieth century was not easy for anyone, especially considering the fluctuating industries in the region. John Beargrease's story reflects creative adaptation of traditional Ojibwe use of resources, sometimes in the form of

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<sup>284</sup> Norrgard, 48-49.

engaging in market enterprises (formal and informal) or wage labor.<sup>285</sup> However, profound differences arose between Euro-American and Anishinaabe ideas about wage labor. In fact, it was federal allotment and mismanagement of Ojibwe timber resources that precipitated the need for Ojibwes to seek wages, often to supplement seasonal round activities.<sup>286</sup> Though the federal government implemented allotment in order to incorporate Ojibwes into Euro-American society, most used wage labor as a means to exercise economic autonomy while persisting with traditional economic activities.<sup>287</sup>

Adaptation of traditional Anishinaabe seasonal rounds to a market-driven economy amplify this reality in unique ways. As many Ojibwes increasingly understood their precarious tenure over homelands within shifting federal policy of the early twentieth century, adapting the seasonal round to commercial hunting, maple syrup manufacturing for sale, berrying in cut lands for national distribution, and commercial fishing became an outlet for economic survival for some. The Beargrease story reflects some of the best possible outcomes for Ojibwes who found a way to maintain economic subsistence and connection to traditional hunting, fishing, and gathering practices.

Economic success for many Ojibwes also depended on an available market for resources they could gather traditionally. This is best illustrated through Ojibwe contributions to the informal berry industry, which flourished after 1900 into the the 1940s in the present-day VNP region. An interesting, unintended consequence of clear-cutting methods during the timber industry was the proliferation of blueberry bushes, which took over on cutover lands in the

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<sup>285</sup> Treuer, 88; Norrgard, 94.

<sup>286</sup> Norrgard, 94. “The federal government’s allotment policy and its mismanagement of lumber operations on reservations transformed Ojibwes from land holders to wage laborers.”

<sup>287</sup> Norrgard, 94.

border lakes region. Berrying provided Ojibwe families throughout the Great Lakes and U.S.-Canada border lakes region much-needed income and became a popular way in which whole families continued seasonal rounds in the summer. According to the 1938 Economic Survey of the Consolidated Chippewa Jurisdiction of Minnesota, the blueberry harvest provided an estimated \$10,000 of income with individual families picking an average of twenty-four quarts *daily*. These harvests also supported larger regional and national industries, such as at least one Duluth bakery who marketed its products widely.”<sup>288</sup>

Berrying was an important source of income when other work was scarce, but it also allowed for Ojibwes to incorporate traditional activities related to the seasonal round. In the region of Bad River, Wisconsin, Ojibwe people socialized with each other and other Native people, such as the Ho-Chunk people who traveled north to pick berries. In August of 1938, Florina Denomie of northern Michigan describes a baseball game between Ojibwes and Ho-Chunks in the Bad River region that appear to be common events during berry season. These games appeared to be “peace conferences” organized when these tribes would have been picking berries, suggesting continued intertribal exchange built around sharing of resources.<sup>289</sup>

BIA accounts, local documents, interviews, census data and archaeological studies provide evidence of Bois Forte persistence in the Superior National Forest and present-day Voyageurs National Park region to sustain their families through continuing traditional seasonal round subsistence and participation in local economies by selling blueberries.<sup>290</sup> Individual Bois Forte, such as Bushegan and Joe Whiteman, were prominent in the blueberry industry.

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<sup>288</sup> Norrgard, 39.

<sup>289</sup> *Ibid*, 39-40.

<sup>290</sup> Richner., 20-26.

Whiteman, whose family formed the core of the Moose Lake community, shuttled blueberry pickers by boat on Namakan Lake through the 1920s.<sup>291</sup>

Joe Whitman became an iconic figure among those who remember the heyday of Ojibwe berrypicking near the present-day VNP. Forest Ranger Leslie R. Beatty recalled that, as the Ash Lake-Kinmount region had been cut-over by 1920s, new crop of blueberries took over and became the central region for Ojibwe blueberry pickers.<sup>292</sup> A 1935 article published in *National Geographic Magazine* describes how Schoonover & Sons marketed these blueberries at Ash Lake Station, “the blueberry capital of the United States,” and shipped them by freight to distant markets.<sup>293</sup> Whitman operated this tug boat on the chain of lakes between Kabetogama, Namakan, and Sand Point from the Ash River blueberry depot.<sup>294</sup> Ed Nelson, who lived in the present-day VNP region in the 1920s, remembered that Joe Whitman lived at Moose River. Whitman trapped and raised a garden, but was most known for ferrying Ojibwe berry pickers out to islands or other good picking places, who sold their harvest to Schoonover at Ash Lake into the 1940s.<sup>295</sup>

At Ash Lake Station, as blueberries were measured out, each picker got a slip noting the number of quarts they sold. After the buying was over and berries stored, the storekeeper went back to the store and exchanged the slips for cash. Pickers could earn as much as twenty cents per quart for the first blueberries of the season. Later, when supply caught up with demand,

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<sup>291</sup> Ibid, 25.

<sup>292</sup> Leslie R. Beatty, “A Forest Ranger’s Diary,” *Conservation Volunteer*, Sept-Oct., 1965, 63.

<sup>293</sup> Glanville Smith, “Minnesota, Mother of Lakes and Rivers,” *National Geographic Magazine* no. 67 (March 1935): 301.

<sup>294</sup> Mary Lou Pearson, Interview with Nobel Trygg, August 29, 1975. Voyageurs National Park Archives, #19, 27. Referred to from here as “Nobel Trygg Interview;” Neil Watson Interview, 1982. Voyageurs National Park Archives, #86, 45-46.

<sup>295</sup> “Ed Nelson Interview,” 1977. Blueberry File. Voyageur National Park Archives, #53.

blueberries were valued as little as 8 cents per quart.<sup>296</sup> In the 1930s, Fred Sore Eyes, whose family traveled from the Seine River in Manitoba to Ash Lake for berrying, said they could get as much as a quarter per quart. “Jeez, you know, that was big money!”<sup>297</sup>

Nobel Trygg, born in 1911 on a homestead in Cook, Minnesota, worked for the USFS in Ely in the late 1920 and 1930s. Trygg remembered the Ash River to be a “pretty much solid encampment” from the Frontier Lodge up to Ash River Falls. “I remember traveling up the river by canoe one evening and it was just a series of campfires all along the shore on both sides of the river.”<sup>298</sup> He recalled that Schoonover & Sons recorded shipping eighteen thousand crates of blueberries from Ash Lake in 1931.<sup>299</sup> Yet, his concern was the risk of fire from pickers’ campgrounds. He maintained that the principal fire hazards they encountered in those years had to do with blueberry pickers who supplied Schoonover’s blueberry depot at Ash Lake. The berry pickers were spread out over lakes and back roads from Orr to International Falls. Trygg patrolled the berry camps, cautioning against forest fires and extinguishing small fires that did pop up.<sup>300</sup>

Oral histories hint that the land “dried out,” ending the informal blueberry industry in present-day VNP lands, but perhaps Trygg’s account provides a clue to how the berry industry became less and less an Ojibwe enterprise after the 1940s. As Bois Forte Ojibwes responded to challenges to their seasonal round by adapting to commercial enterprise through berrying throughout the 1920s and 1930s, the risk of forest fires became a major concern for all peoples

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<sup>296</sup> “Blueberries 1920’s.” Source Unknown. Handwritten description from Blueberry File, Voyageurs National Park Archives.

<sup>297</sup> Interview with Mr. And Mrs. Martin Perrault, 26.

<sup>298</sup> Nobel Trygg Interview, 27.

<sup>299</sup> *Ibid.*, 2.

<sup>300</sup> Mary Lou Pearson, Interview with Nobel Trygg, August 29, 1975. Voyageurs National Park Archives, #19, 1-2. Referred to from here as “Nobel Trygg Interview.”

living in the region, leading to tighter USFS control over use of forest resources. Fire restrictions generally played into curtailing Ojibwe use of national forests and interruption of seasonal round pursuits accelerated dramatically for the Bois Forte. Forest Ranger Leslie R. Beatty considered fires to be more of a problem when bootlegging was popular; by the 1930s, blueberry harvesters picked within “well-defined harvesting areas.” The Baudette-Spooner Fire of 1910 and Cloquet-Moose Lake Fire of 1918 echoed in the minds of Northern Minnesota people and justified the development of USFS fire prevention codes; in fact, the USFS relied on locals, including Ojibwe men, as firefighters. For example, when a major lumber company went out of business leading to the dismissal of the company firefighting crew, they organized a crew of firefighters among Ojibwe at Nett Lake.<sup>301</sup> While the historical record is unclear regarding the closing of this unique history of Ojibwe participation in a burgeoning blueberry industry, the fact remains that there is a rich history here about survival and ingenuity in an often harsh Minnesota landscape.

Research for this chapter illustrates several points of interest regarding absent Ojibwe narratives within a broader history of Progressive Era land conservation. While dominant narratives tend to focus on splintering factions within the conservation movement and challenges to conservation efforts among other competing interests, an Ojibwe narrative of this time period reveals their stake in protection of resources within ceded territories for the maintenance of Anishinaabe culture. A history of Ojibwe struggles to maintain treaty rights, allotment patterns and land tenure, and Ojibwe labor, and Progressive Era conservation history in Minnesota reframes how land use, culture, and conservation intersect. The long-term effect of federal and state protection of former Ojibwe lands vis-a-vis Ojibwe land reclamation efforts is addressed in the conclusion of this thesis.

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<sup>301</sup> Beatty, 62.

A final point about Ojibwe conservation on reservation lands can further illustrate the importance of Anishinaabe control over resources for the benefit of both Ojibwe people and the wider public. Even as state and federal conservation efforts proved a colonizing force for disenfranchisement from traditional homelands, tribal councils did pursue conservation strategies and alignment with state and federal policies in order to protect the resources of lands within reservation boundaries through the latter part of the twentieth century.

One example of early conservation efforts at Nett Lake provides evidence for Tribal alignment with Progressive Era conservation and an avenue for further research around indigenous participation in state and federal conservation efforts. Even as land use outside of the reservation was increasingly curtailed in the early decades of the 1900s, Bois Forte band members turned toward maintenance over wild rice at Nett Lake through federal funding. Wild rice cultivation remains the designated use of the lake, and traditional access and harvesting methods are still the principal means of its management.<sup>302</sup> While this is also evidence of continuity of the adaptation Ojibwe labor to a wider market, it also reflects adoption of conservation plans during the era of study for this thesis to manage what is today the largest contiguous wild rice producing lake in the world.<sup>303</sup>

Prior to 1920s, Bois Forte engaged in indirect management of wild rice beds through the strict regulation of harvesting areas, length of harvest, specific groups who could harvest, and methods used to knock the rice. Erratic weather could lend to wet and dry years, which could be equally devastating to rice yield, though every four to six years Bois Forte could rely on a

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<sup>302</sup> Tsegaye Habte Nega, "Saving Wild Rice: The Rise and Fall of the Nett Lake Dam," *Environment and History* 14, no. 1 (February 2008), 9.

<sup>303</sup> Tsegaye Nega and Wei-Hsin Fu, "Wild Rice Management at Bois Forte Indian Reservation --- History and Current Perspectives," Department of Natural Resources -- Bois Forte Tribal Council, 2001, 8.

plentiful harvest.<sup>304</sup> Nett Lake itself was claimed by only a small portion of the band, making “people management” an adequate way to manage the wild rice beds there. Self-imposed harvest rules had been reinforced and reproduced over centuries, protected by Anishinaabe beliefs that gave wild rice a unique cultural and spiritual role in the community.<sup>305</sup>

By the end of the 1920s, Bois Forte band members began practicing lake water level control to enhance wild rice productivity. Several historical events played into band members’ change from people-based management to water management. First, a gold strike near Black Bay on west end of Rainy Lake led to temporary influx of miners and settlers in 1893. Though settlement initially died down, the Bois Forte were no longer isolated from Euro-American settlement. Second, the *Nelson Act* had transferred almost fifty percent of the reservation land remaining after allotment to the United States government, much of which was incorporated into Superior National Forest. During the first two decades of the 1900s, Bois Forte members earned a living as loggers and guides, though these jobs more often available to Euro-Americans settling in the region. As large-scale logging waned by 1920, fur bearing animals and wild rice had dwindled to a very low level. In the Kabetogama peninsula, which borders the reservation north and east and is now part of the VNP, there were only sixty-four beaver dams, indicating a very low population in 1925. Between 1920 and 1930, only one good wild rice crop was recorded

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<sup>304</sup> Nega and Fu, “Wild Rice Management,” 12. On average each woman probably harvested about 740 pounds of rice. During a bumper crop year, yields could reach up to 95,000 pounds of unparched rice. This means that the total harvest could be distributed at a rate of 380 pounds per person. In a fair crop year harvest was recorded to reach 44,000 pounds of green rice, and women could bring in 352 pounds, sufficient to satisfy the needs of the community.

<sup>305</sup> *Ibid.*, 11-12.

with the remaining nine years producing either a total crop failure or a mediocre crop due to water level fluctuation.<sup>306</sup>

Third, the environmental effects of logging in the area, particularly the damming of area rivers starting in 1909 to facilitate the industry, added another more constant challenge to management of area wild rice beds. Relatively large camps of loggers also competed with Bois Forte members for land and wild game that was equally devastating in some ways; the caribou, for example never returned after the mid-1910s.<sup>307</sup> Although proceeds from timber sales under the Nelson Act had left Bois Forte in a relatively stronger financial position than compared to other bands, the stock market crash of 1929 almost eliminated logging operations and jobs that came with it in the region.<sup>308</sup> Bois Forte Ojibwes responded to these conditions by instituting conservation methods to protect their most fundamental food base.

Bois Forte Band members made efforts to procure funding for water projects in 1929 with a letter from Minnesota Chippewa Tribe Superintendent, Edgar A. Allen to the Commissioner of Indian Affairs. “The wild rice crop in Nett Lake means much to the Nett Lake Indians...It is believed that a dam and control gates should be placed in the mouth of the Nett River, so that the level of the lake might be controlled, thereby ensuring the proper growth and the easy harvest of this crop.”<sup>309</sup> Though his request for funds did not yield immediate results, in 1936, the CCC Indian Division built a stop-log dam for regulating water level during dry years. As a result, the Bois Forte engaged in new forms of conservation management, as regulating water level exerted more human control over the ecology of lake to increase rice yield.

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<sup>306</sup> Ibid., 14.

<sup>307</sup> Richner, 20.

<sup>308</sup> Nega and Fu, 14.

<sup>309</sup> Ibid., 15-16, 16; Nega, “Saving Wild Rice,” 10.

Cultivation of wild rice required not only careful monitoring of water level, but also alteration tributary flow and plant life. Since Nett Lake River flows diminished during the drier summer months, it was no longer a free-flowing river and altered the ecology of the lake so that it became more of a pond to selectively grow wild rice over other species of plant life.<sup>310</sup> Attempts to ameliorate high water levels led the Minnesota Chippewa Tribe Executive Committee to request assistance from the CCC Indian Division once again to cut a channel through the bog at the outlet of Nett Lake to provide drainage. Unfortunately, the CCC Indian Division was disbanded a year later. Improvement of water level infrastructure at Nett Lake was impeded until combined efforts between the Bois Forte Reservation Business Committee, Department of Natural Resources, and the Bureau of Indian Affairs after 1977 led to incremental and hard-won efforts to rebuild the Nett Lake dam in 1987.<sup>311</sup>

The point of ending this thesis with this particular story is to introduce the beginning of another story: ongoing Ojibwe land reclamation efforts in contested state and federally protected lands for conservation and other land management purposes. If there is one constant to be learned from the topics examined in this study, it is that Ojibwe culture persists and adapts. The context of late twentieth and early twenty-first century conflict and cooperation regarding land tenure, conservation, and management of contested lands is best understood through this framework and will be the subject of the conclusion to this thesis. Absent narratives of Ojibwe ties to the Minnesota landscape and the role of Ojibwe people within a broader conservation narrative reveals how they have maintained and strengthened their connections to their prior and current homelands.

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<sup>310</sup> Nega and Fu, 16.

<sup>311</sup> *Ibid.*, 16; Nega, "Saving Wild Rice," 10-12.

## Chapter 5: Conclusions

On March 1, 2012, a legislative hearing was held before the House subcommittee on Indian and Alaska Native Affairs regarding payout of a \$20 million settlement reached in 1999 for damages due to the *Nelson Act* owed to the Minnesota Chippewa Tribe. At issue was how to divide the settlement owed to the six member bands of the MCT for improper valuation of lands and timber taken under the *Nelson Act*. Because the twelve-person Tribal Executive Council for the MCT, made up of the Chairperson and Treasurer of each band, had failed to reach an agreement within a timely manner after the settlement, by law the decision was to be resolved through federal legislation. Minnesota Representatives, in turn, did not act on this provision, believing that a consensus ought to develop among the Tribal Executive Council before being taken up by Congress. Leech Lake representatives on the Executive Council of the MCT consistently dissented from the majority opinion on the settlement distribution over the ensuing twelve years: that sixty-five percent of the settlement be divided by population on a per capita basis and the remainder awarded six ways to each Band for use as they saw fit. As the bands reached a stalemate over consensus that would include a payout based on the degree to which individual bands were negatively affected in terms of land tenure, the settlement grew with interest in federal trust to a total of \$28 million.<sup>312</sup>

The transcript of the H.R. 1272 hearing reflects compounded issues Minnesota Chippewa Tribe reservations have faced in exercising their sovereignty to resolve historical problems they have inherited in a way that Band representatives believe to be fair. Respectfully, Leech Lake

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<sup>312</sup> Tim Roberts, “Chippewa bands can't agree how to split multi-million dollar settlement,” July 22, 2008, accessed September 7, 2017, <https://www.mprnews.org>; Emily Kaiser, “Plans duel for Chippewa cash,” *Star Tribune*, October 1, 2008, accessed November 11, 2017, <http://www.startribune.com>.

Tribal Chairman Archie LaRose diverged from the majority opinion. A per capita and six-way distribution of the settlement would not benefit his Band fairly, he maintained, whose Reservation had suffered disproportionately from timber sales and land claims made by the federal government to form the Chippewa National Forest.<sup>313</sup> While LaRose's concerns were more or less acknowledged by other Tribal chairpersons, representatives, and attorneys present, the tone of the hearing focused on what was best for MTC Bands at large.<sup>314</sup> This internal dissent remained unresolved as Congress moved to accept the majority opinion of the MTC. Within the context of this thesis, it is a historical irony that President Barack Obama signed H.R. 1272 on October 5th, 2012, the 114th anniversary of the Battle of Sugar Point at Leech Lake that galvanized public opinion around the "dead and down" provision and led to the establishment of the Minnesota National Forest.<sup>315</sup>

My goal here is not to judge the majority opinion of the MCT regarding the *Nelson Act* claim payout, but to place these events within the context of sovereignty and land tenure among Ojibwe bands today. As stated in the introduction to this thesis, my goal has been to highlight an absent narrative of Ojibwe peoples persistence and adaptation of Anishinaabe lifeways that

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<sup>313</sup> *H.R. 1272, Minnesota Chippewa Tribe Judgement Fund Distribution Act of 2011*, Subcommittee on Indian and Alaska Native Affairs of the Committee on Natural Resources U.S. House of Representatives, 112th Cong., second sess., March 1, 2012, 28-39. Referenced from here as *H.R. 1272*.

<sup>314</sup> *Ibid.*, 41-49.

<sup>315</sup> Conrad Wilson, "Chippewa land compensation deal near with U.S. government," *Minnesota Public Radio News*, March 1, 2012, accessed November 11, 2017, <https://www.mprnews.org>; "U.S. House passes \$28 million settlement with Minnesota Chippewa Tribe," *Pioneer Press*, June 18, 2012, accessed September 7, 2017, <http://www.twincities.com>; "Klobuchar, Franken, Peterson, Cravaack Legislation to Allow Minnesota Chippewa Tribe to Receive Settlement Passes Senate, Headed to President's Desk to Be Signed Into Law," *Al Franken, U.S. Senator for Minnesota*, accessed November 11, 2017, <https://www.franken.senate.gov>; "Statement of the Press Secretary," *The White House, President Barak Obama*, accessed November 11, 2017, <https://obamawhitehouse.archives.gov>.

elevates their stake in the protection and maintenance of federally-protected lands of Northern Minnesota. Though LaRose represented his Band in dissent over the method of settlement dispersion, the Tribal Executive Committee at large agreed that, in the end, the lands sold to others should be restored to tribal ownership. Bois Forte Tribal Chairman Kevin Leecy asserted in his addendum to the hearing that the MTC made it clear in the Bill they would not be barred from seeking further legislation to return their lands. Furthermore, he reminded Leech Lake representation that the Tribal Executive Committee had also adopted a resolution supporting Leech Lake's efforts to return management of the Chippewa National Forest to the Leech Lake Band in order to realize long-term economic benefits outside of the \$20 million settlement.<sup>316</sup>

Leecy's addendum reframes the tensions between the Minnesota Chippewa Tribal Council over *Nelson Act* claims settlement within ongoing land-control dilemmas among Ojibwe bands, including Leech Lake claims to Chippewa National Forest. A master narrative about benign conservation of the northern Minnesota landscape is complicated by stories of Anishinaabe cultural persistence and adaptation that highlight connections to their homelands. While Ojibwe narratives are often absent from histories of Minnesota during the first few decades of the twentieth century, this research provides important context toward understanding how Ojibwe band members and tribal governments have been able to respond to changing federal policy from the late twentieth century to the present. Though Indian Reorganization policy established in the 1930s and 1940s led to successful reclamation of former homelands among some bands, problems engendered from lands locked up in national forest status

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<sup>316</sup> *H.R. 1272*, 51.

continued and fractionated land tenure patterns inhibited success for most reservations as Termination policy began in the 1950s.<sup>317</sup>

In her dissertation, “Tracking the Land: Ojibwe Land Tenure and Acquisition at Grand Portage and Leech Lake,” Dr. Leah Carpenter provides an important comparative study that illustrates the divergent experiences of land reclamation among the two Bands. Carpenter describes mixed results for reservations toward land reclamation under the *Indian Reorganization Act of 1936* (IRA). While the Grand Portage Band was able to reclaim nearly eighty percent of original reservation lands, the Leech Lake Band was able to reclaim only five percent due to the contested nature of Chippewa National Forest lands. The USFS manages 285,824 acres, over forty-two percent, of the Leech Lake Reservation.<sup>318</sup> Other issues complicating land reclamation have to do with “fractionated” ownership of land, in which non-Native people own often the most valuable parcels within reservation land boundaries, a problem particularly acute at Leech Lake. Of particular interest to conclusions drawn for this thesis are the varied reactions of federal and state departments to bands’ efforts toward reclamation of federal and state-owned lands.

The success of the Grand Portage Band of Ojibwe in reclamation of over eighty-one percent of their original reservation base from the the Indian Reorganization era to the present reflects both creative solutions to the land-control dilemma and persistent obstacles for other Minnesota Chippewa Tribe bands. “Indian New Deal” legislation included a tribal land acquisition program that targeted three reclamation categories: tribal land restorations, tribal land

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<sup>317</sup> Leah Carpenter, “Tracking the Land: Ojibwe Land Tenure and Acquisition at Grand Portage and Leech Lake” (PhD diss., University of Arizona, 2008), 229-231.

<sup>318</sup> *Ibid.*, 287.

purchases, and public domain withdrawals (though these proved to be limited).<sup>319</sup> The category of tribal land restoration refers to the return of “surplus” lands that had earlier been expropriated to the public domain but were left unsold. By 1935, Grand Portage reclaimed over sixty percent (9,277.59 acres) of their “surplus” lands originally opened for settlement through tribal land restoration orders. These lands were transferred in trust to the Minnesota Chippewa Tribe.<sup>320</sup>

In the case of Leech Lake, the historical context outlined in this thesis proved to complicate how “surplus” lands qualified for tribal land restoration. In a 1934 Consolidated Chippewa Agency Report of over 466,000 acres of “Unentered Surplus Lands,” for the consolidated Leech Lake Reservation, 316,166 acres were entered as State swamp lands and USFS forestry lands as the Chippewa National Forest and not available for return to the MCT. By 1938, Leech Lake Reservation was able to claim only 2,610.28 acres under tribal restoration policy.<sup>321</sup>

Other tribal land acquisition policies encouraged tribal land purchases in the 1930s and 1950s proved advantageous to Grand Portage land reclamation efforts, yet also reveal further obstacles faced by other bands. Between 1934 and 1956 the Grand Portage Band was able to acquire 22,213 acres, notably through collaboration between Tribal Chairman Alton Bramer and local BIA authorities in a focused effort to increase Tribal land tenure.<sup>322</sup> Though complete Tribal land control was complicated by the 1932 establishment in of Grand Portage State Forest as a motorless “Wild Area” in the Reservation, a working relationship had been established

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<sup>319</sup> *Ibid.*, 206. All of the lands withdrawn were located within the consolidated Leech Lake Reservation: 168.44 acres for village purposes at on the east shore of Agency Bay on Leech Lake, across from Onigum and 589.85 acres originally reserved for the “Old Leech Lake Agency and School Reserve.” However, the MTC had to pay the USFS for the latter transfer.

<sup>320</sup> *Ibid.*, 211-212.

<sup>321</sup> *Ibid.*, 213-215.

<sup>322</sup> *Ibid.*, 217-219.

between the State and Band by at least 1958 with the MTC's donation of land to the National Park Service for the creation of the Grand Portage National Monument.<sup>323</sup>

Notably, this working relationship fostered the eventual transfer of management and control of Grand Portage State Park to the Grand Portage Band thirty-one years later. This three-hundred acre park area was purchased from a private owner by the State in 1989, who transferred ownership to the United States in trust on behalf of the Grand Portage Band. Characterized as the best solution to preserving the "pristine" tract, the Band owns these lands in federal trust that are leased to the State of Minnesota. Park operations are managed by the Minnesota Department of Natural Resources, who employs Band members as state employees. In 1991, the Band facilitated a co-management agreement with the DNR that exists today.<sup>324</sup> This reflects an incredible amount of cooperation between the Grand Portage Band, State, and federal government to provide a unique solution to the problems of Indian land tenure and reclamation in an era of conservation.

Due to the success of reclamation projects since the 1930s, Grand Portage Band members have had the capacity to develop their own management plans for their homebase, such as creative solutions to mitigate the effects of climate change on culturally important species, including moose and brook trout. They invest Tribal resources into broader mitigation projects in order to accomplish environmental and natural resources goals, achieve energy and food independence, contribute to carbon solutions, and reduce expenses to community members. Their solutions address water quality, air quality, sustainable forestry, adaptation to shifts in fisheries and wildlife, sustainable food ventures, alternative energy development, and energy

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<sup>323</sup> *Ibid.*, 221.

<sup>324</sup> *Ibid.*, 279-280.

conservation programs to directly impact the sustainability of their community and their lands.<sup>325</sup> That Cook County supports the Band's Land Use Ordinance and has adopted broader ordinances that reinforce Band policies reflects a positive working relationship between governing entities.<sup>326</sup>

Carpenter characterizes this in terms of the ability of Grand Portage Band leaders to exercise sovereignty and tribal land purchases within the context of dominant conservation efforts. She asserts that, beginning with the era of Indian Reorganization, it became clear that federal preservation and conservation land use policies were taking hold and becoming accepted among the Grand Portage Band members and the Tribe. Known for its spectacular Lake Superior landscapes and pristine beauty, the Grand Portage Reservation had become valued as a forest-park area, not unlike Leech Lake, but on a smaller and less-contested scale.<sup>327</sup> For example, a 1982 correction and expansion of the Grand Portage Reservation boundary to include the Pigeon River arrowhead area was facilitated by the Assistant Secretary of Indian Affairs under the IRA.<sup>328</sup> Furthermore, the creative transfer of Grand Portage State Park from private to State to federal trust reflects some of what is possible when all parties come together over the issue of conservation and Indian land tenure.

However, the Grand Portage Band experience is exceptional in comparison to national patterns of land reclamation. The extent to which their land titles were successfully transferred into trust during the Indian Reorganization Era left them in a much stronger position in terms of

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<sup>325</sup> Cristina González-Maddux, EJ Isaac, and Yvette Chenaux Ibrahim, "Tribal Climate Change Profile: Grand Portage Band of Chippewa," Northern Arizona Tribal Climate Change Profile, Tribal Profiles: Great Lakes, July, 2012, accessed June 29, 2017, <http://www7.nau.edu>.

<sup>326</sup> Carpenter, 277.

<sup>327</sup> *Ibid.*, 209-216.

<sup>328</sup> *Ibid.*, 277.

land tenure through the Termination Era and better positioned to capitalize on further reclamation projects at the onset of Self Determination in the 1960s. In essence, the acquisition mandate of the IRA of 1934 has survived and is broadly articulated as “stabilization” of tribal land bases today; therefore, the Grand Portage Band has been able to capitalize exponentially on gains made in comparison to other tribes in spite of the retreat of federal support in implementing IRA policy after 1945. Federal Indian policy changed again during the Termination Era of 1945-1960, in which the federal government began attempts to dissolve its trust relationship with Indian tribes in 1953. Yet again, assimilation and integration of Native people within the general population was in vogue. As a result, federal management and administration of Indian trust lands were increasingly characterized as too time consuming, complex, and involved. To alleviate administrative costs associated with the execution of Indian Reorganization policy, the trust relationship between the federal government and specific tribes was ended, all exemptions from state taxing authority were annulled, and trust lands of terminated tribes were expropriated.<sup>329</sup>

Between 1940 and 1950, political pressure increased to remove trust restrictions in order to speed the process of Indian land sales, endangering the previous fifteen years of land reclamation among Indian Nations at large. The *Act of May 14, 1948* amended the *Indian Reorganization Act of 1934* (IRA) to authorize the Secretary of the Interior to issue fee patents and approve Indian land sales upon application. The Indian Bureau began the process of “Secretarial Transfers,” in which Indian trust lands were transferred to other government agencies, most often the Department of Agriculture. These Secretarial Transfers would later be

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<sup>329</sup> Ibid., 238-239.

deemed illegal as sold without the consent of all rightful heirs, legal claims established by the Minnesota Chippewa Tribe in the 1980s.<sup>330</sup>

During the Termination era, Indian land reclamation efforts slowed to a trickle, as IRA tribal land acquisition programs languished due to growing opposition in Congress toward funding and or removal of Indian lands from tax rolls during the late 1940s and early 1950s. The context of these destructive and reactionary policy occurred within the context of post-World War II policy and politics. Congressional resistance can be understood within the context of substantial war debt and need for funds to implement the Marshall Plan. Moreover, this was also the McCarthy era of American politics, in which anything that smacked of communism was suspect. The prospect of communally-administered Indian trust lands must have seemed extreme among Congressmen who shared this point of view.<sup>331</sup>

Through efforts on the part of the Leech Lake Band, some gains in land tenure have been made since the era of Self-determination in 1960s; however, the Indian Bureau has remained obstructionist in its regulatory policy, particularly toward “land-into-trust” applications. The majority of land-into trust applications require consolidation of Indian-owned allotments that have been abandoned so that they can be brought into trust status. Many of these allotments are scattered throughout the reservation and are unusable by the Band due to proximity to other developed non-Indian lands. Since they are not in trust, these lands are subject to state and local tax. Leech Lake land acquisition strategies include purchasing fractionated ownership interests in order to consolidate them with unusable allotted lands. In many cases the original owners and heirs to these allotments cannot be found. The Band has assumed much of the responsibility of

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<sup>330</sup> *Ibid.*, 241.

<sup>331</sup> *Ibid.*, 242.

realty and probate services in order to prepare applications for land-into-trust applications, though they generally stall at the BIA. This is especially true if an objection is filed by local or state authorities, often over fears over loss to their tax-base.<sup>332</sup> Through non-profit efforts, the MTC has been largely on its own in terms of implementing land reclamation projects generally since the 1960s. Because the majority of lands targeted for reclamation are tied up in federal status, private sale remains the primary vehicle for acquisition projects today. However, purchasing lands outright is particularly challenging due to the market value of prime lakeshore and recreational lands at Leech Lake Reservation.<sup>333</sup>

In short, the bureaucratic target for Indian land reclamation had not only moved, it seems to have become particularly difficult to hit. This begs the question: why had Grand Portage experienced success through the IRA in spite of the retreat of federal facilitation toward land acquisition policy since the 1950s? A historical complicated relationship between Ojibwe bands, the federal and state government, counties, and the public have yielded mixed results when it comes to Tribal land reclamation in Minnesota. While a history of federal conservation reveals how national forest and park lands have served to tie up lands in seemingly untouchable status, the Grand Portage Band experience reveals how there is room for collaboration when it comes to who manages these lands. Reframing a history of conservation to include absent narratives of Ojibwe occupation of and claims to former homelands reveals the historical legacy of conservation and allotment policy. As a more positive history of collaboration continues to play

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<sup>332</sup> *Ibid.*, 291-298; 302-304. Carpenter also characterizes this shift within the context of self-determination as a double-edged sword. As tribes began to exert authority over programs and services and engage in economic activities that increased self-sufficiency, such as gaming, the federal government not only scaled back on provision of services, but also motivation to act on further land reclamation projects as mandated by the IRA of 1934.

<sup>333</sup> *Ibid.*, 289.

out at Grand Portage, a climate of fear and anger has emerged when it comes to broader Ojibwe land reclamation efforts land management policy on and around reservations like Leech Lake that have retained highly-fractionated allotment status.<sup>334</sup> Absent Ojibwe narratives regarding state and federally protected lands provide vital context for understanding the role adjacent reservations play in the ongoing management of lands and resources for the benefit of stakeholders.

The biggest obstacle for land reclamation at Leech Lake, for example has been county opposition to land-into-trust applications. Public opposition to strengthening of territorial land bases can be characterized in terms of ongoing “membership-based” views of tribal sovereignty over “geographically-based” jurisdictional authority, economic fears due to loss of land and tax revenue, and provision of mandated government services without a corresponding tax base. This has a profound effect on how Minnesota Chippewa Tribe resources are spent. In the ironic position of having to purchase homelands once sold illegally and now extending beyond current reservations, tribal land reclamation has become mired in an often adversarial process. While the

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<sup>334</sup> John Enger, “Hoping to Ease Tribal Homelessness, Leech Lake Band Takes Back its Land,” *Minnesota Public Radio News*, October 12, 2017, accessed October 13, 2017, <https://www.mprnews.org>. As homelessness among Band members on the Leech Lake Reservation remains severe, the Tribal Government made the controversial decision to discontinue leases to non-Indian peoples who have built cabins along the choicest shorelines of Leech Lake in the fall of 2017. As housing insecurity remains one of the primary problems for band members at reservations with highly fractionated land tenure, tribal governments continue to face tough choices in order to alleviate persistent issues. Leech Lake Natural Resources Director Levi Brown says phasing out these leases will cost the department roughly \$500,000 per year, about half of their operating budget. Yet, he maintains it is worth the cost. As of the day of his interview with Minnesota Public Radio, there were five hundred Band members experiencing housing insecurity and more than one hundred applying for tribal land allotments in order to build homes. “You can put a dollar sign on what you have to spend on somebody. Or you can say, “You’re Anishinaabe. You’re people from the water. We’re going to allow you to live and be who you are, and return some of those cultural values to you.” Meanwhile, Brown maintains that he has been “yelled at, called names, and received death threats,” and on one instance had to call tribal police after being nearly forced off the road by angry drivers.

land-to-trust acquisition program as authorized by the IRA could provide meaningful opportunities to increase the Native land ownership, tribes instead must vigilantly monitor the immensity of political, judicial, and administrative bureaucracy in order to engage in the process toward successful completion of ongoing reclamation projects.

As these conflicts continue to play out at the local level, land reclamation success at highly fractionated reservations like Leech Lake depends on the development of a working relationship between county and Tribal leaders toward mutual acceptance of land tenure and management policy. At the federal level, IRA policy still stands, but has stalled at the local and state levels. Furthermore, USFS and NPS have become more or less open to the possibility of including the cultural and economic connections of Tribes to management of lands in their jurisdiction; however, the challenge remains for Ojibwe bands to navigate local, state, and federal apparatus in developing usable and publicly acceptable plans. Until federal policy between the BIA, USFS, and NPS is reconciled with what began as good IRA land acquisition policy, MCT efforts toward land reclamation and development of co-opted land-management policies on federally-owned lands will continue to prove challenging.

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