

# *Ojibwe Treaty Rights Understanding & Impact*

## *Foreword*

This is the fifth edition of Ojibwe *Treaty Rights: Understanding & Impact*, a booklet first produced to provide a resource for younger readers. It is hoped that the publication will introduce the reader to Ojibwe history and culture as well as the modern day exercise of treaty rights and resource management of the tribes.

The fifth edition is published by the Great Lakes Indian Fish & Wildlife Commission (GLIFWC), which represents eleven Ojibwe bands who hold treaty hunting, fishing and gathering rights in northern Michigan, Wisconsin and Minnesota. Consequently, the booklet focuses on the activities of these Ojibwe bands.

The first edition was produced through funding from the U.S. Department of Health and Human Services, OHDS/Administration for Native Americans. Ojibwe words used in the text are based on *A Concise Dictionary of Minnesota Ojibwe*, edited by John Nichols and Earl Nyholm.

## *Credits:*

Writer, first edition: **H. James St. Arnold**  
Writer/editor, second-fifth edition: **Sue Erickson**  
Layout/design: **Lynn Plucinski**  
Photography: **GLIFWC staff**

## *For further information contact:*

Public Information Office (PIO), GLIFWC, P.O. Box 9, Odanah, WI 54861, phone (715) 685-2150 or email [pio@glifwc.org](mailto:pio@glifwc.org). This booklet can be downloaded from GLIFWC's website at [www.glifwc.org](http://www.glifwc.org). Copies can also be ordered from PIO for \$2.00 each.

# Introduction

Boozhoo (Hello) and welcome to *Ojibwe Treaty Rights: Understanding & Impact*. We hope you will enjoy our booklet and begin to learn about the Ojibwe people and their treaties as you read. We will share information about treaties and treaty rights and also about the Ojibwe people, their traditions and customs. We will begin with some teachings about the Ojibwe creation and how the new earth was formed following a great flood a long, long time ago.



*A youthful Ojibwe dancer uses many items from nature as part of his traditional dance outfit.*

# Sugar camp



*Ojibwe people set up camp near their sugarbush, or maple tree stand, to gather maple sap in the early spring. The sap was boiled down to make maple sugar cakes that were easy to store and transport. Maple sugar is called *ziinzibaakwad* in the Ojibwe Language.*

# Who are the Ojibwe Indians?

All people, wherever we live on this earth, have stories about who we are and where we come from. We may call this history. When this history goes back to the beginning of time, we may call this origin.

American Indians in North America have origin legends telling how the Indians came to be. Woodland Indian origin legends say that Indian people originated on this continent. Some anthropologists say that Indian people migrated over the “land bridge” from Asia. But Indian origin legends disagree. The origin legends say that this land is where Indian people were created.

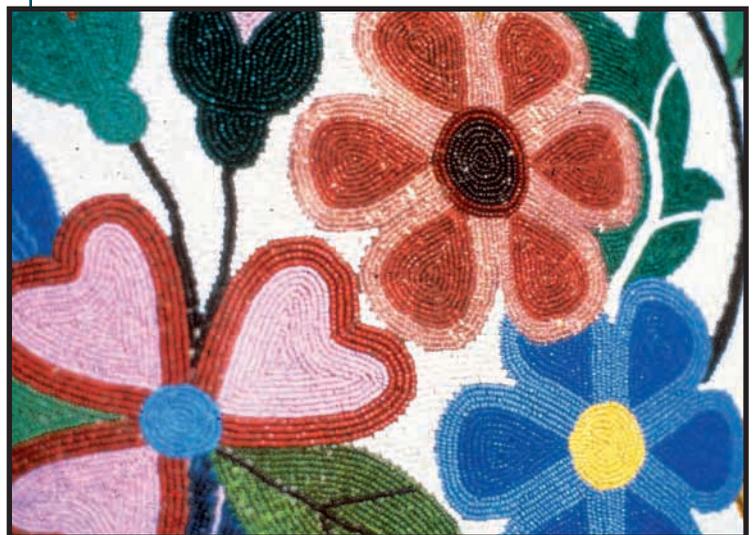
There are many different versions of the origin legend. Many of them are very similar, and many are almost identical. Some of them are variations of the very same theme. Each presents a natural order of things. In the Ojibwe (Oh-jib-way) language we call the Creator “Gichi-manidoo” (Giht-chee-mah’-nee-doo) which, when translated, means “The Great Spirit.”

It is Gichi-manidoo who created all things. The sun, moon and stars, the earth, plants and ani-

mals, all were created by Gichi-manidoo.

The Ojibwe or Chippewa Indians in the Lake Superior region have an origin legend that tells that they came from the East near the Great Waters (Atlantic Ocean). The origin of the earth and the creation of the Anishinaabe (Ah-nish-shin-nah-bay), or “human beings,” are the handiwork of the creator, Gichi-manidoo, who created all things.

The “first world,” however, was destroyed by a great flood, and the second world was created by Gichi-manidoo with the help of its inhabitants. There are also many versions of how this second life was created. One version of the creation story follows.



*A bright floral pattern frequently appears in Ojibwe beadwork.*

## The Ojibwe Creation Story

This version of the Ojibwe creation legend is based on teachings found in Edward Benton-Banai's "**The Mishomis Book**" published by Indian Country Communications, Hayward, Wis.

In the beginning of time, the Creator, Gichi-manidoo, created the earth, the moon and the sun. The earth (Aki) was called Mother Earth because all living things came from her. Gichi-manidoo sent birds to Mother Earth to carry the seeds of life across the earth in all four directions. The water creatures, insects, plants, crawling things and the four-legged animals lived in harmony with each other.

Gichi-manidoo blew four sacred parts of Mother Earth into a sacred shell called the Megis Shell. When those four parts of Mother Earth were combined, man was created. Gichi-manidoo then put man onto the earth. The original man lived in peace with all living things. From this first man came all tribes. All tribes are brothers for they are all a part of Mother Earth.

Original man walked the earth and gave names to all of the living creatures. He learned the way of the seasons and how each season

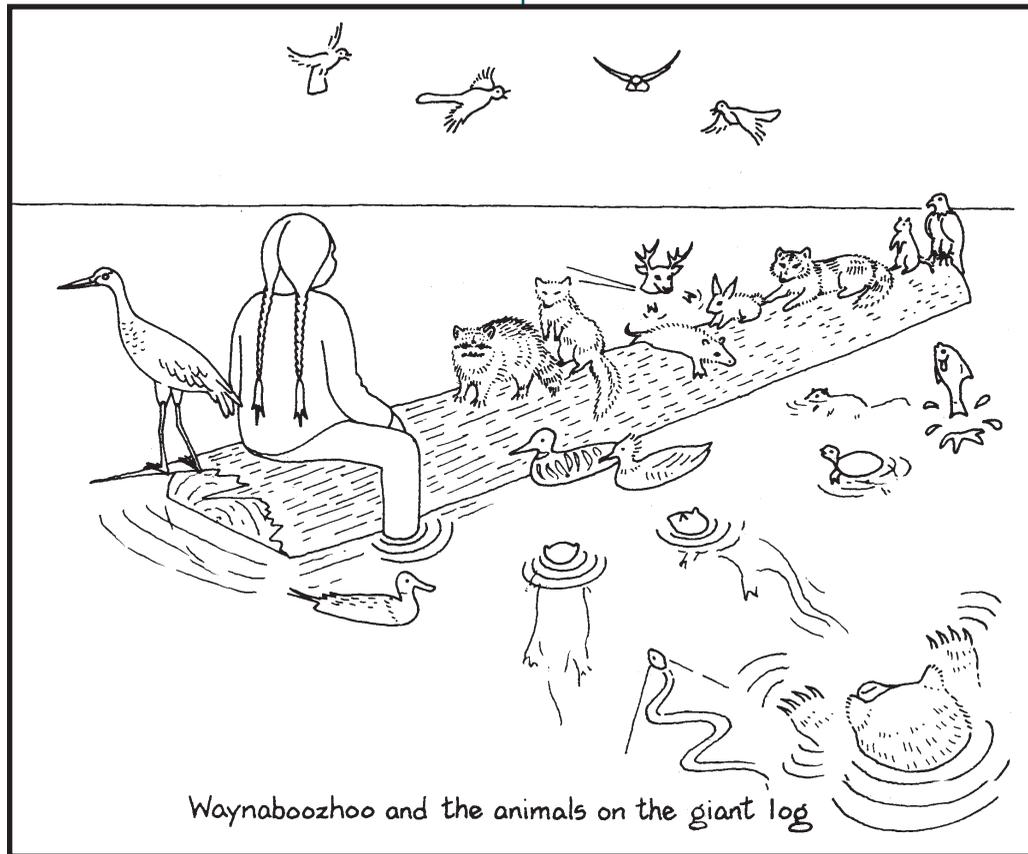
was important. He learned about the plants and discovered which ones could be eaten or used for medicines. Original man learned all the wonders and mysteries of the earth that had been created by Gichi-manidoo.

The earth was filling with people and for a long while everyone lived in harmony with the earth as had the original man. However, men began to quarrel among themselves. They began fighting for hunting grounds and began killing each other.

Gichi-manidoo was very saddened to see his people turning to these ways. He decided the earth had but one hope, and that was to purify it with a great flood. Most living creatures died as a result of the great flood, but a few were able to continue swimming to stay alive or fly above the flood.

Original man, who is also called Wenabozho (Wen'-ah-boo'-zhoo), (see explanation of Wenabozho, page 27) was able to save himself from the flood by floating on a huge log. Wenabozho took turns with the swimming and flying creatures for a spot to rest on the log. Because of sharing this way, the creatures Wenabozho helped were able to keep from drowning.

After a long while, Wenabozho and the creatures had not yet



seen any land. So Wenabozho decided to dive deep under the water in search of some earth. He believed he could create a new earth with this piece of land and the help of Gichi-manidoo.

Wenabozho dove deep into the water. He was gone a long while. When he finally returned, he had failed to bring a piece of land with him as the water was too deep. Many of the animals on the log also tried to dive and return with a piece of earth. All were unsuccessful.

Finally, the small wazhash (muskrat) offered to try. The other animals laughed at him at first. How could such a tiny animal

make it far down in the deep water? Wenabozho said they should let this brave little animal do his best. After some time, the muskrat was seen floating to the top of the water. Wenabozho picked up the tiny, lifeless body and saw that clutched in his paw was a small piece of earth. The animals cheered. This small brave animal had given his life so others could live.

Wenabozho took the piece of earth and placed it on the back of a turtle (mikinaak). At once the winds from all four directions began to blow. The piece of earth began to grow bigger and bigger until it formed an island—the new earth.

## The Ojibwe people

The Ojibwe people, also known as Anishinaabeg in the Ojibwe language or as the Chippewa in the English language, lived in North America long before the first European explorers “discovered” America. In fact early sailors who landed here thought they had landed in India. They called the people that met them “Indians.”

Later travelers realized the mistake made by earlier sailors.

Explorers and trappers also learned there were many different tribes on this land. They found out that each tribe had its own culture and beliefs. One such tribe is known today as the Ojibwe or Chippewa.

“Chippewa” is an English name. The people call themselves Anishinaabeg, which means original people. Chippewa and Ojibwe are versions of names given them by other tribes. The name may have described the puckered style



*Many years ago Ojibwe built homes called wiigiwaams (wigwams) by covering a sapling frame with birch bark.*

of moccasin the Ojibwe wore; others think the name may come from the Ojibwe word “ozhibiige,” which means to write.

The Ojibwe lived on both sides of the Great Lakes in what is both the United States and Canada today. Their hunting, fishing and gathering grounds reached from Niagara Falls, New York, to the Great Plains area. They were the largest tribe north of Mexico.

The Ojibwe were traditional hunters, fishers and gatherers. They depended upon all the resources in the forests and lakes for clothes, food, shelter, and medicine.

They did not live in one place all year long. They would move from area to area as the seasons changed. However, they would return to the same campsites each year.

They lived in wigwams. Wigwams are dome-shaped homes covered with birch bark (wiigwaas). Young trees or saplings placed in the ground make up the frame. The saplings are bent towards the center and tied together.

When the Ojibwe moved, they would roll up the bark covering for the wigwams and take them along. The frame would remain in place and be used again when they returned.

In the early spring, they moved to their sugar camps to tap maple trees. Small families gathered at their own sugar bush. Here they would collect the sap from maple trees. They boiled down the sap above a fire to make maple cakes and sugar. The sugar and cakes were stored in birch bark containers called makak (mah-kuk) and used all year long.

In the early spring just after the ice “turned over” in the lakes



***Maple sugar cakes—the sweet product of maple sap harvest.***

and rivers, the Ojibwe went to fishing spots that teemed with walleye and other fish. They would spear walleye at night using torch lights and set nets to catch fish in the rivers and lakes.

In the summer, the Ojibwe would get together in large family gatherings. They picked and dried wild blueberries, strawberries and raspberries as well as other plants.



*Makwa (bear) is a clan symbol. People of the bear clan are considered protectors.*

They would visit, trade items and compete in games such as lacrosse. In the summer they also planned for the upcoming seasons.

During the autumn, the people prepared for the winter. They harvested and processed manoomin (wild rice). They dried fish and meat, such as venison. Other plants were also gathered for drying and storing. The Ojibwe used these foods and medicines during the long, cold winter months.

In the winter, the large tribal groups would break into smaller family groups, also known as bands. Camps were usually set up in wooded areas for protection from the harsh, winter weather. Here families repaired their clothing and personal belongings. This was also an important time to

teach the young. The children listened to many stories and lessons during the long, winter months. It is said that stories should only be told when snow is on the ground.

Family has always been very important to the Ojibwe. They taught respect for elders and grandparents. Aunts and uncles sometimes acted

as a second set of parents. Cousins were the same as brothers and sisters.

Sharing was strongly encouraged. Sharing showed that you cared for someone and also showed your respect.

Another important part of Ojibwe life and family has always been the doodem (clan). Each child was born into a clan, usually the same clan as the father.

The clan was another family, a special family as important as the biological one. People of the same clan were considered brothers and sisters. Animals, such as makwa (bear), giigoo (fish), aji-jaak (crane), waabizheshi (marten), and makinaak (turtle) represent the clans. They are clan symbols.

Each clan has a different duty in the community. Makwa or bear clan people are protectors, for example. The clan system helped to decide how people would fit into the community. It provided a social structure. For example, on the basis of clan, people would become chiefs, teachers, warriors, or healers.

Today, many Ojibwe people follow the traditional lifeway and customs. Some people continue to collect medicines and foods from the forests. Many traditional craft items, like birch bark baskets and beaded clothing, are made the same way they were made a hundred years ago.

The old teachings and values are still encouraged. Many people continue to follow the traditional beliefs. Families, clans and preserving the Ojibwe language remain important to Ojibwe people today.

However, there have also been many changes. Today, the Ojibwe live all over the United States and Canada. In the United States, most of the Ojibwe live in Michigan, Wiscon-

sin and Minnesota. Some of them live on Indian reservations. Others live in cities and towns throughout the country.

An Indian **reservation** is land set aside, or reserved, for Indian people. There are 20 Ojibwe reservations in the United States. Many of them are located near wild rice lakes and fishing areas that have always been important to the survival of the Ojibwe people.

Ojibwe children go to schools similar to non-Indian children. Some attend public schools, and others may go to a reservation school. They learn many of the same subjects that other children learn and do many of the same things.



*Makinaak (turtle) is also a clan symbol representing healers.*



***Brian McInnes teaches the Ojibwe language at the Waadookadaading School, an Ojibwe language immersion school in Hayward, Wisconsin.***

Ojibwe children also learn Ojibwe language and culture at some schools they attend. Many tribes also have language and cultural classes on-reservation. The Ojibwe tribes believe it is very important to bring back and use their native language because the language expresses native knowledge and culture.

Adults work in many of the same types of jobs that non-Indians do. There are Ojibwe teachers, doctors, loggers, lawyers, construction workers, and truck drivers, for example.

While cultural traditions are very important, Ojibwe and other tribal people are very much a part of our modern world and lifestyle.

# History of Ojibwe Treaties

Over 600 treaties were signed between the United States government and the different Indian tribes. A **treaty** is an agreement made between two or more countries or nations.

Treaties were made during the time that the United States was being settled. Most treaties were signed in the early and mid 1800's.

As more and more European settlers came to America, they continued to push westward onto Indian lands. They wanted the

lands for lumber, mines and farms.

The United States government recognized Indian tribes as owners of the land, so they held meetings with the various tribes because they recognized the tribes as **sovereign** governments.

At the meetings the U.S. government asked the tribes to sell parts of their land. They promised to pay the tribes in money, goods and services. If the tribes agreed, a treaty was signed stating all the details of the agreement.



*View of the great treaty held at Prairie du Chien, September 1825.*

*(Photo courtesy of the Wisconsin Historical Society)*

The United States stopped making new treaties with Indian tribes in 1867. From 1785 to 1867, the United States signed 42 treaties with the Ojibwe nations. Some of these treaties are known as the 1836 Treaty, the 1837 Pine Tree Treaty, the 1842 Copper Treaty and the 1854 Treaty.

All of these treaties were signed between equal nations—tribes and the U.S. government. However, the tribes had to agree to cede, or give up their ownership, to the land.

At that time Ojibwe leaders worried about losing their sources for food, medicine and clothing. They felt that they would no longer be able to hunt, fish or gather the plants they needed if they sold their land. They saw this as a threat to the survival of the people and the future generations.

As a result, in many treaties the tribes were careful to keep their rights to hunt, fish and gather plants on the lands they sold to the United States. Those rights were never sold!



*Manoomin (wild rice) is a traditional and culturally-important food for the Ojibwe. It is harvested by gently knocking the kernels into the bottom of a canoe using lightweight, cedar rice knockers as pictured above.*

# Treaty rights

## Treaty rights are property rights

Today “**treaty rights**” means those rights the Ojibwe kept when they signed the treaties. They are also called reserved rights.

The Ojibwe never sold or bargained these rights away. They are the rights to hunt, fish and gather plant resources, like wild rice, on the land sold to the United States.

Let’s look at how reserved rights work. For example, your parents may have some land they want to sell. However, they have been told there is gold on the land. They don’t want to lose the gold, but they don’t want to keep the land either. So, when they sell the land, they keep (or reserve) the mineral rights. They just sell the surface of the land.

This gives them the right to mine the gold or other underground minerals even though the surface of the land belongs to the new owners.

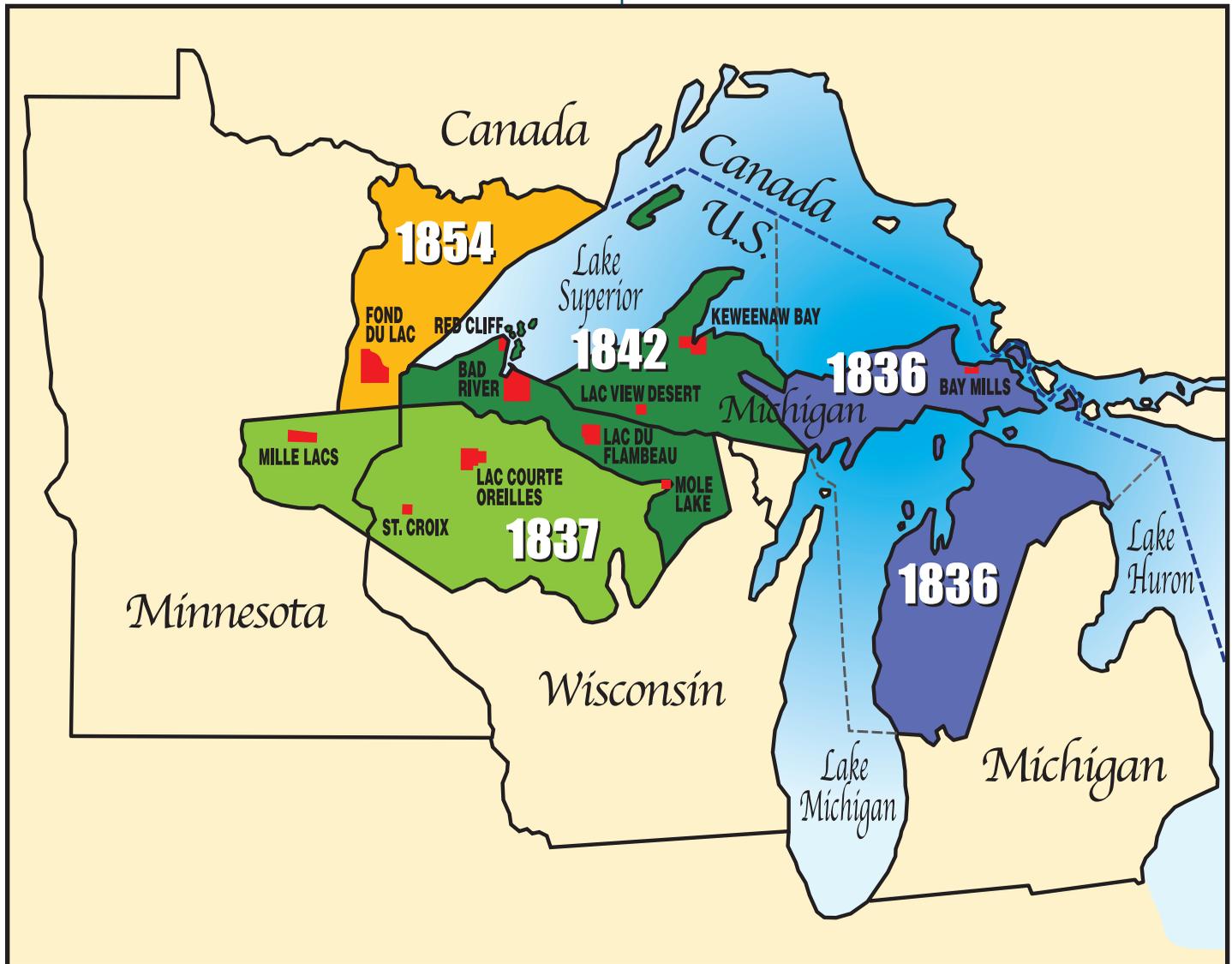
Reserved mineral rights and treaty hunting, fishing and gathering rights are a type of property right. They are not “special” rights given to Indians, but a property right, which is common to all United States citizens.

Unfortunately, the reserved treaty rights of the Ojibwe were ignored for many years. State governments simply forgot about the treaty rights of the tribes.

The states made rules and regulations and forced the tribes to follow those rules with no regard to the treaty agreements.



*In December 1998 Tobasonakwut, an Ojibwe spiritual leader from Canada, provided a pipe ceremony outside the United States Supreme Court in Washington, D.C. prior to an important hearing about the 1837 Treaty rights. The Supreme Court ruled in favor of the Ojibwe on March 24, 1999.*



*Lands sold in the 1836, 1837, 1842, and 1854 Treaties and the location of eleven Ojibwe tribes with treaty rights to hunt, fish and gather in ceded territories.*

In recent years, the tribes have gone into court against states to prove that their treaty rights have always existed.

Court decisions from the United States Supreme Court have agreed with the tribes that they did, indeed, keep hunting,

fishing and gathering rights on lands they sold.

The Supreme Court ruled that the tribes should be able to use those treaty rights as long as the natural resources are also preserved and public health and safety are protected.

## Treaty rights are exercised in the ceded territory

To “exercise” a treaty right means that Ojibwe people can go off their reservations to hunt, fish and gather, and they do these activities under tribal, not state, law. This is tribal self-regulation. For example, the treaty deer season is different than the state deer season because it is under tribal laws.

The “**ceded territory**” means the lands sold under the different treaties. For the Ojibwe, this is the northern third of Michigan, Wisconsin and Minnesota. The Ojibwe can only exercise their treaty rights within the ceded territories.

The treaty rights also apply only to those public lands sold within a specific treaty. For example, the 1837 Treaty refers to lands in the east-central part of Minnesota and northern Wisconsin. This means that an Ojibwe person hunting under the 1837 Treaty cannot use the treaty rights to hunt in parts of the state not included in that treaty. For instance, they can-

not go to northern Minnesota to hunt under 1837 Treaty rights because those lands were not sold under the 1837 Treaty.

## Treaty rights are tribal rights

Ojibwe treaty rights belong to the tribe, not to individuals.

For example, chiefs representing eight Ojibwe bands in Wisconsin and Minnesota signed the Treaty of 1837. In this treaty, the Ojibwe kept their hunting, fishing and gathering rights. Only members of those tribes who signed the treaty can hunt under the 1837 Treaty.

They can only do so under tribal regulations. The Ojibwe bands regulate treaty hunting, fishing and gathering. So tribal members must follow the rules and regulations that are part of tribal law.

A person must also be an enrolled member of an Ojibwe band that signed the treaty. For enrollment as a tribal member, you must prove your Indian ancestry, including parents, grandparents and great-grandparents.

## Treaty rights regulations

Each reservation has its own elected leaders who govern the tribe. The governing board is often called the **tribal council**. In some cases the council is called a reservation business committee, a tribal executive council or a tribal governing board. All basically have the same governing function. They make the policies and regulations for the tribe.

Today, many tribes have some of the same powers that cities or states have. Tribal councils can pass laws to regulate tribal members. They can hire police and set

up courts. They can tax their members and zone their land. Tribes also manage tribal businesses and housing programs. They have health and education programs, the same as many cities. Some tribes even issue license plates for the cars belonging to their members.

Tribal councils pass the laws that regulate treaty hunting, fishing and gathering. Councils sometimes work with state governments to develop tribal conservation regulations. Some of the tribal conservation laws are the result of federal court orders.

Laws, or codes, adopted by tribal councils regulate each of the tribal hunting, fishing and gathering seasons. This means there are laws for the treaty deer season, bear season, fishing seasons and so on. Many of the hunting and fishing laws are the same for each reservation.

Of course, laws must be enforced. So the Ojibwe tribes have conservation wardens and tribal courts. To regulate



*All deer taken during the tribal, off-reservation season must be tagged and registered.*



***GLIFWC wardens practice ice rescue training in Lake Superior's Chequamegon Bay. GLIFWC wardens are all trained in ice rescue and stand ready to assist in case of an emergency.***

off-reservation treaty seasons, eleven Ojibwe bands in Minnesota, Wisconsin and Michigan formed the Great Lakes Indian Fish & Wildlife Commission (GLIFWC). GLIFWC does not assist with regulations on-reservation, only in the off-reservation, ceded areas where treaty rights are exercised.

GLIFWC provides fully-trained wardens and stations them on the different, member reservations. GLIFWC wardens patrol the ceded territory to make sure tribal members are following the conservation laws for off-reservation hunting, fishing, trapping, and gathering seasons.

Some GLIFWC wardens are cross-deputized with Wisconsin state wardens also. Tribal members who are caught violating the laws are given citations and sent to tribal courts.

Reservations also have regulations for on-reservation hunting, fishing and gathering seasons. They are different from the off-reservation regulations. Tribes hire wardens to enforce the on-reservation laws as well.

For more information on tribal hunting and fishing laws you should contact the tribal offices in your area.

# Tribal hatcheries



*Tom Houle tends walleye eggs at the Bad River Hatchery. Many tribes operate hatcheries and stock fish in inland lakes as well as Lake Superior.*

# Resource protection

Protection of natural resources is a goal of every tribe. The tribes hunt and fish mainly for food. Some tribal members fish in Lake Superior for income. Because the Ojibwe have always depended on the resources, they are concerned about preserving and protecting them as well.

Tribes have numerous programs that protect the resources. Many reservations have tribal fish hatcheries. Most of the tribes stock fish back into lakes and streams. Some of the tribes work with local lake associations and sport groups to do this.

Tribes also understand the need to improve and protect wetlands. They help create and preserve feeding grounds for geese and other birds.

They work with different groups to control invasive plants and animals. Those plants and animals, known as **invasive or exotic species**, are not common to this area. Some of these, such as the sea lamprey and the purple loosestrife plant, can do much harm to **native** wildlife and their **habitats**, or places where they live.



*The sea lamprey is an invasive fish that has had a deadly impact on lake trout in the Great Lakes. It attaches to the lake trout with its sucker-like mouth.  
(Photo courtesy of Minnesota Sea Grant.)*

GLIFWC and tribal biologists do research on different plants, fish and animals. They do counts in order to figure out population numbers and study behavior and habits of different species.

They are also very concerned about pollution and the destruction of habitat. So, they study water and air pollution that may harm our resources and test fish for mercury contamination.

Some tribes pass laws that will help to improve and protect the water and air quality. They are working with different agencies of



***Ojibwe tribes and the Great Lakes Indian Fish & Wildlife Commission seek to restore and enhance wild rice in the ceded territories by reseeding rice beds in the fall.***

the United States' government to do this.

Tribes are concerned about protecting the plants and animals on their reservations and also in off-reservation, ceded areas where they have treaty rights.

All the tribes are involved with protecting the environment. A strong part of their traditional teachings has been to respect

Mother Earth and all forms of life.

Ojibwe people are taught to look out for the needs and well-being of future generations—all the people and life to come.

They feel a need to protect Mother Earth for the future of their children and also for their children's children for seven generations to come.

# Great Lakes Indian Fish & Wildlife Commission

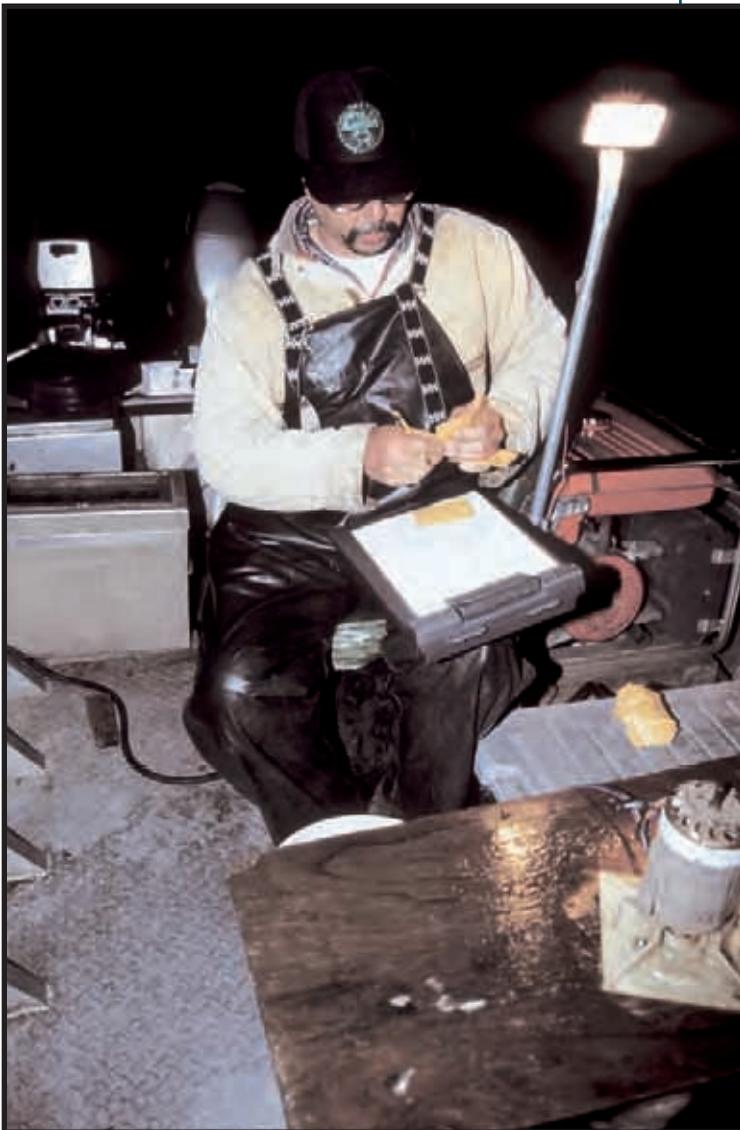
The Great Lakes Indian Fish and Wildlife Commission helps its member tribes make sure that the Ojibwe people will always be able to use their treaty rights.

It is an inter-tribal organization, meaning it is made up of many different Ojibwe bands, eleven in all. The Great Lakes Indian Fish and Wildlife Commission is often called “GLIFWC (GLIF-WIC)” for short.

GLIFWC helps its members protect the resources for the future. Some GLIFWC biologists work on wildlife management, such as deer, fisher, marten, waterfowl and wild plants.

Other GLIFWC biologists work entirely on the fisheries, both in Lake Superior and in inland lakes. They do assessments with electroshocking boats or nets to determine fish numbers. Electroshocking boats stun fish in shallow waters for a short period of time. The fish are lifted into the boat with big nets to be counted and measured, then gently put back into the water.

Information gathered by biologists helps them recommend regulations for tribal hunting and fishing seasons, such as the numbers of deer



*Aboard an electrofishing boat, GLIFWC Fisheries Technician Butch Mieloszyk records information on walleye captured during spring population assessments.*

or fish that would be safe to take each year.

GLIFWC biologists also study wild rice, a very important food for the Ojibwe. They have begun to reseed old wild rice beds that have disappeared over the years due to development and pollution.

GLIFWC biologists work with other scientists from the state, tribal or U.S. governments on many projects. They have found that working together and sharing information makes resource management better for everyone.

GLIFWC also provides conservation wardens to patrol and enforce off-reservation laws and helps its member tribes maintain their tribal courts on reservation.

Through its Public Information Office, GLIFWC provides educational materials and information to schools, organizations and tribes.

It is important for people to understand tribes and their treaty rights. Printed materials and videos explain treaty rights and tell how the tribes manage their treaty rights to protect and preserve the natural resources.



*GLIFWC biological staff removes a juvenile sturgeon from an assessment net.*

Other inter-tribal organizations like GLIFWC help their member tribes exercise treaty rights as well. In Minnesota, the 1854 Authority represents two Ojibwe bands, and in Michigan the Chippewa Ottawa Resource Authority represents five tribes with treaty rights.

These organizations help the Ojibwe ensure that the resources and environment are protected for future generations.

They provide a voice for the Ojibwe to those federal and state agencies that also work to protect the environment and natural resources.

# Questions and answers

## Why did the courts give the Ojibwe hunting and fishing rights?

Hunting and fishing rights were not given to the Ojibwe by the courts, the Department of Natural Resources, or the state or federal government.

The rights to hunt, fish and gather plants were rights the Ojibwe always had as the first owners of the land. They kept these rights for themselves in treaties when they sold the land.

## Aren't the treaties too old to apply to us today?

Indian treaties are contracts signed between the United States government and the tribes. Time does not change such an agreement. There was no time limit placed on how long the treaties should last.

The United States strongly recognizes documents much older than Ojibwe treaties, such as the Bill of Rights and the U.S. Constitution, for example.

## Can the treaties be changed?

Yes. Some treaties were changed when new treaties were signed. Congress can also abrogate treaties. This means Congress can break or change a treaty agreement.

However, if they were to abrogate treaties with the Ojibwe, Congress would also have to provide payment to the tribes for what was lost by the Ojibwe.

## Why are the Ojibwe allowed to use modern methods for hunting and fishing?

There is nothing in the treaties that limit the methods used by the Ojibwe when hunting or fishing.

It should be remembered that the treaties were signed between the United States and the Ojibwe. The United States wanted the land for its timber and mineral resources.

If the Ojibwe are to be restricted to the ways of hunting and fishing used at the time of the treaties, shouldn't the timber companies, mining companies and sportsmen also have the same restrictions?

## **What rights do the tribes have to cut and sell timber?**

The federal courts have said that the Ojibwe have no commercial rights to timber resources. They can, however, take wood and other plants for personal use.

## **What happens to Indians who break conservation laws?**

Tribal members who break the tribal hunting and fishing regulations go to tribal courts. In the tribal courts they can face up to \$5,000 in fines, possible loss of their tribal hunting, fishing and harvesting licenses and loss of gear.

# Vocabulary

<b>Ceded territories</b>	This refers to the specific lands or territories sold in treaties. Treaty rights to hunt, fish and gather can be exercised in the ceded territories under tribal regulation. (see map, page 14)
<b>Habitat</b>	The natural environment of an animal or plant.
<b>Invasive, exotic species</b>	Non-native, or plants or animals from another place, that take over when they are brought into a new habitat. They can push out or kill the native plants or animals.
<b>Native wildlife</b>	Animals or plants living or growing naturally in a particular region.
<b>Reservation</b>	This is land which is owned by specific tribes and is now considered their homeland. This land was often described and reserved in treaties. Many reservations are located near traditional rice lakes or fishing areas.
<b>Sovereign</b>	This means independent and self-regulating or ruling oneself. Governments of different countries are sovereign.
<b>Treaty</b>	This is a formal agreement between two or more countries or sovereign governments.

## **Treaty rights**

These are rights reserved, not sold, in treaty agreements between nations. They include the Ojibwe reserved rights to hunt, fish and gather on lands sold to the United States in specific treaties.

## **Tribal council**

The elected governing body of a tribe is often called the council. Sometimes it is called the reservation business committee.



*An Ojibwe hunter takes aim at a deer. Ojibwe hunters use both rifle and bow to hunt, but most rely on rifles.*

# Ojibwe stories & legends

*Wenabozho is an Ojibwe culture hero, teacher and trickster whose adventures are told in many Ojibwe stories. These stories have been passed down from generation to generation by word of mouth. They often talk about the very close relationship felt between the Ojibwe people and the plants and animals who share their world. You will see slightly different spellings of Wenabozho's name, such as Wenabojoo, Nanabush or Nenabozho, but they all refer to the same person. We hope you enjoy the stories that follow!*

## Wenabojoo's islands (Apostle Islands)

*As told by Dee Bainbridge, Red Cliff tribal elder*

The islands in this area have had many names since they were first recorded in the history of this area. Long ago, the Indian people referred to these islands as Wenabojoo's Islands because he supposedly created them.

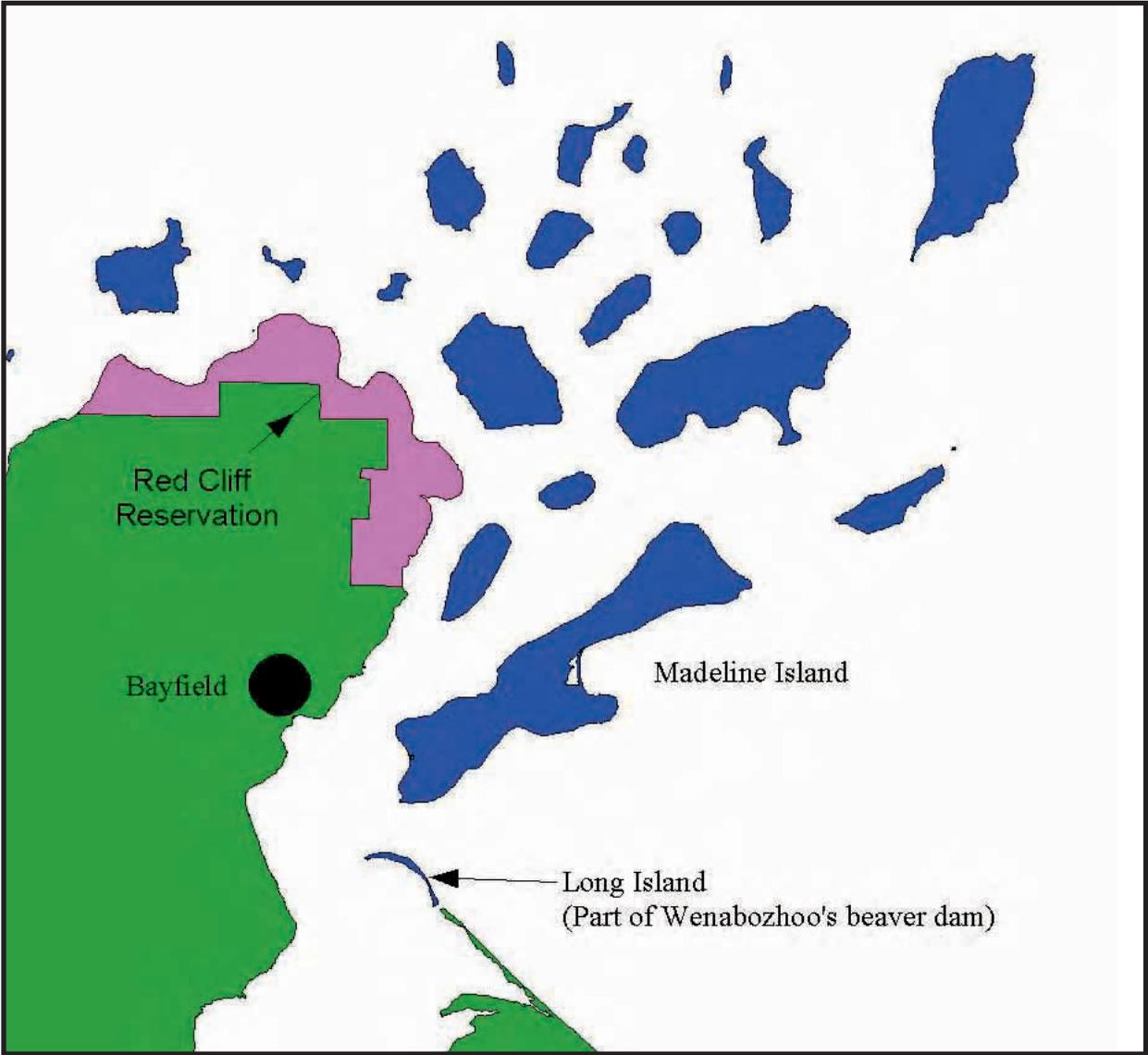
Many, many years ago when Wenabojoo was familiar in this part of the country, his favorite spot was Lake Superior. In his travels around the bay, he noticed that a Giant Beaver made his home here. Wenabojoo decided to capture this great beaver, and he ventured to build a dam to keep the beaver in this area of the bay. Long Island still exists as part of the dam that Wenabojoo built. He used sticks and rocks and sand, and he built a dam across the bay. He was sure he had succeeded in capturing the beaver in his so-called beaver pond. Poor Wenabojoo was doomed to be disappointed because he had not built his dam sturdy enough, and the Giant Beaver escaped and swam out into Lake Superior. Wenabojoo



*Amik (beaver).*

was so angry that he took the particles that he used to build his dam, and as the beaver swam away he threw handfuls of dirt after the beaver. As far as he could see, he kept throwing things at the beaver, creating an island with each handful. That is why, today the Indian people still call Long Island, what is left of the ancient dam, “Jagawamikong,” meaning “soft beaver dam.”

There is a theory that this could be where the word Chequamegon comes from. Never-the-less, the Apostle Islands are very famous. Wenabojoo is again credited with creating them.



Present day Apostle Islands.

(Map by Jonathan Gilbert, Ph.D.)

# The birch tree

*As told by Dee Bainbridge, Red Cliff tribal elder*

One day Wenabojoo (Nanabozho) was trying desperately to escape the awful anger of the thunderbirds. He had killed some baby thunderbirds and stolen their feathers, for he wanted to make a very powerful arrow.

The birds with their thunderous voices and lightning-bright eyes were chasing him. Wenabojoo ran and ran, trying to find a place safe from the anger of the great birds. Finally, he crawled into a fallen, hollow birch tree. When the thunderbirds reached him, they knew they could not harm him, for the birch tree, which was their child, protected him.

After the thunderbirds left, Wenabojoo promised the birch tree that its bark would protect whatever it held.



*The Ojibwe used birch bark for homes (wigwams), for canoes and to make storage containers.*

# Nanabush meets owl and rabbit

*As told by Sam Snake, Chief Elijah Yellowhead, Alder York,  
David Simcoe and Annie King  
Compiled by Emerson Coatsworth and David Coatsworth*

In the wintertime Nanabush had to work very hard to stay alive, and the cold, snowy days were spent in an endless search for food and fuel. But when the seasons changed and the forests came back to life, he was often overcome by lazy spells. Late one spring Nanabush had set out on a long, tiring journey away from his homeland. Each day it grew sunnier and warmer, and soon he felt one of his lazy spells coming on.

As he walked, Nanabush began to feel hungry as well. He had been traveling all morning and his thoughts turned to dinner. He went to a stream to spear fish, but to his surprise, he seemed to have found a river with no fish in it. The truth was, of course, that the fish were feeling the heat, too, and had swum down to the bottom of the stream where the water was cooler. Nanabush decided that he would look for berries. But, alas, the berries grew on bushes on the open rocks, and the sun had caused them to dry up and wither. They were not fit to eat.

“Dear me,” Nanabush exclaimed. “This is a most difficult place to hunt for food. I suppose I shall have to find a bee’s nest and eat honey.” So saying, Nanabush walked back through the woods until he came to a tree which looked as though it might hold a beehive. He climbed up and looked inside, but the bees were also feeling the hot weather, and they were resting instead of gathering honey. There was no honey at all in the tree, and when the bees discovered that Nanabush was peering down on them, they rose with angry buzzings and drove him away. He slithered down the tree and ran off into the woods as fast as he could.

Now when he was out of harm’s way, he realized sadly that he was hungrier than ever, and that he had still found nothing at all to eat. “I shall have to play a trick on some of the animals, otherwise I won’t be eating at all today,” he sighed.

So he sat down on a log and worked out a plan. When he was ready, he jumped up and walked through the forest, calling to all the birds and animals.



*Gookooko'oo (owl).*

“Come my brothers!” he cried in a loud voice. “Come to the middle of the woods for a council with Nanabush, I have a new song to teach you.”

Now there were many animals and birds in that part of the woods and, not suspecting trickery, they came as they were bid. Nanabush met them in the middle of the woods.

“Now, brothers, it is important that you sit with your backs to me while I sing a new song of magic. It is a wonderful song, and it will do wonders for you when you have learned it. But you must not watch me while I sing, or else the magic will not work for you when you sing the song yourselves afterwards.”

The simple creatures did exactly as they were told. They sat with their backs to Nanabush and lis-

tened carefully while he sang. One reason they obeyed so willingly was that owl, whom all the other animals and birds regarded as the wisest of creatures, was also sitting with his back to Nanabush. However, owl was not always clever, and he looked wise only because his face was set in a grave expression. But owl was very curious too, and although he sat with his back to Nanabush, he kept moving his eyes from side to side, hoping to catch a glimpse of him as he sang.

Though owl rolled his eyes as far as he could, he could not see what Nanabush was doing. At length his curiosity got the better of him, and he turned his head very, very slightly. His eyes opened wide—and he could hardly believe what he saw. There was Nanabush picking up rabbit in both his hands as if he were going to kill him! Owl let out such a squeal of fear and indignation that all of the other birds and animals ran off in all directions, screaming and howling for all they were worth.

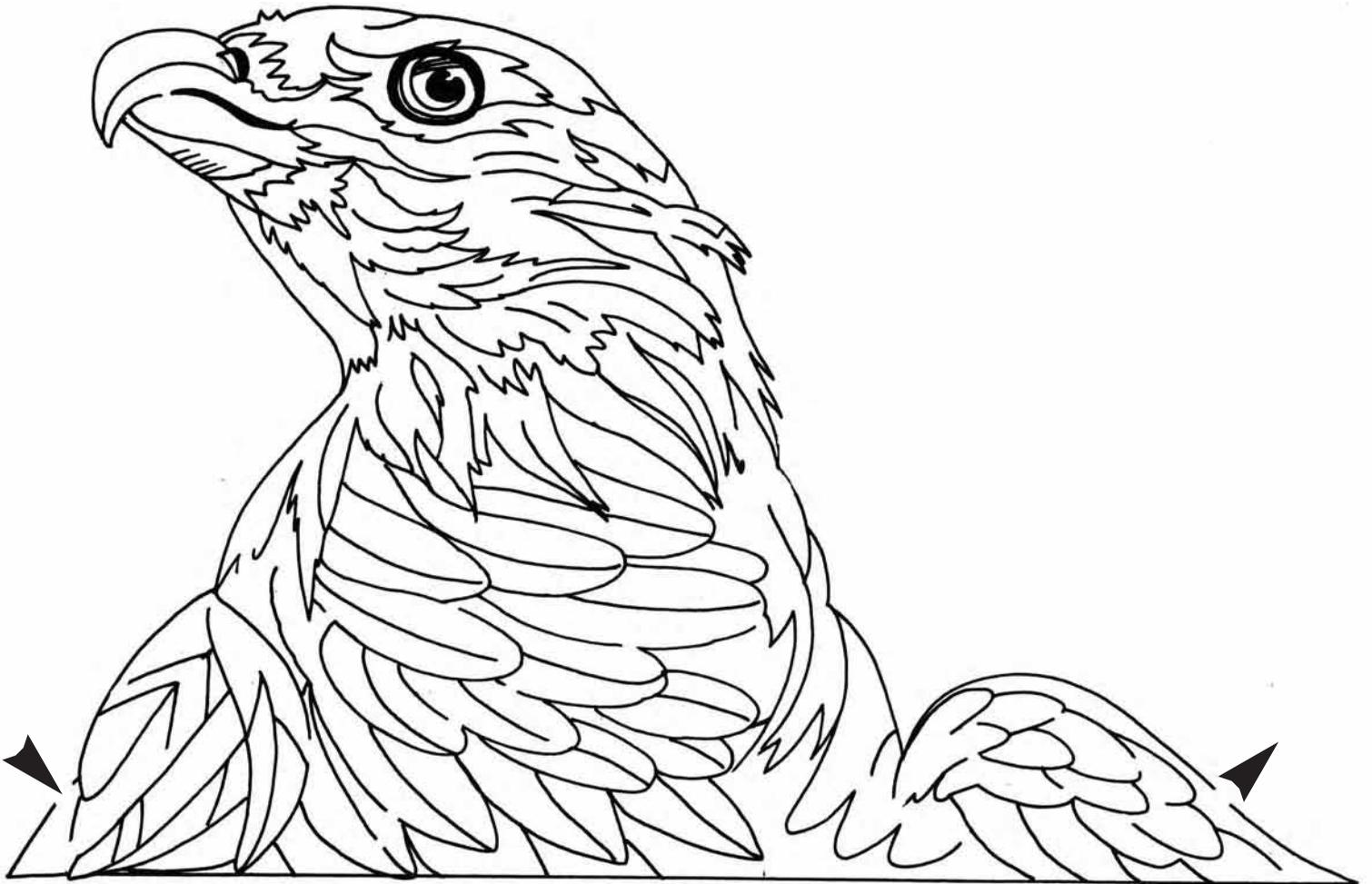
This turn of affairs took Nanabush by surprise, and without thinking he raised his arms and stretched them out as if to catch one of the escaping animals. He completely forgot he was holding rabbit, and he moved his arms with such speed and strength that he pulled rabbit out of all proportion. Instead of short ears and four short legs, rabbit suddenly found himself with two long ears and two long hind legs. But the astonished rabbit did not stop to think about this. He wiggled and wriggled until he had freed himself and hopped away into the woods, happy to be alive. It is because of this, the Ojibwe say, that ever afterwards the rabbit tribe has long ears, long hindlegs, and must jump and hop whenever they wish to move from one place to another.

Owl was particularly anxious to get away with the other birds and animals, for he had been the one who had warned them of Nanabush's trickery. But, owl was not that lucky. When rabbit had slithered out of Nanabush's hands, the trickster made a dive for owl, and when he caught him, he fixed his eyes so that they could stare only straight ahead. "I will teach you to interfere with my plans," Nanabush told him. "Forever and forever, all owls will have eyes like yours now. They may look straight ahead, but if they wish to look from side to side, they will have to turn their whole head."

When the other animals heard what Nanabush had done to owl, they laughed and laughed at the poor bird's plight. Owl felt so foolish that he hid deep in the woods and only appeared in the evenings when the sun had gone down. And that is why today owls only come out at night.

# Activities

## Bald Eagle (Migizi) Maze



answer on page 34

According to one of the teachings in Edward Benton-Banai's *The Mishomis Book*, migizi (eagle) once played an important role in saving the Ojibwe people. Gichi-manidoo, the Great Spirit, was angry with the people for using spiritual medicine in an evil way. He was about to destroy the earth when migizi flew high into the heavens, up to Gichi-manidoo and told him there were still some good, humble people living in a good way. Migizi begged Gichi-manido not to destroy the earth. Gichi-manidoo held back the destruction as long as migizi could report each day that at least one person still followed the good ways. For this reason, migizi is considered a messenger between the people and Gichi-manidoo.

Fill in the crossword puzzle on page 35 using the clues below.

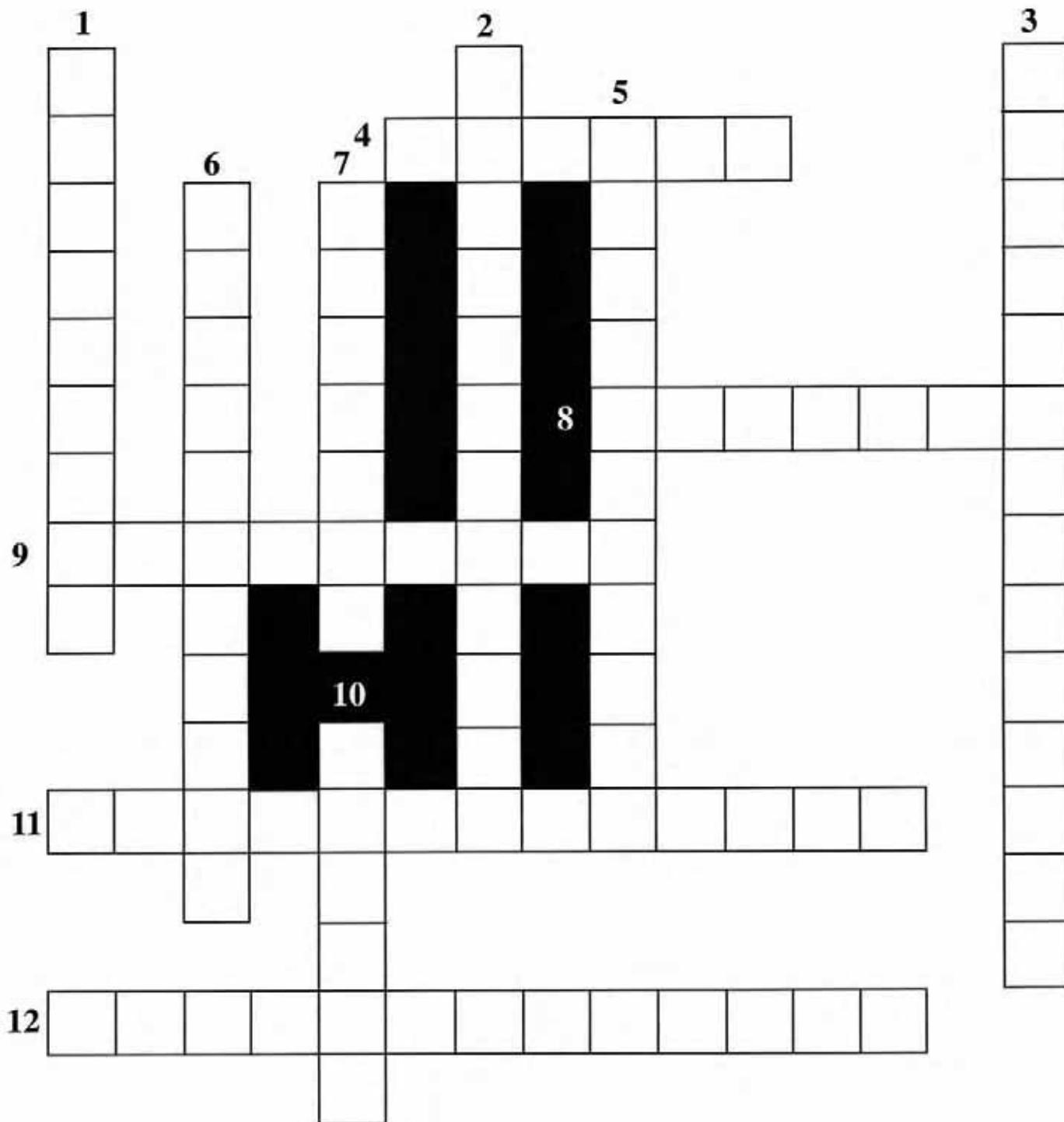
## Down

1. Stands of maple trees where people collect maple sap.
2. Rights the Ojibwe Indians kept when the treaties were signed.
3. Specific lands or territories sold in treaties.
5. Ojibwe word meaning original people.
6. Land set aside, or reserved, for Indian people.
7. Customs of different groups of people.
10. Traditional houses of the Ojibwe people.

## Across

4. Agreement between two or more countries or nations.
8. Place where a plant or animal lives.
9. Self-regulating or ruling oneself.
11. Plant or animal not common to an area.
12. Governing board of a tribe.





*answer on inside back cover*

# Ojibwe word search

Boozhoo (hello)! Here are the names of 15 animals in Ojibwemowin (Ojibwe language). The Ojibwe names are in the word maze below. How many can you find? Minozhitoon! (min-oh-jhee-tune)—Do well!

A	P	A	N	I	M	O	O	S	H	J	S	C	S
R	J	F	R	Y	H	Q	T	E	S	I	B	A	N
K	E	I	N	G	G	I	G	O	O	Z	J	M	L
A	B	I	D	I	A	K	A	A	N	I	K	I	M
J	Q	'	J	A	L	A	A	A	M	E	I	K	Y
I	K	A	S	V	M	S	G	J	F	N	H	A	M
D	S	M	D	U	O	O	O	I	K	O	S	N	A
A	W	A	A	O	O	O	O	J	H	G	E	A	'
M	H	G	B	Q	P	O	U	A	K	Z	H	G	I
O	U	A	V	N	W	G	X	A	N	U	Z	N	I
O	A	M	Z	D	T	A	Q	K	K	T	I	I	N
W	M	O	A	Y	J	A	T	O	V	G	B	I	K
C	P	O	W	K	O	L	L	L	A	B	A	'	Z
T	P	'	U	D	W	J	H	S	O	G	A	A	W
I	I	W	A	Z	H	A	S	H	K	Q	W	M	R

1. ajidamoo (uh-ji-dah-moe)—red squirrel
2. ajijaak (uh-ji-jaak)—crane
3. amik (uh-mik)—beaver
4. animoosh (uh-nee-moosh)—dog
5. esiban (eh-see-buhn)—raccoon
6. gigoo (gee-goo) (g sound as in gun)—fish
7. ma'iingan (muh-ing-an)—wolf
8. mikinaak (mik-ih-naak)—turtle
9. makwa (muck-wah)—bear
10. ogaa (oh-gah)—walleye
11. waaboos (wah-booos)—rabbit
12. waabizheshi (wah-bi-zhay-she)—marten
13. waagosh (wah-goosh)—fox
14. wazhashk (wah-juh-shk)—muskrat
15. zhigaag (zhee-gog)—skunk



answer on inside back cover

# Resource Materials

The following is a partial list of materials published and/or distributed by GLIFWC's Public Information Office. Please contact us by email: [pio@glifwc.org](mailto:pio@glifwc.org); write: GLIFWC, P.O. Box 9, Odanah, WI 54861 or visit our website [www.glifwc.org](http://www.glifwc.org) or phone (715) 685-2150.

**A Guide to Understanding Ojibwe Treaty Rights**—The guide contains the pertinent treaties, discusses the nature of treaty rights, provides historical background on the treaty rights, and details tribal resource management and GLIFWC activities. © 2006—\$3.00 each.

**Seasons of the Ojibwe**—The 2002 edition details GLIFWC activities and harvest totals for major off-reservation tribal hunting, fishing, and gathering seasons. © 2002

**Ganawenimaa nimamainan aki (Respect the Earth)**—This publication is a twenty-page environmental activity booklet for elementary level youth. It offers basic information about the Lake Superior watershed, its inhabitants and encourages conservation and respect of the water. © 2006—First one is free, \$1.00 each thereafter.

**Fishery Status Update**—As a follow-up to the 1991 Casting Light Upon the Waters report, the Joint Fishery Steering Committee released this report summarizing findings from the last nine years of joint assessment and fishery management activities. These are available at no charge.

**Cultural posters**—GLIFWC produces a new poster annually. 1st one free, \$2.00 each thereafter.

**MAZINA'IGAN**—A quarterly newspaper emphasizing treaty issues and treaty resource management activities. Subscriptions are available at no charge.

**Growing up Ojibwe**—This 20 page supplement to the *Mazina'igan* is written for elementary students and contains activities. 1-5 copies free; 6 or more 25¢ each thereafter.

**Iskigamizigan (Sugarbush): A Sequel to Growing up Ojibwe**—This 12 page supplement takes you through the various steps involved in gathering and processing maple sap. 1-5 copies free; 6 or more 20¢ each thereafter.

**Brochures**—Ojibwe Treaty Rights & Resource Management; Wild Rice • Ecology–Harvest–Management; Lake Superior Indian Fishery; Enforcement of Off-Reservation Treaty Season; Tribal Fish Hatchery Production; Sandy Lake Tragedy & Memorial. All brochures are free.

**Ojibwe Journeys: Treaties, Sandy Lake & The Waabanong Run**—This book explores key events in the Ojibwe treaty-making period of the early 1800s and traces the ensuing journey to protect reserved rights from formidable governments and anti-Indian groups. \$16.00 each.

**Plants Used by the Great Lakes Ojibwa**—This book includes a brief description of each plant and its use, reproduced line drawings, and a map showing approximate location of each plant within the ceded territories. \$20.00 each.

