



Reclaiming Rights and Practices on Ojibwe Ceded Territory

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In 2015, the mining company GTac withdrew its permit application for a mining project in the iron-rich Penokee Hills of Wisconsin. During a celebratory ceremony, Bad River elder Joe Rose stated: “We need to give thanks that our prayers were answered. This demonstrates the effectiveness of ceremonies, prayers, and grassroots activism” (Ericksen 1). The mining project threatened the quality of the water that flowed through the Bad River Reservation and into Lake Superior. If the permit were delivered, the mine would have impacted the drinking water on the reservation, in Ashland (Wisconsin), and in nearby towns¹. Joe Rose’s statement sheds light on the importance of ceremonial and traditional practices, which he places at the forefront of his environmental activism. According to Rose, both the collaboration between tribal and non-tribal residents of northern Wisconsin and the ceremonies and prayers played a role in the success of the anti-mining movement.

According to a 2023 study, Indigenous peoples, who represent approximately 6% of the world’s population, are involved in 34% of all documented environmental conflicts, with mining accounting for 24% of these disputes (Scheidel et al. 1). Researcher John Bodley describes the extraction and exploitation of natural resources as “defining features” of the American colonial project (Bodley 7). In the United States, the challenge to tribal rights and treaties by industrial corporations is often facilitated by federal and state policies operating as colonial agents, perpetuating the domination and encroachment of tribal lands for economic purposes. In addition to threatening the ecosystem of the project area, the mining industry threatens the survival of practices and knowledge of Indigenous peoples by transforming the natural world around them, echoing efforts of the previous decades by the federal government to assimilate and acculturate Native Americans.

According to Anishinaabe researcher Leanne Betasamosake Simpson, Indigenous people are closely connected to their land: “Indigenous bodies don’t relate to the land by possessing or owning it or having control over it. We relate to land through connection” (Simpson 2017, 49). Within this framework, the “logic of elimination” of the Native, which historian Patrick Wolfe identified as the defining feature of settler colonialism, can therefore be understood as going beyond the physical destruction of Indigenous bodies also to encompass the destruction of

¹ The Bad River Reservation is a band of the Ojibwe Nation located in Wisconsin.

their lands (Wolfe 387). In this context, reclaiming traditional practices related to natural resources management can therefore be seen as a form of resistance, reclaiming rights and sovereignty through traditional practices. In keeping with this premise, this article explores how the Ojibwe tribes reaffirmed their sovereignty over ceded territories by revitalizing traditional practices and cultural heritage in practice and through the courts. The term “ceded territory” refers to the lands ceded by the Ojibwe people to the United States in a series of treaties signed in the 19th century. Unlike reservations where tribes retain a certain degree of autonomy over resource management, ceded territories fall under state jurisdiction, which means tribes are denied participation in resource management.

The presentation will begin by examining the historical foundations of tribal customs that have reaffirmed Ojibwe treaty rights and their anchoring in Ojibwe creation stories. The discussion will then turn to a detailed case study of the court proceedings and the 1983 Voigt ruling, which reaffirmed treaty and reserved rights on ceded territories. Finally, the article will consider how the resurgence of traditional lifeways and legal victories has contributed to the emergence of new forms of environmental and tribal activism in Northern Wisconsin.

Fishing and gathering in Ojibwe oral history

The Ojibwe, also known as Chippewa, are an Indigenous group composed of many federally recognized tribes across Wisconsin, Minnesota, Michigan, Montana, and North Dakota². The Ojibwe people are part of a larger cultural and linguistic group known as Anishinaabe, which also encompasses the Potawatomi and the Ottawa in Canada. According to Ojibwe scholar Patty Loew, the word Anishinaabe references an alliance between the three Nations: “Perhaps as early as 1500 b.p., the Anishinabe, an alliance that includes the Ojibwe, Potawatomi, and Ottawa, left their homes along the Atlantic Seaboard and traveled west” (Loew 54). The geography of the Great Lakes region has influenced the culture, diet, practices, and creation stories of the Anishinaabe. In addition to oral stories, the beliefs and history of the Anishinaabe are also recorded on birch bark scrolls that have been found across the Great Lakes region. On the birch bark scrolls, the sacred songs of the Medicine Lodge ceremonies were depicted (*Midewiwin* in Anishinaabe) in order to help young initiates learn the songs

² The United States Department of the Interior defines federally recognized tribes as follow: “A federally recognized tribe is an American Indian or Alaska Native tribal entity that is recognized as having a government-to-government relationship with the United States, with the responsibilities, powers, limitations, and obligations attached to that designation, and is eligible for funding and services from the Bureau of Indian Affairs. Furthermore, federally recognized tribes are recognized as possessing certain inherent rights of self-government (i.e., tribal sovereignty) and are entitled to receive certain federal benefits, services, and protections because of their special relationship with the United States. At present, there are 574 federally recognized American Indian and Alaska Native tribes and villages” <https://www.bia.gov/faqs/what-federally-recognized-tribe>.

(Loew 2). Animals and plants were often the main subjects of these depictions, indicating how the Anishinaabe integrated the natural world into their spiritual practices. Orality plays a key role in Ojibwe culture, as it enabled many communities to preserve aspects of their culture that assimilationist policies sought to erase. It is through these stories that the defining features of Ojibwe culture, beliefs, and practices emerge. According to Leanne Simpson, the survival and preservation of orality participates in both “cultural regeneration and political resurgence,” which she identifies as powerful tools against assimilation: “To me, reconciliation must be grounded in cultural regeneration and political resurgence. It must support Indigenous nations in regenerating our languages, our oral cultures, our traditions of governance, and everything else residential schools attacked and attempted to obliterate” (Simpson 2011, 17). Examining these stories, therefore, allows us to understand better how the revitalization of traditional practices is inextricably linked to the reaffirmation of Ojibwe rights and sovereignty.

Wild rice (*manoomin* in Anishinaabe) is a staple of the Ojibwe diet, but it also holds a special place in oral tradition and ceremonial practices. According to Ojibwe activist and scholar Winona LaDuke (White Earth), wild rice is the first solid food an infant will consume, as well as the last food consumed before passing (Winona LaDuke, TedxTalk). In a special edition published by the Great Lakes Indian Fish and Wildlife Commission (GLIFWC) in 2008, the Ojibwe governmental organization compiled a series of stories from different Ojibwe elders, all relating to wild rice and its importance in Ojibwe culture and beliefs (“Wenabozhoo Finds Manoomin”). At the center of these stories is *Winnebozhoo*, hero of the creation story and his grandmother *Nokomis*³. According to an elder from the Ojibwe Lac Courte Oreilles tribe, *Nokomis* told *Winnebozhoo* that to prove his manhood, he should embark on a journey without food. After days of traveling while fasting, *Winnebozhoo* arrived at a lake where he found wild rice. Amazed by the beauty of the plant, *Winnebozhoo* brought his grandmother to the lake, and together they gathered the plant to spread it in other lakes. After having “sown” wild rice with *Nokomis*, *Winnebozhoo* continued his journey, still fasting, and along the way, plants started talking to him, urging him to eat them. As *Winnebozhoo*’s journey was a vision quest that required him to fast, the young man fell very ill after having eaten the plants. When he finally felt better and resumed his journey, he refrained from eating more plants, until he came upon a lake where he recognized the wild rice he had “sown” with his grandmother. This time, when the wild rice plant told him “Sometimes they eat us” (“Wenabozhoo Finds Manoomin” 2), *Winnebozhoo* picked up the plant and ate it. He finally “waded into the water up to his breast and beat off the grain, and ate and ate, but this time he was not sick”

³ The spelling of *Winnebozhoo* and *Nokomis* varies from text to text. This article will only use *Winnebozhoo* and *Nokomis*, except in quotations.

(“Wenabozhoo Finds Manoomin” 2). According to the Lac Courte Oreilles story, *Winnebozhoo* was able to eat without falling ill because the plant was a gift from the Creator (*Gichi Manidoo*). The food that grows on the water, *manoomin*, is what led the Ojibwe to travel east following the order of *Gichi Manidoo*, and it is the plant that kept the hero of their creation story alive. Today, wild rice harvesting is still practiced in the lakes surrounding Ojibwe reservations, and the practice continues to play a fundamental role in Ojibwe culture which Winona LaDuke describes as: “a quintessential elements of being Ojibwe” (LaDuke 167). The harvest is practiced in pairs, and similarly to the way *Winnebozhoo* “beat off the grain”, as one person, the “poler” propels the canoe through the wild rice, the other person uses a ricing stick to gather the grain by lightly stroking the seed heads to release the grains. With the emergence of paddy-grown wild rice, Ojibwe harvested wild rice has significantly increased in value, which represents an important source of income for Ojibwe gatherers.

In addition to wild rice harvesting, spearfishing represents another important activity that can be traced back centuries, and which finds its origin in the stories that have been passed down from generation to generation. The Ojibwe diet traditionally followed seasonal practices. In the early spring, when the harsh winters of Wisconsin and Minnesota came to an end, the Ojibwe began spearfishing. In *Indian Nations of Wisconsin*, Patty Loew (Bad River) explains how the practice is told to have originated from an old blind man who taught the Ojibwe how to “fire hunt for fish. At night, by the light of pitch-filled birch bark torches” (Loew 69). The Lac du Flambeau band is believed to be the first Ojibwe band to have started spearfishing, and when they came into contact with French fur traders, they were given the name Lac du Flambeau which translates to *Lake of the Torches* in English. The practice became common among Ojibwe bands across the region, and while they originally used torches fastened to the bow of their birch bark canoes to attract fish at night, today, Ojibwe fishermen use headlamps to spearfish. The name for the practice is *waswagoning* (fishing by torchlight), and Ojibwe people who practice it mostly spear for walleye (*ogaa*), northern pike (*ginoozhe*), and muskellunge (*maashkinoozhi*). Although modern tools such as headlamps, flashlights, and boats have replaced torches and birch bark canoes, the practice is still enshrined in tradition, and Ojibwe spearfishermen continue to sing ceremonial songs, and place tobacco (*asemaa*) in the water as an offering to the Creator. As illustrated by the compilation of stories created by the Wisconsin First Nations organization entitled *The Ways*, today, spearfishing is an inter-generational activity that allows parents and elders to teach the younger generation of Ojibwe children how to spearfish. Jason Bisonette (Lac Courte Oreilles), whose story is told in *The Ways*, expressed the importance of teaching the practice to his son for him to become a provider for his family. He also insisted on the importance continuing the practice to ensure the survival of cultural traditions: “The Ojibwe education is something we have to have to survive as Ojibwe” (“Spearfishing: A Living History”).

Re-appropriating reserved rights through the courts

Reserved rights are property rights that Native Nations have retained on the territories ceded to the United States in a series of treaties signed in the 19th century. The reserved rights that the Ojibwe have retained were established in three land cession treaties signed in 1837, 1842 and 1854. Article 5 of the St. Peters treaty stated: “The privilege of hunting, fishing, and gathering the wild rice, upon the lands, the rivers and the lakes included in the territory ceded, is guaranteed to the Indians, during the pleasure of the President of the United States” (Kappler, 491). The nature of reserved rights was first interpreted by the United States Supreme Court in 1832. In *Worcester v. Georgia*, Chief Justice Marshall explained: “The Indian nations had always been considered as distinct, independent political communities retaining their original natural rights as undisputed possessors of the soil, from time immemorial” (*Worcester v. Georgia* 31 U.S. 515). This definition meant that hunting, fishing, and gathering rights that the Ojibwe tribes had retained through treaties, were usufructuary rights, and therefore, as former owners of the land, they had not lost access to the natural resources. In 1905, the Supreme Court expanded on the definition of reserved rights in *United States v. Winans* by stating that usufructuary rights encompassed all the rights “not expressly granted” by the Native Nations in their treaties with the United States (*United States v. Winans* 198 U.S. 381). Although the 1905 decision involved the Yakima tribe of Washington, the 1905 Supreme Court ruling set a precedent for federally recognized tribes all over the country. For the Ojibwe tribes, the decision meant that spearfishing and wild rice harvesting off-reservation were protected activities. However, despite the legitimacy of reserved rights, the Ojibwe tribes of Wisconsin saw their treaty rights abrogated by the state Supreme Court in 1908 in *State v. Morrin*. The decision, although contrary to the federal ruling, allowed the state of Wisconsin to criminalize spearfishing and ice fishing off-reservation, eventually leading to the desegregation of the traditional practices. The abrogation of Ojibwe reserved rights stemmed from the state’s determination to establish its authority as sole manager of the natural resources⁴. In their ruling, the state Supreme Court judges explained that the practices infringed on the state’s sovereignty: “The court holds that to exempt such Indians from state laws regulating hunting and fishing within the borders of a state after its admission into the Union would deprive the state of its sovereign power to regulate the rights of hunting and fishing” (*State v. Morrin* 117 N.W. 1006, 136 Wis. 552). The decision portrayed Ojibwe traditional practices as incompatible with the state’s sovereignty which, according to the Supreme Court judges, justified the abrogation of federally protected rights. The impact of *State v. Morrin* went beyond the loss of subsistence as, according to anthropologist Larry

⁴ Treaties and treaty rights are governed by federal law, and more specifically by federal Indian law. This legal framework implies that the exercise of these rights cannot be subject to state regulation and Ojibwe spearfishermen were therefore exempt from state regulations.

Nesper, access to fish, game and wild rice played a fundamental role in shaping political and social relations among Ojibwe tribes (Nesper 45). Although some Ojibwe hunters and fishermen continued their activities off-reservation, the illegality of the practices progressively led to ignorance regarding the legitimacy of treaty rights, and more specifically of the legitimacy of reserved rights on ceded territory. Going fishing or hunting off-reservation became an act of defiance against the state, instead of being the exercise of protected activities: “Ojibwe men admit to violating with proud defiance, indicating that they perceive the practice as integral to their identity” (Nesper 53).

However, in the early seventies, resistance against state-imposed regulations shifted from violation to the courts. In the wake of the “War on Poverty” introduced by John F. Kennedy in the early sixties, federal and state programs had been put in place to allow low-income communities to access legal services. At the federal level, legal scholars specialized in federal Indian law had created the Native American Rights Fund (NARF), which provided legal assistance to Native American tribes. In Wisconsin, the emergence of the programs had led the state to create the Wisconsin Judicare, a service aimed at low-income residents and Native American tribes. By facilitating access to legal counsel, the program allowed Ojibwe tribes to seek legal representation when their members were arrested for violating state regulations. The programs introduced a new avenue for tribes who wished to reaffirm their reserved rights and in the years that followed, the Lac Courte Oreilles, with the help of lawyers from Wisconsin Judicare, would embark on a ten-year long journey to reaffirm their treaty rights.

In 1974, Fred and Mike Tribble, brothers and members of the Lac Courte Oreilles tribe, attended St. Scholastica College in Duluth Minnesota, where they took a course on Indian law. One of their assignments required them to study the treaties signed between the United States and the Ojibwe tribes in the nineteenth century. While reviewing the treaty provisions, the brothers learnt about the reserved rights which, according to the 1837, 1842 and 1854 treaties, allowed them to fish, hunt and gather on ceded territory. After years of systematic arrests, the brothers were skeptical of the legitimacy of the provisions which they decided to test by going fishing off-reservation. In a video published by GLIFWC, the brothers explain:

There was an Indian law course, which we signed up for, our instructor assigned us to research the treaties. We kept coming up across an article saying that we retain the right to hunt fish and trap on ceded territory. Ceded, for us, was key cause we were always taught we couldn't hunt off the reservation. One day after class we stopped our instructor Larry Lenthall in the hallway and we said:

“Hey Larry, how come we kept researching these treaties and it says ceded territory and doesn't say we have to hunt and fish on reservations only. What do we have to do about it?”

He said “Well, you have to have a test case.”

“Oh yeah, test case, what does that mean?”

He said “that means you have to go out and get arrested.”

So, we said okay. [...] We knew we'd get cited for fishing off the rez, and so, that's what we did (“Crossing the Line: Tribble Brothers” Transcript)

As had happened for many years, the brothers were immediately arrested by the state Department of Natural Resources (DNR) game wardens and were given a court date a few days later. When Fred and Mike Tribble received a guilty conviction for poaching, which they had anticipated, tribal attorneys for the Lac Courte Oreilles tribe took over the case and filed a lawsuit against DNR Secretary Lester P. Voigt, the game wardens, the Sawyer County District Attorney, and the Sawyer County Sheriff. The Lac Courte Oreilles argued that the arrest, and subsequent conviction infringed upon their reserved rights. The case was heard by District Court Judge James Doyle who, in 1978, ruled against the tribe. He argued that the 1854 treaty, the last land-cession treaty signed between the United States and Ojibwe tribes, had extinguished any reserved rights protected under the previous treaties due to changes in the boundaries of the Lac Courte Oreilles reservation (*United States v. Bouchard* 464 F. Supp. 1316). The tribe appealed the decision, and in 1983, a panel of judges for the Court of Appeals of the Seventh Circuit overturned Judge Doyle's ruling. The three-judge panel overseeing the Lac Courte Oreilles appeal concluded that, because the tribe believed the 1854 treaty had never extinguished their reserved rights, the principles of treaty interpretation should apply:

We disagree. The Treaties of 1837, 1842, and 1854 are consistent in that each treaty includes both a cession of land and a reservation of usufructuary rights on the ceded land by those Indians relinquishing their territory. The LCO band had ceded its territory pursuant to the two earlier treaties in which its reservations of usufructuary rights were explicit. Omission of any reference to those rights in the 1854 treaty suggests that the LCO band believed their right to use ceded land for traditional pursuits to be secure and unaffected by the 1854 treaty. We are not persuaded that either the remarks of Chief Buffalo or the absence of an explicit reservation of the LCO's usufructuary rights were understood by the Indians and the Government to be inextricably linked at the time of the 1854 treaty negotiations (*Lac Courte Oreilles v. Voigt* 700 F.2d 341).

The panel sent the case back to Judge Doyle for further interpretation regarding the scope of Ojibwe treaty rights on ceded territory. After eighty years of arrests and disregard for treaty provisions, the 1983 ruling reaffirmed the legitimacy of Ojibwe fishing, hunting and gathering rights off-reservation. In the years that followed, all the Ojibwe signatory tribes of Wisconsin joined the Lac Courte Oreilles to obtain the reaffirmation of their rights⁵. The 1983 ruling constituted such a shift in how the state envisioned resource management that Judge Doyle organized further proceedings to determine to what extent tribal governments could participate in the management. The legal proceedings were structured into three phases to address the concerns raised by the state and its agencies, which had previously held exclusive authority over regulating natural resources on ceded territory. The first phase, or Declaratory Phase, focused on the nature and the scope of Ojibwe treaty rights, the second phase, or Regulatory Phase, addressed the permissible extent of state regulations, and finally, the third phase, or Damages Phase, dealt with the extent to which the state was liable for damages for denying Ojibwe tribes access to resources. Between 1985 and 1991, nine court proceedings

⁵ The tribes were the Red Cliff, the Sokaogon, the St. Croix, the Lac du Flambeau, and the Bad River.

would result from the three-phase program, and after the death of Judge Doyle in 1987, the proceedings continued under the supervision of Judge Crabb⁶.

Indigenous practices, environmental stewardship, and sovereignty

Following the 1983 ruling, Ojibwe tribes that had reserved hunting, fishing, and gathering rights on ceded territory came together to demonstrate to state and federal agencies their ability to manage these resources effectively and uphold the protected activities. On the contrary, sportfishing associations in Northern Wisconsin voiced their opposition to the reaffirmation of Ojibwe reserved rights. The landmark decision was seen by local sportfishing associations as a discriminatory measure that exempted tribal spearfishermen from state regulations. In 1985, Larry Peterson, a papermill foreman, founded Protect Americans' Rights and Resources (PARR) to unite sportfishermen and anti-treaty residents of Wisconsin. The organization campaigned against spearfishing, claiming it threatened the pristine lakes that attracted millions of recreational fishers annually. However, PARR's efforts to portray spearfishing as an environmentally damaging practice masked a violent and racist agenda, culminating in violent protests at boat landings where participants shouted racist slurs and carried posters that read: "Save a spawning walleye, spear a pregnant Squaw" (Grossman 212). In 1986, Republican Tommy Thompson was elected Governor of the state of Wisconsin. During his campaign, Thompson had publicly voiced his opposition to Ojibwe treaty rights, leading to further division and tensions between spearfishermen and sportfishermen. As the anti-treaty sentiments grew in the state, the Department of Natural Resources, operating under a budget allocated by James Klauser, whom Thompson appointed, established bag limits exclusively on lakes where Ojibwe fishermen speared walleyes. This decision suggested that the concerns raised by PARR regarding the potential environmental impacts of spearfishing were warranted. In the face of such hostility towards the practice of treaty-protected activities, Ojibwe tribes came together and formally organized to demonstrate to state agencies and local anti-treaty groups their ability to manage on and off-reservation resources and practices effectively.

Several organizations were founded to address environmental, social, and legal concerns. Ojibwe and non-tribal activists founded the Midwest Treaty Network and the Witness for Non-Violence Program to protect and record race-based violence against Ojibwe spearfishermen. The Potawatomi, the Menominee, the Mole Lake, and the Stockbridge-Munsee formed the Niwiin Tribes and joined the Midwest Treaty Network⁷. The two organizations collaborated to

⁶ The nine proceedings became known as LCO II, LCO III, LCO IV, LCO V, LCO VI, LCO VII, LCO VIII and LCO IX.

⁷ "Niwiin" means four in Anishinaabe.

prevent the establishment of mining projects on ceded territory where the tribes had retained rights. Together, they formed the Wolf Watershed Educational Project (WWEP), which brought together tribal members, scholars, scientists, environmental activists, and some of the first white sportfishermen who recognized that mining posed a greater environmental threat than spearfishing. WWEP's strategy, which focused on educating the public, organized speaking tours across Wisconsin to educate non-tribal residents on the importance of protecting Ojibwe treaty rights, which constituted the most successful legal tool to protect the pristine lakes and rivers of the region. Their work and the progressive involvement of white sportfishermen who had previously opposed the Voigt ruling were pivotal in dismantling anti-treaty rhetoric, and ultimately allowed for the emergence of new forms of environmental activism in rural Wisconsin, which geographer Zoltán Grossman describes as: "an environmental movement that was rural-based, middle-class and working-class, intergenerational, and multiracial" (Grossman 247).

From a governmental and resource management perspective, Ojibwe tribes established the Great Lakes Indian Fish and Wildlife Commission (GLIFWC). The organization functions as an intertribal, self-regulatory entity and serves as a key liaison between Ojibwe tribes and state agencies in matters of resource management. As a result of the 1983 ruling, GLIFWC implemented tribal regulations for fishing, hunting, and gathering on and off-reservations on ceded territory to show state agencies and treaty-opponents that spearfishing, among other treaty-protected activities, would not constitute a threat to the environment of ceded territories across Wisconsin, Minnesota, and Michigan where Ojibwe tribes have reserved rights. GLIFWC's work combines scientific, legal, and economic expertise, which became particularly crucial during the violent protests surrounding spearfishing, as the publication of their statistical reports demonstrated the low impact of spearfishing on the walleye population (Grossman 218). Today, GLIFWC works with the Department of Natural Resources in Michigan, Wisconsin, and Minnesota, reviewing environmental impact statements and permit applications for mining projects located on Ojibwe ceded territory. The organization's primary objective is to uphold Ojibwe sovereignty. In Wisconsin, this sovereignty relies significantly on respecting treaty provisions, equitable resource management, and honoring practices essential to Ojibwe spiritual and cultural life. The organization gathers Indigenous and non-Indigenous experts, and during an interview conducted with GLIFWC experts Ann McCammon-Soltis and Dawn White, they expressed the importance of creating a dialogue between tribes and agencies like the Department of Natural Resources who often do not see the value of resource management through the same lens (Interview with GLIFWC, May 2024).

Ojibwe heritage and the protection of sacred practices

The reaffirmation of Ojibwe reserved rights in 1983 was pivotal in protecting off-reservation wild rice harvesting and spearfishing from a legal perspective, but the practices are also kept alive thanks to the efforts of Ojibwe tribal members who continue to educate the younger generations of spearfishermen and harvesters. The cultural survival of Ojibwe knowledge and practices is made possible despite the settler-colonial context that has sought to assimilate and acculturate Indigenous populations in the United States. This resilience is supported by the efforts of GLIFWC and other organizations that were established following the 1983 ruling.

GLIFWC collaborates with educational institutions, ranging from kindergarten to high school, to promote the teaching of Ojibwe practices, including spearfishing and wild rice harvesting. Their website features a dedicated section for educational materials aimed at teachers, offering free access to videos and detailed documents. Teachers and parents can also order 80 children's books from a catalog combining English and Anishinaabe vocabulary to describe the activities. Furthermore, GLIFWC created an educational manual entitled “A Guide to Understanding Ojibwe Treaty Rights” that provides crucial information on treaties, discusses the nature and historical background of treaty rights, and details tribal resource management. Free to access and download online, the guide explains in its introduction the importance of providing tribal and non-tribal residents of Ojibwe “ceded” territory with factual information regarding the practices protected by the 1983 ruling stating:

Ignorance opened the doors to unfounded fears and rumors which fostered social and political pressure to abrogate the rights held by Ojibwe bands. GLIFWC provides a counterpoint to rumors and accusations through accurate, educational materials on treaties, tribal government and the regulation of treaty rights. This booklet is a cornerstone of GLIFWC’s public education efforts, and previous editions have been widely used and distributed to member bands, schools, universities, and public libraries throughout the Great Lakes region (“A Guide to Understanding Treaty Rights” 2).

GLIFWC also established an Enforcement Division comprising 20 wardens certified as conservation officers. The wardens monitor tribal hunting, fishing, and gathering activities on ceded territories and waters. In addition to enforcement, the wardens participate in programs aimed at tribal youth, such as summer and winter camps, to encourage the learning of Ojibwe practices.

In Minnesota, Winona LaDuke, an Ojibwe author and activist, founded the White Earth Land Recovery Project (WELRP) in 1989. The organization is dedicated to facilitating “the recovery of the original land base of the White Earth Indian Reservation while preserving and restoring traditional practices of sound land stewardship, language fluency, community development, and strengthening our spiritual and cultural heritage” (“Our Mission”). As a response to

growing industrialization on ceded territories, LaDuke founded WELRP to ensure the protection of the reservation wild rice crops and to promote the practice of Ojibwe ancestral culture and diet. Although wild rice harvesting never disappeared among Ojibwe communities, access to clean rivers not contaminated with mining wastes, rendered the practice difficult and sometimes dangerous. By opposing pipelines and mining projects around the reservation, WELLRP ensures the viability of the practice and frequently organizes courses for tribe members of all ages to learn how to harvest following ancestral methods. Consistent with the Ojibwe beliefs regarding the medicinal qualities of wild rice, WELPR promotes the consumption of the plant as both a form of resistance against settler colonialism and industrialization, and as a tool to reduce diseases:

We Anishinaabe have a responsibility and a right to a continuing relationship with our traditional foods and lifeways. This includes our ability to practice, preserve and develop traditional and local food systems with the intention of promoting public health, sustainability, tribal and individual sovereignty, and cultural preservation. We recognize and encourage community members, community organizations, and White Earth Ojibwe citizens to practice traditional agricultural practices and harvesting that will contribute to the overall well-being of our regional populations (“White Earth Tribal Food Policy” 2).

In 2020, WWELP launched a free meal kit program to provide Ojibwe families within the boundaries of the White Earth Reservation with nutritious and healthy meals that feature locally grown Indigenous foods and recipes. The organization raises funds, invests in local initiatives, and helps wild rice harvesters secure fair prices for their products. Similar to GLIFWC, WWELP also offers educational materials aimed at promoting the consumption of Indigenous foods and educating youth about diabetes and obesity, which disproportionately affect Native American and Native Alaskan communities (“White Earth Tribal Food Policy”). In 2008, WELRP launched the “Indigenous Farms to School Programs” with the Pine Point Elementary school, and has since then added two new schools to the program. By working with Ojibwe farmers, the program has been able to introduce organically grown wild rice, fresh berries, and squash to school meals. The objective of the program is to “re-traditionalize the relationship with growing, preparing, eating, and talking about food as well as work to familiarize and motivate our children the same heritage foods that were given to us and are part of our stories and traditions” (Jackson 4).

Conclusion

When Fred and Mike Tribble were arrested in 1974, what should have been a routine arrest, set off a chain of events that would forever change the relationship between the state of Wisconsin and the Ojibwe tribes of the Great Lakes region. The 1983 ruling and the

subsequent court proceedings that reaffirmed the legitimacy and scope of Ojibwe treaty rights have led to the emergence of tribal and inter-tribal organizations that have since then worked to ensure the cultural survival of practices, heritage, and knowledge of the Indigenous Nations. By establishing organizations such as the Great Lakes Indian Fish and Wildlife Commission and the White Earth Land Recovery Project, Ojibwe tribes have successfully revitalized their cultural practices, thereby asserting that treaties continue to represent the supreme law of the land. The preservation and perpetuation of authentic Ojibwe traditions, amidst the pressures of escalating industrialization, have been instrumental in safeguarding Ojibwe culture. These organizations have not only facilitated the effective opposition to detrimental projects and state initiatives but have also allowed for the emergence of a new movement that leverages indigenous heritage as a means of resisting cultural assimilation and land encroachment.

Spearfishing and wild rice harvesting, two practices that define the Ojibwe culture and beliefs, have become tools for self-determination, and resistance. Through the courts, and through community-based programs, Ojibwe tribes have successfully reclaimed authentic practices and knowledge in a hostile context that has attempted to erase their identity and culture for centuries. The grassroots activism that has emerged from the forty-year struggle for treaty rights, and environmental protection has also allowed for the emergence of unexpected collaboration between white rural sportfishing associations, and tribal communities, redefining the environmental activism landscape in Northern Wisconsin, despite the longstanding conflict opposing the two groups. The collaborative work of organizations such as the Midwest Treaty Network, has enacted a change in how treaty rights are perceived in Northern Wisconsin, allowing for the cultural and spiritual survival of knowledge and practices fundamental to Ojibwe lifeways.

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