

OJIBWE TREATIES

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Stocker, Stella Prince, 1858-1925. 1916 - 1917. "De-bwa-wen-dunk wearing beaded garments, and medals Nett Lake, Minnesota." University of Minnesota Duluth, Kathryn A. Martin Library, Northeast Minnesota Historical Collections, Accessed January 19, 2021.
<https://reflections.mndigital.org/catalog/nemhc:4977>

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Map courtesy of GLIFWC

TREATIES

When learning about history and current day culture of Indigenous people in the United States, treaties play a large role in what day-to-day life can look like for native people and the non-native who came here to live. Without treaties, there would be no clear ownership of land for us today.

The history of North America has featured a long history of interactions among sovereign nations. Treaties are an important part of that history. One result of those agreements was the transfer of millions of acres from the control of Indigenous people to that of the United States. Treaties, like the Declaration and Constitution, are foundational documents of the United States. Treaties are all living documents, and as living documents, they continue to operate within the political, legal, and social systems of North America today. Treaties have always been upheld by the Supreme Court of the United States as the highest law in the land. It's written into the Constitution.

What is a Treaty?

Treaty

A Treaty is an agreement or arrangement made by negotiation: a contract in writing between two or more political authorities formally signed by representatives duly authorized and usually ratified by the lawmaking authority of the government. They are government-to-government agreements. As such, they acknowledge that the Indigenous people of this area are Sovereign Nations. That's the legal definition, but a treaty can also have a cultural understanding. The first treaties were between the Ojibwe people and the things of nature.

Our traditional stories tell us that the natural world made an agreement with the Creator and the Ojibwe to help them survive. In return, the Ojibwe would protect the things of nature and give honor to them.

Sovereignty

Sovereignty is the supreme power especially over a body politic: freedom from external control. Sovereignty is important to the Ojibwe people to determine our future, protect cultural ways, and live by the value and ethics of our culture.

Traditional Leadership

The traditional leadership structure in Ojibwe society consisted of hereditary chiefs, headmen, and councils.

The councils that were commonly used were the Elders, the Womens, the Mens, and Clans. Headmen represented the councils. In making important decisions all the councils discussed and came to a consensus before any action was taken.

Each tribe originally had 5 to 7 kinship clans that were represented, bullhead, crane, duck, bear, and moose.

Under each of those clans, there are many more. The fish clans are the thinkers/scholars, the bird clans are the chiefs and leaders, the bear are warriors and medicine gatherers, and the moose are the artists and craftsmen.

Today Tribal leadership is determined by-election to a council.

OJIBWE VOCABULARY



CLICK EACH WORD TO HEAR IT
SPOKEN BY A NATIVE SPEAKER!

United States

Gichi-mookomaan-aki

Hunt

Giiyose

To Fish

Noojigiigoonyiwe

Earth or Land

Aki

Treaty of 1826

The Treaty of 1826 was signed in the area now known as Duluth's Fond du Lac neighborhood. The Ojibwe granted mineral exploration rights to the United States government in the Praire du Chien, Wisconsin, region. It was an addition to the 1825 Treaty of Praire du Chien in an attempt to achieve a consensus of the Ojibwe bands. Chiefs and headmen from areas that are now Michigan, Wisconsin, and Minnesota were in attendance. There was also a delegation from Washington, D.C., that included Lewis Cass, Henry R. Schoolcraft, and Thomas L. McKenney. McKenney kept a journal that describes his travels, the sites, people, and incidents with great detail.

On arriving at the mouth of the St. Louis River:

"It was suggested by the Governor in the morning that we should come up to this place in squadron—so being in advance we remained under cover of an island until the barges and flotilla of Indian canoes arrived, when the whole was disposed of. Our canoe in the lead by some fifty yards—the Governor's barge next, flanked the Indians, some ten or twelve canoes of them on either side; the barges, Capt. Boardman and his military, first, and the rest in order, all with such distances as to make a line of a quarter of a mile."

*Thomas McKenney
Tour of the Lakes*

Treaty of 1836

The Treaty of Washington was concluded and signed on March 28th, 1836 in Washington D.C. The Chiefs and additional representatives from the Ottawa and Ojibwe Nations met with representatives from the United States to preserve the livelihood of native people living in their ancestral lands. Ultimately this treaty resulted in the cession of 3.8 million acres of Ojibwe land in northern Michigan. The land that was ceded with this treaty became 37% of the total land of the current U.S. State of Michigan.

Native people maintained the right to hunt, fish, and gather in the ceded territory.

Treaty of 1837

The Treaty of St. Peters was conducted on July 29, 1837. This treaty resulted in the first cessation of the Ojibwe's pine-rich lands. The treaty of 1837 was brought about because the U.S. hoped to secure its permanent access to the lumber in the region. Populations were growing in St. Louis and Cleveland, and the resources of the Upper Midwest were promising. One of the stipulations of this treaty is that native people retain the right to hunt, fish, and forage on the land. Ojibwe people living on this ceded land were also compensated either through currency, goods, or services. The cessation of lands was not understood to be part of the treaty. The understanding by the Ojibwe was that it referred to forestry rights only.

Talking Treaties

When it came to negotiating treaties, the Ojibwe faced the disadvantage of a language barrier. Interpreters could be persuaded to misrepresent the terms of the agreement to the Ojibwe. There was also a paternalistic attitude towards the Ojibwe and a favoring of fur traders.



1885. "Ojibwe people, Grand Portage, Minnesota." University of Minnesota Duluth, Kathryn A. Martin Library, Northeast Minnesota Historical Collections, Accessed January 19, 2021. <https://reflections.mndigital.org/catalog/nemhc:1817>

In what Blackbird said he expressed the mind of a majority of the chiefs now present. We wish the stipulations of the treaty to be carried out to the very letter. I wish to say our word about our reserves. Will these reserves made for each of our bands, be our homes forever? When we took credits of our trader last winter, and took no furs to pay him, and wish to get hold of this 90,000 dollars, that we may pay him off of that. This is all we came here for. We want the money in our own hands & we will pay our own traders. We do not think it is right to pay what we do not owe. I always know how I stand my acct. and we can pay our own debts. From what I have now said I do not want you to think that we want the money to cheat our creditors, but to do justice to them I owe. I have my trader & know how much I owe him, & if the money is paid into the hands of the Indians we can pay our own debts.~

Adikoons, Chief of Grand Portage Band, Wheeler to Smith, 18 Jan. 1856, Blackbird's Speech at the 1855 Payment



Annuity payment at Grand Portage, MN
Newton, George A.. 1889-06-26. "Ojibwe group with Indian Agent M. A. Leahy, Grand Portage, Minnesota." University of Minnesota Duluth, Kathryn A. Martin Library, Northeast Minnesota Historical Collections, Accessed November 10, 2020.
<https://reflections.mndigital.org/catalog/nemhc:2182>

Treaty of 1842

The first Treaty of La Pointe was signed by Robert Stuart for the United States and representatives of the Ojibwe Bands of Lake Superior and the Mississippi River on October 4, 1842. Through this treaty, the Ojibwe ceded extensive tracts of land. The areas ceded were copper-rich Ojibwe lands in Minnesota's claim of Lake Superior, northern Wisconsin, and part of Michigan's Upper Peninsula. Native people were able to continue to hunt, gather, and fish on these lands, and like with the Treaty of 1837, Ojibwe people who lived on the lands were given some compensation for the land rights. The Ojibwe understanding was not of ceding, land but copper rights.

Treaty of 1854

The Treaty of 1854 was drafted following Chief Buffalo's 1852 journey to Washington D.C. to meet with President Millard Fillmore regarding the Sandy Lake Tragedy of 1850. Chief Buffalo's meeting halted Ojibwe's removal efforts in the region, but the struggle on the land was far from over. At the time, the U.S. government wanted to mine a vein of copper on the northern shore of Lake Superior. Many of the same native leaders who signed the 1837 Treaty went to La Pointe, Wisconsin, to negotiate the new 1854 treaty. The 1854 Treaty resulted in the creation of permanent reservations and cession of Ojibwe lands in the Arrowhead Region.

The Sandy Lake Tragedy was an attempt by the Government to remove the Ojibwe from their traditional lands. The payments due to the Ojibwe were moved to the Sandy Lake, Minnesota area instead of LaPointe, Wisconsin. The long journey in the late fall resulted in the deaths of over 400 Ojibwe. There is a memorial event held every year to mourn this loss.

What's a reservation?

"In the United States, there are three types of reserved federal lands: military, public, and Indian. A federal Indian reservation is an area of land reserved for a tribe or tribes under the treaty or other agreement with the United States, executive order, or federal statute or administrative action as permanent tribal homelands, and where the federal government holds title to the land in trust on behalf of the tribe."

-U.S. Dept. of Interior, Indian Affairs



Contemporary Times

The United States ended the practice of making treaties with native people in 1871, but treaties that have been written and signed are living documents, and they still act as binding agreements. This means that all agreements made in treaties must be upheld. This includes all lands promised to native people, as well as hunting and fishing rights on ceded lands. Non-natives are allowed to live on previously held native lands because these treaties are legal documents. Though native people gave up many rights when they signed these documents, recognized tribes today are able to act as self-governing sovereign nations.



Moose

Picture courtesy of 1854 Treaty Authority

Treaty Rights-Subsistence

The retained right to hunt, fish, and gather has been a vitally important means of survival for the Ojibwe people. It has enabled Ojibwe to feed their families directly. It became a way to interact with the Europeans who came to trade, and build cities. Trading and selling of berries provided work and income to provide for families. The berry economy was a way for women to provide for their families when the workforce was not open to women. For women with no male in their lives, it meant that they could keep their children, instead of sending them to live with family members.

OJIBWE VOCABULARY



CLICK EACH WORD TO HEAR IT
SPOKEN BY A NATIVE SPEAKER!

To pick berries

Mawinzo

Treaty

Nakomidowinan

Connection to Land

Ojibwe connection to the land is deeply felt culturally and spiritually. When we look at our traditional homelands we see where our relatives are buried, going back centuries. We see lands that were foretold to us by the Creator. We see where our ancestors raised families, prayed, and fought for survival. We honor those memories by engaging in our cultural practices and telling their stories, our history. We fight to maintain a presence in settler communities so we won't be erased from the memories of people. The Ojibwe have survived removal from our lands, attempted genocide, and assimilation. We are still fighting to be seen and acknowledged.

-Michele Hakala-Beeksma Grand Portage Enrollee

1854 Treaty Authority

Tribal Governments work hard to ensure that treaty rights are upheld. 1854 Treaty Authority implements the hunting, fishing, and gathering rights associated with the 1854 Treaty. In 1985 The Grand Portage band filed suit in U.S. District Court to establish that they still reserved the right to hunt and fish on ceded lands. In 1988 the State of Minnesota and the three bands in the region entered into an agreement to close out the suit. Today the 1854 Treaty Authority acts as an inter-tribal natural resource agency to ensure that native people are allowed to continue practicing their promised rights on ceded lands. They also are protectors of the area so that the natural wildlife continues to thrive on their lands.



Wild Rice
Photo courtesy of 1854 Treaty Authority

OJIBWE VOCABULARY



CLICK EACH WORD TO HEAR IT
SPOKEN BY A NATIVE SPEAKER!

To Protect

Ganawendan

Moose

Mooz

Coloring Pages

The right to hunt, fish and gather therein.



