

The Bad River Band Of The Lake Superior Tribe Of Ojibwe Indians Use And Management Of Natural Resources

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Introduction

When the early European explorers first stepped foot onto the New World, what they found was not a wild, tangled, overgrown and uninhabited terrain, but a land where people had already been living for thousands of years, managing the forests and plains, utilizing the plants and animals for food, fiber and shelter. The settlers moved north and westward, encroaching on the lands that supplied the resources necessary for the survival of the natives, cutting down trees and extracting the minerals; reducing extent of land that provided the natural resources essential for the survival of the natives, until eventually they were pushed onto small, scattered reservations. But despite the hardships that these people have faced, their race has managed to survive, and even integrate into modern American society.

A History of Ojibwe Use of Natural Resources

The Bad River Band is a branch of the Lake Superior Tribe of Ojibwe Indians. The anglicized name for the Ojibwe, also spelled Ojibwa or Ojibway, is Chippewa, but for consistency, the term *Ojibwe* (the name preferred by the tribe) will be used throughout this paper. The name originally comes from the word “ojibbeweg,” which means, “writing-on-birch-bark”. This was the only group among the woodland tribes that had a system of writing (Loew 2001).

The Ojibwe once referred to themselves as Anishinabeg, or “original people.” The Anishinabeg formerly controlled territory from Niagara Falls to the upper Great Plains, on both sides of the Great Lakes Basin. The Ojibwe branched off from this larger Algonquin-speaking

group, which separated and moved westward as early as 1500 AD. The Ojibwe moved north and south along the St. Lawrence River until settling at the junctions of Lakes Superior, Michigan and Huron. There they found abundant food, and their lives revolved around the seasons (Loew 2001). These northern communities were less-dependant on agriculture than tribes of the south and east, which was limited due to shorter growing seasons. They relied more heavily on hunting and trapping, and therefore lived in smaller, more mobile bands. The varied use of plants and animals by the Ojibwa illustrates the vast extent to which they understood and utilized the natural resources of their environment

In early spring, maple sap was collected to make sugar. Temporary camps were set up with lodges for sleeping and cooking. A single family usually owned sugar bushes. While the women collected the maple sap, the men would spear fish through holes they cut in the ice on the frozen lakes. Women would tap the trees and collect the sap, which flowed through hollowed-out sumac branches into birch-bark baskets. The sap was then boiled over fires, which were kept burning all night, and then strained through a mat of woven basswood bark in the morning. The next step involved reheating the syrup. When it reached the desired thickness, it was cooled and granulated, or pulverized by hand. Deer tallow was added to make the sugar soft rather than brittle. Sometimes it was poured into molds made of birch bark or the upper mandible of a duck's bill to form sugar cakes for storing, or treats for children. Maple sugar was used to season fruits, vegetables, cereals and fish; boiled with medicines into syrup for children and dissolved in water as a refreshing summer beverage (Fay 1965 and Densmore 1974).

In the summer, men fished and hunted while women gathered berries, roots and nuts. To supplement their diets, the Ojibwe planted gardens in which they grew corn, beans, pumpkins, squash and potatoes. A portion of the harvest was stored for use during the winter when other

plant-based foods were not available. Fruits and berries were eaten raw, or squeezed and shaped into cakes, which were dried for later use. Dried berries were boiled and seasoned with maple sugar, or combined with other foods. Pumpkins and squashes were both eaten fresh, or cut into strips and dried. They were laid on top of frames, or strung on cord made of basswood and hung over a fire to slowly dry. The dried flesh was later boiled by itself or with game and seasoned with maple sugar. Pumpkin flowers were also dried, and crushed for use as a thickening agent and to flavor soups and stews (Densmore 1974).

In late summer, wild rice was harvested from the lakes and streams. Each family or group of families had possession of a portion of a rice field, which was delineated by stakes. About 10 days before the rice was ripe, a woman established her claim by going to the field and tying portions of the rice stalks into small bundles. When the rice was ripe, the bundle was untied and the rice shaken out. Rice-harvesting equipment consisted of a canoe with a pole for maneuvering, and 2 rice-beating sticks. Usually a man steered the boat while a woman gathered the rice. After the rice was gathered, it was spread on birch sheets to dry for 24 hours, and then slowly dried over a fire. This loosened the husk and gave it a flavor. The next step was pounding the rice. The parched rice was put into a barrel, and wooden pestles were used to loosen the husk without breaking the kernels. The rice was then tossed in a tray, or poured slowly onto birch bark, allowing the breeze to carry away the chaff. Finally, the last fragments of the husk were dislodged by lightly treading on the grains. Rice beds were reseeded after harvest to ensure a crop for the following year (Densmore 1974).

Winter was a busy season, with as little time as possible spent indoors. During these colder months, the Ojibwe hunted white-tailed deer, and trapped beaver, otter and other fur-bearing animals. Snowshoes, which had been made or repaired in the fall, allowed the Ojibwe to walk on the snow for winter hunting and fishing. These were made by preparing a frame of long strips of ash, then weaving strips of deer or moose hide for the foot to rest on. For shelter, the tribes constructed wigwams by bending saplings and covering them with bark. Wigwams were strengthened and lined with sphagnum moss for insulation, and a fire was built in the center for warmth. The smoke escaped through an opening in the roof (Fay 1965 and Taylor 1976).

Fungus had many different uses among the Ojibwe, such as food, perfume, hair products, medicine and for light and fire. Puffball fumes (*Fomes ignarius* and *Fomes fomentarius*) were used as a bee anesthetic, after being ignited with the coals of a cooking fire. Tobacco

was sometimes mixed with pounded, powdered *F. fomentarius* to enhance ignition and narcotic properties.

To carry fire, three burning coals were set on a dry shelf fungus until they burned their way into the flesh. Another fungus was then placed upside-down over the top of it. This allowed fire to be carried in all types of weather (Keewaydinoquay 1978).

The Ojibwe ate nearly every bird and animal that lived within their region, including beavers, otters and muskrat. They also hunted larger animals like moose, deer and bear. Before the Europeans introduced firearms, the Ojibwe hunted with bow and arrow. They often hunted at night using canoes with torches fastened to the front to attract the animals and to make the hunters invisible to them. Hunters and their families sometimes painted their faces and fasted to improve the success of the hunt (Adolf Hungry Wolf 1975).

After the arrival of the European settlers, furs, maple syrup, rice, and vegetable crops became important trade items, which were exchanged for guns, metal tools, iron kettles, cloth, beads and other objects. The introduction of trade goods initially strengthened tribal economies and improved welfare, but ultimately led to problems. Tribes that relied on hunting, including the Ojibwe, began to use metal traps, rifles and ammunition. This greatly improved the amount of game they were able to obtain, but also made warfare more deadly. Indian hunters exchanged ever-increasing supplies of furs for smaller amounts of manufactured goods, which ultimately impoverished the native people and depleted their natural resources. As fur reserves were exhausted, hunters began to intrude onto neighboring tribal lands, which sometimes led to conflict (Loew 2001).

The Cession Treaties

In the 1825 treaty at Prairie du Chien, various tribes were called together to delineate their land. The U.S. was encouraging them to stop inter-tribal warfare, and felt that delineation of their boundaries would help. Following this agreement, the various chiefs and tribal representatives were known collectively as the Lake Superior Ojibwe, or “*Gitchi-gummi-*

wininninway,” the “Great Lake Men,” which formed a strong political unit (Chippewa Treaty Rights 1989).

In the 1836 Treaty with the Ottawa and Ojibwe and the 1837 and 1842 Treaties with the Ojibwe, the Lake Superior Ojibwe sold what is now Northern Wisconsin and parts of Michigan and Minnesota to the U.S. In return, they received money and provisions paid on an annuity schedule. They also reserved the rights to reside in their former homeland and harvest resources, which they depended on for food, fiber and shelter, on the condition that the United States President may order their removal and relocation, at his discretion, to lands not yet ceded in Minnesota (Ojibwe Treaty Rights 1989).

Upon hearing word of plans for their removal, Ojibwe leaders traveled to Washington, D.C. in 1849 to offer the U.S. government the lands surrounding seven of their villages, in addition to their sugar orchards and rice beds, in order to remain on the ceded territory. Despite their request, in February of 1850, President Zachary Taylor ordered the Ojibwe living in ceded lands to prepare for removal. The Ojibwe leaders insisted that peace had prevailed, and therefore refused to move. In 1854, the Removal Policy was formally abandoned and permanent reservations were established for the Ojibwe in Wisconsin, Minnesota and Michigan. These sites are known today as the Red Cliff, Bad River, St. Croix, Lac Courte Oreilles, Lac du Flambeau and Mole Lake Reservations in Wisconsin; the Bay Mills Indian Community and the Keweenaw Bay Indian Community in Michigan; and the Fond du Lac and Grand Portage Reservations in Minnesota. The land area of many of these reservations have since been reduced through further land cession, leases, sales and national parks, depleting mineral, lumber and other resources from their power (Chippewa Treaty Rights 1989).

Following the land cessions, the “Great Lake Men” who had formed a distinctive political force, divided into small, separate reservations. Over the next century, surrounded by their

developing, wealthy, non-Indian neighbors, and small reservation islands fared poorly. Only in the past few decades have these separate entities regained the political strength established in earlier treaties by the Lake Superior Ojibwe. The 1983 Voigt Decision, made by the U.S. Court of Appeals for the 7th Circuit agreed with the Lake Superior Ojibwe that hunting, fishing and gathering rights were reserved and protected in the series of earlier treaties made between the Ojibwe and the U.S. Government. This decision illustrates the strength of the Lake Superior Ojibwe, whose people are once again working together as a political entity (Chippewa Treaty Rights 1989).

The Anti-Indian Movement

The anti-Indian movement arose in response to the strengthening of tribal governments. This movement, brought on by racist organizations and dissatisfied white citizens, emerged as a national alliance to end tribal rights. Non-Indians have felt threatened by tribal rights for many reasons. The right to self-government, including the right to tax, which some tribes maintain, threatens white jurisdiction over tribal members. Treaty rights, such as the right to hunt, fish and gather, and rights to water, land and minerals, threaten white access to wealth.

The anti-Indian movement became most active and vocal during the Bolt decision of 1974, the Fox Decision of 1981, and the Voigt Decision of 1983, which reaffirmed the hunting, gathering and fishing rights of Northwest tribes. Some organizations that formed as a result of these decisions include the Interstate Congress for Equal Rights and Responsibilities (ICERR), Protect Americans Rights and Resources (PARR), All Citizens Equal (ACE), Wisconsin Alliance for Rights and Resources (WARR), Stop Treaty Abuse (STA) and Enough is Enough. The primary goals of these groups have been to end Ojibwe treaty rights and to abolish reservations. In Wisconsin, STA marketed Treaty Beer, which boasted that proceeds would support political candidates who supported treaty abrogation, and PARR has sponsored rallies before spring spear fishing season to enrage and frighten citizens into taking action. Such groups have voiced their concerns through local and national media, often insisting that whites are being deprived of their rights as a result of the self-determination and independence of Native Americans (Chippewa Treaty Rights 1989).

Treaty Rights

Despite opposition by anti-Indian groups and individuals, in February 1987, Judge James Doyle resolved that treaty rights refer to the right to harvest natural resources on the ceded land in order to provide a reasonable standard of living (Chippewa Treaty Rights 1989). In Wisconsin,

the tribes have harvested wild rice, deer and other meat and fur-bearing animals, waterfowl, and fish, including walleye, and muskellunge.

Treaty rights are intertribal rights, not individual rights, thus the intertribal government regulates the use of those rights. Chippewa bands in Minnesota, Wisconsin and Michigan implement commercial fishing in Lake Superior under treaty-reserved rights. The various states negotiate harvest allowances through intertribal agreements.

In Wisconsin, on-and-off-reservation harvesting rights are made through agreements between tribes and the State of Wisconsin. These agreements are made on the basis of biological assessments prepared by both state and tribal biologists. Policies are enforced to regulate seasons, bag limits, gear restrictions, etc. Regulations for spear fishing are very closely monitored, and every fisherman must have his/her catch counted, measured, and sex noted at a monitoring station. Once quota is reached, the lake is closed to further tribal harvest in order to maintain populations of reproducing fish stock. Commercial fishing in Lake Superior is regulated by an agreement between the Bad River, the Red Cliff and the state to protect the resources from over-harvest. Seasons are also set to monitor waterfowl, deer, wild rice, trapping, ice fishing and small game hunting (Chippewa Treaty Rights 1989 and Elias 2001).

Treaty rights continue to be controversial today, because they change the status quo in management, and have been thought to be damaging to natural resources. For example, Native Americans may be allowed to hunt outside of traditional seasons, or fish using spears, which can result in increased harvest levels. Because of the differences in resource use between different cultures, it is difficult for resource managers to meet the needs of both Indians and non-Indians, and to keep both parties happy. Since the courts have only affirmed Ojibwe rights fairly recently, the public often is unaware and/or does not understand these rights.

The Bad River Reservation

The reservation site for the Bad River Band, chosen under the Treaty of La Pointe in 1854, included 16,000 acres of rich wetlands ideal for producing wild rice, which had sustained the Ojibwa for generations. Although previous treaties had reserved land held in trust for the tribe as a whole, the Treaty of 1854 allowed the President of the US to allot 80-acre parcels to individual Band members for their own, individual use. Approximately 97% of tribal lands on the Bad River Reservation were eventually allotted to individuals, some of which was later sold to non-Indians. Due to this parceling and selling of land, land ownership on the reservation today is highly fragmented. It is divided into tribal trust (18%), allotted (30%), tribal fee (5%), and alienated lands (47%). This fragmentation plays a significant role in the difficulty in the management of natural resources on the reservation (Facts about American Indians in Wisconsin 1973 and Elias 2001).

The Bad River Reservation is the largest of the Ojibwe Reservations, covering 125,000 acres in Ashland and Iron counties of northern Wisconsin, including 200 acres on Madeline Island of the Apostle Islands. 40 miles of Lake Superior Shoreline border the northern edge of the reservation. Within the reservation are over 100 miles of navigable rivers and streams that flow into Lake Superior via the Bad River, White and Kakagon Rivers (Elias, 2001). These waterways were once the main means of transportation for the Ojibwe, who traveled by canoes fashioned of birch bark.

The climate of northern Wisconsin, where the Bad River Reservation lies, is humid continental with four distinct seasons. Mean annual temperatures range from approximately 10 degrees Fahrenheit in the winter, to 67 degrees Fahrenheit in the summer. Mean annual

precipitation is approximately 30-35 inches. The reservation lies within the Superior Lowland, a region of low relief on the south side of Lake Superior and north of the Penokee-Gogebic Range. The landscapes are flat to undulating, and widely spaced, steep-sided valleys that contain highly sinuous rivers and streams dissect lowland areas (Elias 2001). The climate and landscape of the area influenced the lifestyles of the people, who were adapted to the climate and depended largely on the resources for survival.

The History of Forestry on the Bad River

Prior to the 1840s, the Bad River Reservation was heavily forested. Hunting and gathering were the main forest activities, and logging by non-Indian settlers had not yet become prevalent in the area. With the discovery of copper in the region, a mining industry began to grow in 1842. This brought on a high demand for timber in order to build mines and new houses, which motivated Bad River members to begin logging in the area. From the 1840s to the 1870s, the US government tried to make the tribes more “civilized”, pressuring them to become farmers. This conversion to farmland also influenced the onset of logging on the reservation, since the land had to be cleared of timber before it could be cultivated. In 1870, there were still few farms on the reservation, with the largest forest crop being maple for syrup and sugar; however, by the mid 1870s, the pine-logging boom had begun, and within the next 20 years, half of the pine on the reservation had been cut (Godfrey 1996 and Elias 2001).

Prior to 1886, only tribal members could log; however, this rule changed before the 86-87 logging season. This increased employment of the logging industry, and allowed the annual pine harvest to double over next few years (Godfrey 1996 and Elias 2001). During the 1880s, logs were driven down the Bad River and its tributaries, as most of the Virgin Pine on the reservation

was removed. In the 1890s, railroads were built, which linked the now heavily forested Bad River Reservation to cities to the south. This facilitated the logging of hardwoods, which dominated the timber industry until the late 1930s (Godfrey 1996 and Elias 2001).

In the early 1900s, a contract was created that allowed J.S. Sterns (**historiography**) to buy live timber, as well as dead, downed and burned timber. He built a mill on the reservation, which employed many Indians, while allowing him to monopolize tribal lands. When his mill closed in 1922, many tribal members were left unemployed and impoverished, so the US government once again promoted farming. Since most of the Indians were too poor to remove the stumps that dotted the landscape, they sold their allotment, resulting in the fragmented pattern of landownership that still exists today. By 1932, all virgin timber of value had been harvested, and secondary growth, which was mostly pulp species such as Aspen, Balsam and White Spruce, began (Godfrey 1996 and Elias 2001).

In the 1930s, the BIA suggested cutting timber on a sustained annual basis. This reflects a change in philosophy from maximizing profits to those allotted to, consideration for the sustainability of the resources. The onset of WWII, however, resulted in a high demand and a consequent high price for timber. Roads were constructed to remote areas of the reservation in order to harvest mature aspen. During the 1950s, Aspen and Balsam were the main species logged due to BIA forestry regulations (Godfrey 1996 and Elias 2001).

From the 1930s-1960s, the resources recovered from the clear cutting and fires that had swept through the forests. From 1962-1963, the BIA completed the first continuous forest inventory of the reservation, and in 1964, a forest management plan for the reservation was completed with higher annual allowable cut. Financial incentives were given to tribal members to increase timber production. A tree-planting program and timber stand improvement program

were implemented at this time, and a resurvey of timber resources was performed. The BIA recommended cutting the majority of the Aspen, which comprised 60% of forest, and in the 1970s, the BIA began salvaging American Elm stricken by Dutch Elm disease (Godfrey 1996 and Elias 2001).

These decisions, as were most BIA decisions at the time, were made without tribal input; however in 1975, the Indian Self-Determination and Education Assistance Act was passed by Congress, allowing tribes to contract management of their timber resources. For the first time since the establishment of the reservation, the Tribal Council began to plan the management of their forest resources, and in 1982, the Tribal Forestry Department was established (Godfrey 1996 and Elias 2001).

Integrated Resource Management Plan

All Indian Forest Lands are required by the Code of Federal Regulations (CFR, Title 25, Indians, Part 163.11) to develop a Forest Management Plan. In order to ensure that all of the reservation's natural resources were taken into consideration, the Bad River Band opted to complete an Integrated Resource Management Plan (IRMP). In April of 1994, the Bad River Natural Resources Department (BRNRD) mailed a survey to Bad River Tribal members in order to learn more about how they wanted their resources to be managed. This was the first formal attempt to gain input from tribal members regarding the management of resources on the Bad River Reservation (Elias 2001).

The survey was mailed to all Bad River Tribal Members, however many questionnaires were returned to the post office due to outdated addresses. There were 707 respondents, 83 of which were living on the reservation at the time of the survey. The survey contained 102

questions, which pertained to forestry, natural resource goals, fishery, wildlife, cultural resources and recreational resources (Elias 2001).

Results from the survey revealed that tribal members are greatly concerned with environmental protection, especially regarding the quality of water, above the use of resources for economic gain. A significant number (about 80% of responses) favored designation of areas for specific uses such as recreational, residential, business, cultural and religious. These findings will help resource managers in decision-making process regarding land use on the reservation. By designating land for specific uses and prioritizing land according to its environmental importance, land of high environmental value, such as that occurring near a wetland or containing a rare species, will be restricted from logging, while other areas will be set aside for logging or other uses (Elias 2001).

Bad River Reservation Today

At the time of the 1995 Indian Service Population and Labor Force Report, there were 6,284 people enrolled in the tribe, with 1,199 living on the reservation. There was a 50% resident increase from 1980 to 1995 (Elias 2001); however, the report did not specify whether this increase was due to a rise in births on the reservation, or less tribal members moving to cities to find jobs. The overall trend, however, is a migration to cities to find jobs, as traditional lifestyles dependent on the utilization of natural resources are replaced by modern lifestyles.

The Bad River Band today does not have a steady employment rate, and living conditions are sub-standard. Many residents of the reservation make a living by pulp cutting, hunting, trapping, and gathering wild rice. During the summer, a few tribal members work as guides for hunting and other outdoor recreation activities. Many Red Cliff residents must seek employment in the nearby cities of Washburn, Bayfield and Ashland. Failure to find jobs in nearby cities has

led to migration to larger metropolitan areas such as Milwaukee (Facts about Wisconsin Indians 1973).

The knowledge of traditional hunting and gathering practices is becoming limited as tribal members leave their reservations for jobs in the cities and adapt to western-influenced lifestyles. Obesity, diabetes and heart disease are now leading causes of health problems and death among Native Americans. Though uncommon in the past, occurrences of these diseases have risen among Native American populations, which may be due in part to the replacement of an active lifestyle of hunting, gathering and agriculture to a diet of high-fat processed foods and a more sedentary lifestyle (UMHS 2003).

The Bad River community has expressed concern regarding their health and well being, and their changing culture due to a decline in traditional practices. Public and non-profit organizations and volunteer groups such as the University of Wisconsin-Stevens Point, the National Resource Conservation Service and Volunteers in Service to America (VISTA) are currently working with community members to implement organic agriculture and agro-forestry, and to identify traditional plants used for food and ceremonial purposes with the goal of improving food security and the overall health and well being of tribal members.

Conclusion

The Ojibwe Indians historically depended on natural resources provided by the land for their survival. Wild rice, maple sugar, berries, fish and wild game made up a large part of their diets. Although agriculture was not a primary means of providing food, the Ojibwe supplemented their diets and built up reserves for the winter by cultivating vegetables such as corn, beans, squash and potatoes. They also utilized natural resources to produce clothing,

homes, canoes, and other supplies. It is very clear that these people were strongly tied to the land and its lakes and rivers, on which they depended for survival.

Following the discovery of the New World by early western explorers, the settlers, learning of rich timber and mineral resources, began to encroach on Ojibwe territory. The Ojibwe handed their land to the whites' shovels and chainsaws, with the agreement that they would be able to continue to hunt and fish on the land, and to gather other necessary resources. This agreement made between the U.S. and the Ojibwe, despite many disputes over the years, is still recognized today.

Although use and management of the natural resources has changed over time, the land and its bounty are still integral parts of the lives of the Bad River Band of Ojibwe Indians today. They are greatly concerned with protection of their natural resources, and seek to maintain environmental health and integrity so that the natural beauty of their reservation may be preserved for the enjoyment of future generations.

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