

American Indian Movement

During the summer of 1968, two hundred members of the Minneapolis Indian community came together to discuss various issues and critical developments within the Native American community including police brutality, slum housing, unemployment, education, discrimination, cultural identity, etc. From this meeting came the birth of a national Native American movement organizing activist strategies toward change. As well, the protection of treaty rights, the preservation of traditional Native American spirituality, and tribal sovereignty were platforms advocated by the movement. Prominent leaders of the movement included Dennis Banks, Clyde Bellecourt, Russell Means and many others.

American Indian Religious Freedom Act, 1978

The Act clarifies U.S. policy pertaining to the protection of Native Americans' religious freedom. AIRFA acknowledged prior infringement on the right to freedom of religion for Native Americans. Following the section on the Congressional findings the act makes a general policy statement regarding American Indian religious freedom: "...henceforth it shall be the policy of the United States to protect and preserve for American Indians their inherent right to freedom to believe, express, and exercise the traditional religions of the American Indian, Eskimo, Aleut, and Native Hawaiians, including but not limited to access to sacred sites, use and possession of sacred objects, and the freedom to worship through ceremonial and traditional rites."

-- http://tis.eh.doe.gov/oepa/law_sum/AIRFA.HTM

The broad statement of policy about Indian religious freedom, in the form of a joint resolution, was a significant congressional action in support of Indian cultural autonomy. It placed the responsibility for implementing it on federal departments and agencies.

-- *Documents of United States Indian Policy*

Animate and Inanimate (Ojibwe Language)

"The language can be broken up into very simply, into two simple categories: Objects that are animate and objects that are inanimate. And so when we talk about things in Anishinaabe, of course, animate refers to something that is alive and is referred to as a person. A noun can be animate. A noun can be inanimate.

Now in English you would probably figure that the drum is probably nothing but a hollowed out tree trunk and covered by deer hide. And so in English you would say, "Bring it over here." And it is incorporated into their language, "Bring it here." So when you say that in English, you are not giving it the respect that it deserves. In Ojibwe, the respect is automatically built in there. So you are asking somebody to bring a drum over here, you use the word "beeg" which refers to him or her. So the drum becomes animate, and you ask somebody to bring him or her over here. And it is alive, it is an animated object, it has a spirit. The drum, the feather, the pipe, the rock, the tree, are all animate in Ojibwe, just to name a few."

-- Dan Jones, Nicickousemenecaning, First Nation

Anishinaabe/Ojibwe/Chippewa

These terms are used somewhat interchangeably and refer to the same tribe of indigenous people. Anishinaabe has been translated to mean "the original people" and refers to Ojibwe, Menominee, and Potawatomi peoples. Ojibwe refers to the people who speak Ojibwemowin, the

language. Chippewa is the English version of Ojibwe (mispronounced/misspelled) and has been used as the title of this tribe in United States Government documents and treaties.

“Well, Anishinabe, now, is just Indian. Ojibwe is referring to the tribe, you know, the Chippewa. Chippewa is more an English misnomer from the word Ojibwe. Yes, they say that (Father) Barraga’s the first one that ever wrote anything as far as Indians, and he wrote O-T-C-H-I-P-W-E for Chippewa, for Ojibwe, and it came out like Chippewa. And Chippewa is just the English version of Ojibwe.”

-- Dee Bainbridge, Red Cliff

Annuity Payments

Annual payments of goods and money from the United States Government to tribes in exchange for certain privileges and land that they negotiated in Treaties are called Annuity Payments. Treaties often stipulated that tribal members receive fixed payments for a specified number of years. Often tribal members had to travel great distances to a specified location to receive their annuity payments.

Allotment

“The Dawes Act, or General Allotment Act, was passed on February 8, 1887. Its purpose was to divide Indian lands into individual holdings to encourage agriculture and ranching and to promote assimilation by deliberately eliminating tribal or community ownership and traditional practices. Land that was not allotted to individual Indians was declared surplus and opened for sale to non-Indians, resulting in the loss of over 60 million acres of Indian land.”

-- E.A. Schwartz, California State University. www.csusm.edu/nadp/asubject.htm and www.historychannel.com

“The federal government said that a civilized Indian was an Indian who lived on private property. And in order to encourage Indians to become private property owners, the federal government pushed a policy called allotment, the effort to break up Indian reservations and to allot the land into private acreage, which could be owned by individual Indians. The net effect of the allotment policy in the late 19th century not only in Wisconsin but also across the entire United States was to take nearly 100 million acres of Indian land and convert it to white ownership. By allowing Indian tribal lands to become subject to private ownership, it meant that whites could buy that land, that whites through honorable and not so honorable means could acquire land from Indian people.”

-- Dr. Ron Satz, Provost and Vice Chancellor, University of Wisconsin-Eau Claire

Assimilation

Assimilation is the process whereby a minority group gradually adopts the customs and attitudes of the prevailing culture. In the final decades of the 19th century, federal Indian policy focused on assimilation. Efforts to assimilate Native Americans into European American culture during the 1880s and into the mid-1900s included the Relocation Act, the development of federally operated Indian Boarding Schools, the Dawes or General Allotment Act, and others. www.changeofworlds.org/unit3/index.cfm

Biimadiziwin:

According to Ojibwe beliefs, good health is keeping a balance of mind, body, spirit, emotions of a person. When a person is ill, one of these aspects is out of balance. Health is considered wholistically and an indian doctor considers each of these aspects when treating a person.

“Good health, to me, means that you’re in balance, body, mind and spirit. And if you want to take that even further, you basically—you start to take a look at physically, you’re in good shape, you take good care of your body. Your lifestyle is one that basically you make sure that you keep in balance with your spirit. And spirit is that which, in the old days I believe the thing that our ancestors did is they were always, they looked at everything as a being and they prayed to it and they prayed to the Creator and thanked the Creator for whatever the Creator gave us, so that’s part of that spirit, body, mind and spirit. And our mind we kept it open and basically pure by being physical, involving physical activities, but also by taking a look at teaching one another what we needed to know and passing that down and working with all the kids, and making people feel good about themselves, and working on peoples’ strengths, so that’s what it means to me to be in good health, and I think that’s what we had a long time ago, we were in balance with ourselves, but we were also in balance with nature and everything else around us.”

--Noreen Smith, Red Lake

Boarding Schools

“The boarding school period, the big time for boarding schools in this country I would say was from the 1870's to the 1930's. And during that time it became usual for many families to have their children taken from their homes, sometimes by force, and sometimes by coercion. The purpose of the boarding schools was to assimilate Indian children. And the assimilation process would eliminate the Indian problem in this country Indians would not exist anymore. First they removed them from family and culture and everything that the child was familiar with. The child needed to be removed far enough from home that they wouldn't be able to visit. Or visit often. The child was then not allowed to speak native language only English. Some children didn't speak English. Many children didn't speak English at all when they got to boarding school. But English was the only language that was allowed. The children's appearances were changed. They would come to boarding school dressed they way they were at home. Often boys with long hair their hair was cut. Girl's hair was rearranged in a western type hairdo. They were dressed in uniforms. At many schools the uniforms were defiantly of the military style especially for the boys. If they dressed alike looked alike and talked alike and were taught alike they would supposedly assumed another identity.”

-- Linda Grover, Bois Forte

Bureau of Indian Affairs (BIA)

Federal governmental body responsible for improving the lives and trust assets of American Indians, Indian Tribes, and Alaska natives through services and relationships.

-- www.doi.gov/bureau-indian-affairs.html

Capitalism/market economy

Capitalism is an economic system in which the means of production and distribution are privately or corporately owned and development is proportionate to the accumulation and reinvestment of profits gained in a free market. A market economy operates by voluntary exchange in a free market and is not planned or controlled by a central authority. In a capitalistic economy the goal is the accumulation of wealth and profit-making.

Citizenship Act

This Act authorized the Secretary of the Interior to issue certificates of citizenship to Indians on June 2, 1924.

Be it enacted...., That all non-citizen Indians born within the territorial limits of the United States be, and they are hereby, declared to be citizens of the United States: Provided, that the granting of such citizenship shall not in any manner impair or otherwise affect the right of any Indian to tribal or other property.” This meant that any Native Americans born in the United States were citizens and that becoming citizens would not make them give up their land or tribes.

Civilization Fund Act

The United States government became increasingly concerned with the education of the Indian tribes in contact with white settlements and encouraged the activities of benevolent societies in providing schools for the Indians. Congress in 1819 authorized an annual “civilization fund” to stimulate and promote this work. The goal of the Civilization Fund Act was to further assimilate Indian tribes through the education of their children.

-- *Documents of United States Indian Policy*

Civil Rights Movement

The Civil Rights Movement in the United States was a political, legal, and social struggle to gain full citizenship rights for black Americans and other minorities to achieve racial equality. The civil rights movement was first and foremost a challenge to segregation, the system of laws and customs separating blacks and whites. During the civil rights movement, individuals and civil rights organizations challenged segregation and discrimination with a variety of activities including protest marches, boycotts, and refusal to abide by segregation laws. Many believe that the movement began with the Montgomery bus boycott in 1955 and ended with the Voting Rights Act of 1965, though some would debate whether it has ended yet today. [Http://encarta.msn.com/encnet/refpages/refarticle](http://encarta.msn.com/encnet/refpages/refarticle)

“I think that in the sixties, in the early sixties was the civil rights movement and black power and all of that and I think that the Indians sort of trailed behind that. 1968 was the, well, '68 was when the AIM [American Indian Movement] was formed, primarily as sort of an urban protective force for Indians in that urban setting. And they very quickly became imbued with the spiritual aspects of Indians and really carried forth kind of both those standards of protection, and protection of the traditions and ceremonies as well. In '72 you had the Noviate takeover in Wisconsin, in '73 you had Wounded Knee, 1971 you had the takeover of the Winter Dam in Lac Courte Oreilles, in 1975. I think those kind of national events, big media events really lifted the tide of understanding and a realization that here are these treaties, here are these rights and why aren't we exercising them. And that really led to a lot of people saying, we can do this, this is our right to do this and we're going to do it.”

-- James Shlender

Clans

“According to what we’ve been given to in the lodge that originally there were eight [original clans], but seven came to the earth. And in some kind of order it was the loon clan, the crane clan, the fish clan, the bear clan, the martin clan, the eagle and the deer clan. Each of those animals brought some quality, some gift, some characteristic to human kind. And they also brought with them order, and that then was transferred to, given unto humankind. And so the clan system, not only did it deliver skills, characteristics, tendencies in that manner, but it gave pattern, it gave reason, it gave logic to the people.”

Edward Benton-Benai, Lac Courte Oreilles

Clans members were considered relatives and a child inherited the clan of their father at birth. One could not marry within their clan and each clan had a particular role in the community. For instance the crane clan were the leaders and the martin clan were the warriors, etc. The clans were a form of community organization and governance.

Consensus

An opinion or position reached by a group as a whole; general agreement or accord, for example, government by consensus.

-- *The American Heritage Dictionary of the English Language, Fourth Edition*

“All decisions had to be total consent. No matter what, no matter what the issue was. If the issue was allowing the Iroquois to come into our hunting territory, then it was brought to consent, and if there was one disagreement then it did not go, it had to be total consent, and that was the basis of clan tribal government.”

Edward Benton-Benai, Lac Courte Oreilles

Decentralized Leadership

“Leadership . . . was not something where somebody dictated or told other people what to do. It was more less somebody who interacted with outsiders, and then in consensus with all of the heads of the clan and the families of this particular group, worked together to reach decisions. I think the word chief is very inappropriate for what that role was—headman maybe or headwoman. The Ojibwe, like many other groups, had combined leaders: there was a civil leader, who might be from the Crane clan, and there was a war leader who was from the Bear clan. Now they were very fluid people in their thinking about leadership so that if a Crane person who was to replace his or her father, for example, and it was felt like he did not have the skills, the ability, or the compassion to be a good leader, they could and did pass over this person for somebody else that better suited their needs.”

-- Roger Buffalohead, Ponca

Domestic Dependent Nation

“The phrase that Tribes are domestically dependent sovereigns originated in the Supreme Court case by Chief Justice John Marshall, in 1831. Actually in that case, the Cherokee Nation had filed a law suit against the state of Georgia which was attempting to interfere and invade and to dominate the life and the lands of the Cherokee people. The Cherokee said, you can’t do this. Our relationship is with the Federal Government. We have a government to government, nation to nation relationship. So the Cherokee sued and took the case directly to the Supreme Court and they expected that the Supreme Court would hear their case as an original sovereign because

they already had like twelve treaties with the Federal Government “that recognized their sovereignty. But the Chief Justice in that decision didn’t feel that he could recognize their sovereignty as a foreign nation and because if did that he felt that somehow that might restrict the right to the Federal Government to deal with them, but he also knew that tribes certainly were not states in the constitutional sense of states and so he crafted this new category, domestic dependent nationhood for American Indian Tribes which placed us slightly lower on the hierarchy than the Federal Government, but slightly higher than the states.”

David Wilkins, Lumbee

Elder

Any individual tribal member over the approximate age of 50 who has gained life experience and knowledge through work, hunting, fishing, gathering, parenting, etc. is considered an Elder, and therefore has the highest respect within the community. Elders are responsible to give advice, make decisions, teach, supervise, etc. within the community. Elders are served and encouraged to eat first at feasts. The words of an elder are held in the highest regard. It is the responsibility of the young people and the tribe to take of elders needs and respond to their requests.

Entrepreneur

An individual, who organizes, operates and assumes the risk for a business venture.
-- *The American Heritage Dictionary of the English Language*

Epidemic

An epidemic is an outbreak of a contagious disease that spreads rapidly and widely and affects many individuals in an area or a population at the same time.
--*The American Heritage Dictionary of the English Language*

Extended Family

Extended family is a broad term including the nuclear family (mother, father, and children) as well as grandparents, uncles/aunties, adopted parents/grandparents, other clan members, and close friends.

“Home and family are the most important thing to Ojibwe people. Your family is who we are -- your extended family. Our families are large, maybe not so much in the number of children. Our family unit has traditionally included grandparents, aunties and uncles, cousins, maybe some people who are not blood relatives, those who are so close that they are considered family.”

-- Linda Grover, Bois Forte

Headman

The chief, head, or leading man especially of a tribal or traditional village community is known as the headman.

Indian Child Welfare Act, 1978

The Indian Child Welfare Act (ICWA) is a Federal law that established since 1978 the policy that, where possible, an Indian child should remain in the Indian Community. ICWA is

designed to “protect the rights of the Indian child as an Indian and the rights of the Indian tribe and community in retaining its children in its society. Prior to the Act, many State courts and welfare departments were removing an extremely high percentage of Indian children from their homes and tribes, and placing them in non-Indian homes and institutions. As a result of these practices many Indian children were losing their cultural identity and tribes were losing their greatest resource... future generations.”

-- http://www.turtletrack.org/ManyVoices/V_1/Issue_11/ICWA_623.htm

Indian Health Service

The Indian Health Service (IHS), an agency within the United States Department of Health and Human Services, is responsible for providing federal health services to American Indians and Alaska Natives. The provision of health services to members of federally-recognized tribes grew out of the special government-to-government relationship between the federal government and Indian tribes. This relationship, established in 1787, is based on Article I, Section 8 of the Constitution, and has been given form and substance by numerous treaties, laws, Supreme Court decisions, and Executive Orders. The IHS is the principal federal health care provider and health advocate for Indian people, and its goal is to raise their health status to the highest possible level. The IHS currently provides health services to approximately 1.5 million American Indians and Alaska Natives who belong to more than 557 federally recognized tribes in 35 states.

--- www.ihs.gov

Indian Reorganization Act (also known as the Wheeler-Howard Act)

This was an Act to conserve and develop Indian lands and resources; to extend to Indians the right to form businesses and other organizations; to establish a credit system for Indians; to grant certain rights of home rule to Indians; to provide for vocational education for Indians; and for other purposes. It was the culmination of the reform movement of the 1920s led by John Collier resulting in the Wheeler-Howard Act of 1934. This important legislation reversed the policy of allotment and encouraged tribal organization along the lines of a western model of Governance with elected officials, etc.

Indigenous People

The original inhabitants living in a region or area are called indigenous people. They are also called first peoples, tribal peoples, or aboriginal peoples. They are regarded as indigenous on account of their descent from the populations which inhabited the country or geographical region at the time of conquest or colonisation or the establishment of present political boundaries.

Johnson-O'Malley Act

The Johnson-O'Malley Act on April 16, 1934 was a federal aid program specifically designed to provide funds to local off-reservation communities and other Indian owned, tax-exempt land areas where Indians were mixed with the general population. Funds were primarily earmarked for education but could be used for other purposes such as medical attention, agricultural assistance, and social welfare. In 1958, Public Law 81-874 was amended to include assistance for educating Indian children. The JOM program became a supplemental aid program.

“The Johnson-O’Malley program allows us to provide our eligible students with optimum educational opportunities, practical knowledge, and skills that emphasize the cultural balance needed to provide a better tomorrow for our tribal members.”

Marilyn Oshie-Dorr, Minnesota Chippewa Tribe JOM Coordinator

Language Preservation

Any organized effort to perpetuate and rejuvenate the use of an indigenous language where it might otherwise potentially become extinct. It includes classes, mentors, immersion programs, written texts, etc. to name a few.

“Preservation of languages also gives you the preservation of your culture because the language is based in your culture and the culture is based in your language so if you lose one your culture starts fading. We don’t need that. We need to keep what we have. We need to keep it for the future generations, for our children, for our grandchildren.”

--Brenda Boyd, Mille Lacs

Linguistics

The science of languages, or of the origin, signification, and application of words.

--*Webster's Revised Unabridged Dictionary*

Manifest Destiny

In 1854, a democratic leader and influential editor, John L. O'Sullivan gave the movement its name. In an attempt to explain America's claim to new territories he wrote:

"...the right of our manifest destiny to over spread and to possess the whole of the continent which Providence (God) has given us for the development of the great experiment of liberty and federaltive development of self government entrusted to us. It is a right such as that of the tree to the space of air and the earth suitable for the full expansion of its principle and destiny of growth."

National Indian Gaming Regulatory Act

The Indian Gaming Regulatory Act of 1988 establishes the jurisdictional framework that presently governs Indian gaming. The Act establishes three classes of games with a different regulatory scheme for each. Class 1 gaming is defined as traditional Indian gaming (such as the moccasin game) and social gaming for minimal prizes. Regulatory authority over class 1 gaming is vested exclusively in tribal governments.

Class 11 gaming is defined as the game of chance commonly known as bingo. Tribes retain their authority to conduct, license, and regulate class 11 gaming with Commission oversight. Class 111 gaming is extremely broad commonly played at casinos such as black jack, slot machines, craps, and roulette typically found in a casino. Before a tribe may lawfully conduct class 111 gaming, the following conditions must be met: 1- the particular form of class 111 gaming that the tribe wants to conduct must be permitted in the state in which the tribe is located/ 2- The tribe and state must have negotiated a compact that has been approved by the Secretary of the Interior and 111 the Tribe must have adopted a tribal gaming ordinance that has been approved by the Chairman of the National Indian Gaming Commission.

-- www.nigc.gov/nigc/laws/igra/overview.jsp (National Indian Gaming Commission)

Natural resources

A material source of wealth from the earth, such as timber, fresh water or a mineral deposit, that occurs in a natural state and has economic value.

Negotiate

To arrange for or bring about through conference, discussion, and compromise.

The Indian New Deal

“In 1934, during Roosevelt’s administration, Commissioner of Indian affairs John Collier was very much concerned with putting through legislation—there would be a variety of things. Those things were summed up in a case called the Indian New Deal. The Indian New Deal of John Collier talked about restoring land to the reservations. It talked about freedom of religion for Indian people, it talked about a variety of positive things.”

-- Ron Satz

Ogitchidaa-Warrior

“From what I understand about Ogitchidaa, the warrior, if you will, was a person that defended the village. They were the men that showed in their actions the bravery and the fortitude and the ability to protect the people. They were the Ogitchidaa. Well the Ogitchidaa during this period I believe were the men that had proven themselves one time or another. And they held a high rank among the peoples, among the different bands of Anishinaabe.

Ogitchidaa now-a-days often are represented by people in the military. And in some cases there appears to be a higher level of Ogitchidaa. There is the wounded warrior, there is the men that have been in combat, the men that have been in service, the women also considered Ogitchidaa. So it takes on somewhat of a little bit different connotation to the word Ogitchidaa.”

-- Nick Hockings, Lac du Flambeau

Relocation Policy for Native Americans

This federal policy was initiated in the 1950s to move Indians from reservations to urban areas in order to assimilate them into mainstream American. There was a promise of jobs, housing, training, transportation, etc. to encourage tribal members to relocate to urban areas often out of state and far from their homeland.

Removal

“Indian displacement became a blanket policy with the Removal Bill of 1830, and it was supported vigorously by President Andrew Jackson. The federal policy of moving all the Indian tribes from one vast area of their homelands into another violates the very principles on which the United States was founded. . . . One overwhelming argument was advanced to justify assuming control of Indian lands, and it *never* has changed: Indians obstructed the progress of whites who could use land much more effectively, and thus it was the God-given right of the settlers or real estate promoters to obtain such ground.”

--*This Land Was Theirs*, Wendell H. Oswalt

Reservation

An Indian reservation is land that has been set aside by the federal government for the use, possession, and benefit of an Indian tribe or group of Indians. Most reservations were created by some formal means, such as a treaty, presidential order, or act of Congress.

-- *The Rights of Indians and Tribes*, Steven L. Pevar

Reserved Treaty Right

The rights retained by the Ojibwe to hunt, fish, and gather on land they gave to the United States Government. These were not rights that they were given, but rights that they always had and retained in the treaties.

--*Treaty Rights*, Great Lakes Indian Fish and Wildlife Commission

Self-Determination

Over the years, the federal government's policy toward Native Americans has ranged from elimination, to assimilation, to separation. In each variation of federal focus, what Indians wanted was rarely considered. However, in 1970, President Nixon changed this course and established self-determination, which handed much decision-making back to the tribes, as his administration's approach to Indian affairs. In 1975, Congress passed the Indian Self-Determination Act that gave tribes the authority to contract with the federal government to operate programs that serve tribal members. Enactment of the self-determination law in the middle 1970s marked the beginning of the federal government's acknowledgment of tribal sovereign rights. Self-determination has become the foundation for tribal governments to make decisions on behalf of their own Indian people that used to be made by the federal government.

-- <http://www.millelacsjobibe.org/culture31story.html>

Seventh Generation Concept

"In all the decisions that are before you as a leader you first have to set aside your own interests in that decision. Then you have to set aside the interests of your family and then your other relatives and then all of your friends and then all of the other people who are in your community and then your friends in your next community and everyone else. As a leader you have to be able to set all of those interests aside. And when you do that he said you create a space. And he says that in that space it's like a path he said that you create. And if you look down that path and if you look really hard you can see into the future. And way down there, he said, you'll see a little baby. And he said that little baby is the future. And it's seven generations in the future. And he said as a leader you must weigh the decisions that are before you as to the impacts that it will have on that little baby. And if it's good for that little baby then it's going to be good for everything else."

-- Walter Bresette, Red Cliff Ojibwe

Sovereignty

Under the American legal system, Indian tribes have sovereign powers separate and independent from the federal and state governments. . . . Only the federal government has the authority to change tribal powers, not the states. Another principle of federal Indian law is that tribes keep all rights and powers that they have not expressly given up.

A very important, but often unappreciated, point is that tribal sovereignty does not arise out of the United States government, congressional acts, executive orders, treaties or

any other source outside the tribe. As Felix Cohen puts it, "perhaps the most basic principle of all Indian law... is that those powers which are lawfully vested in an Indian tribe are not, in general, delegated powers granted by expressed acts of Congress, but rather `inherent powers of a limited sovereignty, which has never been extinguished.'"

Indian tribes and their territories are separate from the states of the union. The tribes have all those elements of sovereignty not inconsistent with their dependent status or expressly given up or withdrawn in agreements with the federal government.

-- Mark A. Chavaree, Esq., <http://www.ptla.org/wabanaki/sovereign.htm#I>.

Subsistence economy

A subsistence economy is not based on cash, but on hunting and gathering of animal and plant life and trading. Variations and extensions of subsistence practices are processing foods, hides, and other animal parts or resources for consumption and utilization. Other examples include bartering, sharing, and selling harvested foods; carving, sewing, beading and basket making. Subsistence reaches far beyond hunting and gathering practices and encompasses an entire way of life passed on from generation to generation. Subsistence economy is taking only what you need, using all of it, and share/trade with others any extra that you have with no accumulation of wealth or profit motive.

-- www.kawerak.org/csd/subsistence.html

Sustainability

A method of harvesting or using a resource so that the resource is not depleted or permanently damaged. Utilizing renewable resources in a lifestyle and economy that replaces what is used or taken from the natural resources efficiently.

Traditional Medicine

The term "traditional medicine" refers to ways of protecting and restoring health that existed before the arrival of modern medicine. The term implies approaches to health belonging to the traditions based on a specific land and its available herbal remedies and spiritual beliefs, that have been handed down from generation to generation.

"I think the lifestyle then promoted good health in many ways. You had to work together as community to survive. Religion and spirituality was just part of the daily living. People's physical well-being was promoted by the food they ate, the nutrition at the time. There was many lean meats, venison, wild rice, berries, we're talking very healthy foods. Exercise, just being part of, you had the move to live, which is much different from the lifestyle we have today. So there were many, many things that promoted good health. I think there's a misperception that somehow this is all there was to health, which is a great great thing, but our spiritual healers we had, but we also had herbalists and other healers that had an expertise in medicines. And medicines are the plants that were medicines, and prayers they were, there was I think a real handle on health and medicine.

Health was much more than medicine. Good health took into account body, mind, and soul. How do you separate that out? And I think even if you translate that into modern times, there's something we could teach modern America, the modern world, is that when we separate that out, that creates illnesses. I think practicing physicians should acknowledge sometimes today, we're not priests, we're not medicine men, but that's part of what our people need to be

healthy, and for us to be able to refer and acknowledge that, if we can accept that, that's a gift that American Indian culture can give modern society.”

-- Kathy Annette, Bemidji Area IHS Director

Treaty

A treaty is a contract between sovereign nations. The Constitution authorizes the President, with the consent of two-thirds of the Senate, to enter into a treaty on behalf of the United States. The Constitution declares that treaties are the “supreme law of the land.” As such, they are superior to state laws and state constitutions and are equal to laws passed by Congress. Until 1871 treaties were the accepted method by which the United States conducted its relations with Indian tribes. Nearly every tribe has at least one treaty with the United States.

--*The Rights of Indians and Tribes*, Stephen L. Pevar

Treaty of 1836

In the treaty of 1836 the Ojibwe in Michigan ceded millions of acres in exchange for goods and annuities. The Ojibwe retained the right to hunt, fish and gather rice on the land

Treaty of 1837

In the treaty of 1837 the Ojibwe ceded 13 million acres of land in Wisconsin and Minnesota. They retained the right to hunt, fish and gather rice on the land. The land was sold and the Ojibwe received annuities for twenty years. The Ojibwe agreed they would give land to the mixed-blood members of the tribe who were not eligible to receive payments. Under the treaty, the government gave the mixed-bloods \$100,000 in cash, but no land. This is often called the “Pine Treaty” because the main intention was to get the timber from these lands. The treaty granted goods and money worth \$700,000.

--Minnesota Indian Affairs Council, <http://www.indians.state.mn.us/1837.html>

In 1837 our people signed a treaty with the United States to which we ceded lands, great amounts of lands, to the federal government but retained our right to hunt and fish and gather on these ceded territories. The treaty was regularly, I guess, broken by the government and over the years, so in 19-- 19-- I believe it's 1990 when we took the state to court because they were arresting our people for exercising those rights and we had no alternative but to do that. And eventually we-- we prevailed in District Court and then the Court of Appeals and went to the US Supreme Court where they upheld a lower court decision. So that was a great, I think, a great day in our history when the Supreme Court, the highest court in the land, you know, decided that we had the right to hunt and fish and-- and that's I think a great victory for Mille Lacs.

-- Marge Anderson, Mille Lacs

Treaty of 1842

One of the things that is important to understand from both the 1837 and 1842 treaties is what that actually meant to the United States of America. In 1842 the copper and the mineral reserves that were acquired made the great lakes region the Lake Superior region one of the leading producers I think in the world and that went on well into the 19th century. This was a tremendous economic boom of the United States of America. Another issue was the whole issue for national security. In the 1830's and 40's the United States was very concerned about its northern boundary with Canada. There was growing concern about the relations with tribes on

both sides of the border and the United States. By acquiring the land in 1837 and 1842—the United States felt it had acquired huge resources and secured a boundary line for itself the 1837 and 1842 treaties saw tremendous wealth. There were also waterways, lakes, rivers, streams [and] later power sites that were being developed on these various locations so the United States acquired millions of board feet of timber, of lumber, as a result. More than millions of board feet of lumber it acquired huge deposits of copper. It acquired sites for mills and for producing more power. These were many, many important things that the United States acquired as a result of this.

The Ojibwe received very little. From the Ojibwe point of view the treaties of 1837 and 1842 contained a commitment on the part of the United States to recognize the reserved rights for hunting, fishing and gathering. The supposition of the Indians based on the treaties that they would remain in the areas that they called home. They would continue to hunt, to fish, to gather. They believed that they could live side by side as non-Indians—as white people moved into the region.

-- Ron Satz

Treaty of 1854

In 1854, the Chippewa of Lake Superior entered into a treaty with the United States whereby the Chippewa ceded to the United States ownership of their lands in northeastern Minnesota. These lands are the so-called "1854 ceded territory." Article 11 of the 1854 Treaty provides: *"...And such of them as reside in the territory hereby ceded, shall have the right to hunt and fish therein, until otherwise ordered by the President."* The Chippewa of Lake Superior who reside in the ceded territory are the Fond du Lac, Grand Portage and Bois Forte Bands.

-- Minnesota Department of Natural Resources

Treaty rights

The Supreme Court has expressly held that an Indian treaty is “not a grant of rights to the Indians, but a grant of rights from them.” The purpose of an Indian treaty was not to give rights to the Indians but to remove rights they had. Thus Indians have a great many rights in addition to those described in treaties.

-- *The Rights of Indians and Tribes*, Stephen L. Pevar

Tribal Government

Tribal governments have the same powers as the federal and state governments to regulate their internal affairs, with a few exceptions. The right to form a government is the first element of sovereignty, the most basic right of any political community. Indian tribes have always had the right to form governments. The right to form a government includes the right to establish qualifications for tribal office, to determine how tribal officials are chosen, and to define their powers. Today, most tribal governments have the same three branches as the federal and state governments: legislative, executive, and judicial. On most reservations, these branches of government are the tribal council, the tribal chairperson, and the tribal court, but tribal governments are not required to have his “separation of powers.”

-- *The Rights of Indians and Tribes*, Steven L. Pevar

Tribal Criminal Jurisdiction

Criminal jurisdiction in Indian country is complex and difficult to explain. It is one of the most confusing areas of federal Indian law. Congress has the ultimate authority to decide which government can exercise criminal jurisdiction in Indian country. Unless Congress has decided otherwise, a tribe can prosecute tribal members but not nonmembers, and a state has no criminal jurisdiction over tribal members in Indian country. There are three important statutes regarding criminal jurisdiction in Indian country. Public Law 83-280 was passed by Congress in 1953 and allows tribes in six states to exercise full criminal jurisdiction. The other forty-four states were permitted to accept such jurisdiction at their option, and a few did. Minnesota and Wisconsin are mandatory P.L. 280 states.

-- *The Rights of Indians and Tribes*, Stephen L. Pevar

Tribal School

Tribal School is a general term referring K-12 schools that are governed, funded, and managed by tribal governments or the Bureau of Indian Affairs or a combination of the two. Tribal Colleges are higher education institutions partially or wholly funded and controlled by Native American tribes.

“The real new feature of Indian education is the institutionalization of education for Indians under Indian control, and that process has been an amazing process of transformation and of rediscovery and of serving one side as a people through that movement. The most significant thing, I believe, in Indian education is the advent of tribal education: tribal schools and colleges. The potential of what those institutions can do and what they have done are amazing and need to be a part of sort of Indian community life, sort of a new part. It’s a new frame of to be what it used to always be a way of doing things. People used to debate issues at meetings and council, talk and talk and talk and talk for hours and hours and hours, and to resolve questions, to get a sense of what people believed. That’s typically what colleges and universities allow people to do in a non-political setting, just to do that you know, a lot of discussion on ways, places to create new art, to write, to write poems, to do all of that type of stuff, to you know to do that type of thing, a place to keep the community’s history, its treasures in art and so forth and colleges and universities can do that for society as a whole, and Indian communities used to do it in their own ways, and so we’re sort of becoming ourselves again by this ability to say no to the outside and allow an opportunity for us to be, I think that’s the new idea of what a school is.”

-- David Beaulieu, White Earth

Tribe

Ethnologists define an Indian tribe as a group of Indians who share a common heritage and speak a distinct language. However, . . . the federal government does not recognize many groups that claim to be Indian tribes. In fact, the federal government officially recognizes less than three hundred of the more than four hundred tribes and claim to exist. A tribe will normally be recognized by the federal government if Congress or the President at some point created a reservation for the tribe and the United States has had some continuing political relationship with the tribe. . . . Federal recognition by the Interior Department guarantees that an Indian tribe can participate in federal Indian programs.

The Rights of Indians and Tribes, Stephen L. Pevar

Band

This is an autonomous group of members from a tribal nation. It is a smaller group than the nation as a whole. There can be many Bands of one tribe.

Voigt Decision (1983)

In 1975 the Lac Courte Oreilles Band filed suit on behalf of all its members, requesting a court order directing the State of Wisconsin to stop enforcing state law against tribal members on the basis of the tribe's treaty reserved rights to hunt, fish and gather off-reservation. In its January 1983 ruling, the U.S. Court of Appeals for the 7th circuit agreed with the Lake Superior Chippewa that hunting, fishing and gathering rights were reserved and protected in a series of treaties between the Chippewa and the United States government. This decision has become known as the Voigt decision. Five other Chippewa bands in Wisconsin who were signatories to the 1837 and 1842 treaties joined with Lac Courte Oreilles in the final arguments, and consequently the ruling applies to the rights retained by all six bands. The other bands include Bad River, Red Cliff, Lac du Flambeau, and Mole Lake. The Voigt decision allows those bands to harvest fish, deer and small game, and gather forest products such as maple sap and birchbark.

--Treaty Rights, Great Lakes Indian Fish and Wildlife Commission