

## INTRODUCTION

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# Menominee Survival into the 1850s

God thought proper to have the Indians in this country, and you white men were put on the other side of the ocean. It is you white people who have got our land away from us. We supposed you white people would help us along. You have been buying and selling the lands, and after all you pay about a shilling an acre, and how much you get! All these lands were ours. The little money sent here by government is carried away by mice; you white people are rich and have cities. All the young men are afraid, and we are afraid, to take the money from those not yet born. Those young people would think hard of the chiefs.—Shununiu, 8 September 1855

For thousands of years Menominee Indians lived in what is now north central and eastern Wisconsin and the south central portion of Michigan's Upper Peninsula. They divided the territory into regions controlled by bands consisting of several dozen to more than a hundred members. Social organization also included a clan system that defined people's relationships to each other and their responsibilities to the band and the tribe. The bands traveled extensively through the area, using rivers and lakes as their highways, trading and forging alliances with the nations that would become their neighbors, the Ojibwe (Chippewa), the Santee (Sioux), and the Ho Chunk (Winnebago). They harvested wild rice and fished in those same waterways, planted crops near their shorelines, and hunted and gathered in the lushly wooded forests surrounding them. These activities were directed by the seasons and through the beneficent intervention of their cultural heroes, who resided in the supernatural realm. The different bands traveled separately on foot or by canoe but shared the same language, customs, culture, and world-view, coming together in larger groups only at specified times of the year for particular ceremonial events. They adapted well to a constantly changing environment that provided all their needs—in abundance much of the year and in scarcity through the harsh wintry months.

The Menominee developed a rich, complex society that protected itself with a highly codified, though unwritten, system of justice and social control.

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Custom was well defined and sanctified by its connection to the tribe's origins. Each clan and each individual played a specific role in maintaining community welfare. These roles were reinforced by unbreakable tradition that was passed down orally and by participation in community life. Men hunted and gathered and, on those rare occasions when called for, fought in war. Women raised the toddlers, prepared the fish and game brought home by men, gathered berries, and took charge of the home—which meant not only maintaining it but moving it with the changing seasons. Elders educated the youth, who joined the adult roles after ceremonial welcoming to manhood or womanhood at puberty.

The two major clan divisions, the Bear and the Thunderer or Eagle, oversaw domestic and foreign relations, respectively. Leaders made decisions in consultation with the entire community of adults, male and female, in a more true form of political democracy than the one eventually developed on this continent by Europeans and Euro-Americans. Leaders were most successful when they took the community in the directions it wanted to go. Bear clan leaders guided the tribe's bands during peacetime, but Thunder clan leaders decided when to form alliances, share resources, or fight enemies. Individual bands, rather than the nation as a whole, generally made these decisions. Thunder clan members, though, were responsible for enforcing the law. This task fell largely to the *naēnawēhtaw* (warriors) or the providers and defenders. *Naēnawēhtaw* in the fullest sense of the term meant far more than fighting in battle—it meant taking care of the land, as well as those least able to fend for themselves, whether children, elders, the infirm, or women with children. This included, therefore, protecting people from internal and external threats in whatever form they arose. It also required that those who were unable to provide for themselves would receive provisions.

In reality this was a community-wide responsibility. One of the Menominee's core cultural values is reciprocity, or the sharing of resources.<sup>1</sup> Individuals who hunted or fished together shared in the bounty of their success, with the one who killed the game or fish giving the choicest portions to the other. The fall rice harvest was a community-wide event, as was the spring sturgeon catch. One elder today compares the sturgeon catch of old with modern commodities—surplus staples provided to those unable fully to fend for themselves and their families.<sup>2</sup>

Sharing the resources with those in need occasionally applied not only within the community or tribe but also to neighboring tribes. If a band of Ojibwes, Ho Chunks, or Santee Sioux had difficulty finding a winter camp or enough game, their leaders would negotiate use of Menominee land for a

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specified period of time, and vice versa. The Menominee knew this practice as *apēkon ahkīhīh*, which translates literally as “sit down upon.” They negotiated use of resources separately. If use of resources was not negotiated, the Menominee retained the rights to them and acted under that assumption. This practice served to establish generally peaceful relationships between neighbors.

Violations of these rules of behavior by taking someone else’s resources, within the tribe or between nations, was a serious offense, perhaps more serious than murder. Adjudication of murder cases often required that the offender provide gifts to the family of the victim, although in the most serious cases the offender’s life would be taken. Theft of resources could lead to war. A brief civil war once broke out between two Menominee bands, for example, when the downstream band stopped the spring run of sturgeon from advancing upriver. This is the only documented case of major precontact intratribal strife.

Menominees traded many resources as well. They traded such things as wild rice, beaver pelts, and sturgeon for buffalo skins to western Indians who lived in areas lacking abundant water. They were also part of a vast trading network that stretched across much of the North American continent. The life ways that the Menominee developed over long centuries remained relatively undisturbed until the seventeenth century.

By the time the French explorer Jean Nicolet arrived in Menominee and Ho Chunk country in the 1630s, the trade for European-made goods, which the Odawa controlled in the Upper Great Lakes, had already affected Menominee material culture. By the latter half of the seventeenth century, French traders and Jesuit missionaries became a constant, if small, presence in Menominee country. They brought with them ravaging diseases as well as trade goods and entered into relationships with Menominee women that created an increasingly mixed-blood population, forever changing the Menominee world.

A demographic upheaval in Menominee country ensued. During the middle of the seventeenth century the Mesquakie moved into Menominee lands. Then, the dwindling fur trade in the east forced the Iroquois to expand their boundaries in search of commerce to ensure stability. Part of this expansion was to the west. Within a couple of decades nearly a dozen eastern tribes, most of whom would stay for perhaps a generation, fled west into Menominee country, remaining until the early 1700s. This time of invasion and upheaval caused the Menominee and the Ho Chunk, though culturally very different, to strengthen their alliances. Likely these two tribes also cemented their bonds with the Ojibwe, their neighbors to the north and west.

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Based on the long-established practice of *apēkon ahkīhīh*, the Menominee permitted many of these newcomers to sit down upon their land, to live in Menominee country as guests. Most notably, the Mesquakie and the French took advantage of this policy. When they violated Menominee rules or abused the Menominee generosity as hosts, however, these guests paid the price quickly. A French commandant at the fort at La Baye who misused the tribe forced the Menominee to attack the post and kill eleven Frenchmen, even while the Menominee were the best French allies in the region. Similarly, the Menominee joined the French in a war against the Mesquakie in the first quarter of the eighteenth century when the latter blockaded a river route that was supposed to be accessible to everyone and began to charge tolls, violating a longstanding rule that kept the waterways open to all.

When the British displaced the French as the European colonial agents in the Upper Great Lakes, the previous patterns of the fur trade and interaction remained. The Jesuits had been gone for more than half a century, so it was traders, soldiers, and diplomats, sometimes embodied in the same person, with whom the tribe interacted. The Menominee leader Sekatsokemau invited the British to sit down upon Menominee land in the same way the tribe had previously invited the French and Mesquakie to do so. British soldiers did not stay long in Menominee country, but the British traders did. In fact, the British permitted individual Frenchmen to remain in the *pays d'en haut*, or upper country, and many stayed, maintaining their old positions in the fur trade but now reporting to a different crown and trading with a different Montreal company. Some of the traders married Menominee women, and some learned the Menominee language and customs, becoming allies with different bands of the tribe in negotiations with Euro-Americans.

Some bands dealt regularly with the European traders, while others did not. Throughout this time, despite devastating diseases, the Menominee band system remained intact. By the late 1700s this system slowly expanded as the population began to grow. Menominee bands summered along Green Bay, Lake Winnebago, and the Wolf and Fox Rivers, and they wintered as far southeast as present-day Kenosha; southwest to the Quad Cities area of the Illinois-Iowa border; upstream along the Mississippi River through Prairie du Chien, Wisconsin, and St. Anthony's Falls, Minnesota; and north to Mille Lacs, the southern border of Minnesota's north woods. Menominee bands in the northeast ranged as far as Michilimackinac (now Mackinac).

This residency pattern did not change when the Americans claimed the old Northwest Territory in the wake of their Revolutionary War victory. It held until well after the British finally agreed to leave the area after the War of 1812.

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However, when the Americans took over Green Bay in 1815, they established Fort Howard. Shortly thereafter they began an all-out assault on the Menominee political, economic, social, and spiritual realms that left the tribal nation weakened and reeling.

American lumber barons coveted and denuded Menominee forests, and farmers poured into the lands after the loggers left. In this time of Menominee loss, the United States forced a series of treaties on the tribe in which the Americans' ultimate goal was to remove the Menominee from their ancient homeland. Meanwhile Catholics, including Dominicans, Redemptorists, and Franciscans, returned for the first time since the Jesuit efforts of the early 1700s. They worked alternately together and in competition with government agents. Most of the agents assigned to Menominee country were ignorant, incompetent, or corrupt and managed to make life miserable for individual tribal members. Most also pursued the federal policy of converting Menominees into farmers, Christians, and "citizens," attempting to change the Indians' very lifestyle.

Beginning in the 1830s, each treaty the tribe signed shrunk the Menominee estate. The low point occurred in 1848, when the tribe sold all its remaining Wisconsin lands for a tract on the Crow Wing River in central Minnesota. Tribal leaders inserted a stipulation, however, that a tribal delegation would first visit the Crow Wing land, thus reserving for the Menominee the right of disapproval of the move. When the Menominee asserted that right, a difficult process of negotiation followed. Ultimately, with the support of the young state of Wisconsin, the tribe secured the boundaries of its current reservation in two treaties signed in 1854 and 1856. Despite the right-of-refusal clause in the 1848 treaty, and the fact that the Menominee were able to remain in Wisconsin in 1854, U.S. commissioners negotiated a number of the tribe's treaties with the United States in bad faith using bribery, threats—including of forced military removal—and trickery to gain their ends.

Nonetheless, the Menominee faced the challenge, and they retained certain key rights in those treaties. Most tribal members began the painful move to the area surrounding Keshena Falls, although some from the Illinois border to Michigan's Upper Peninsula remained in their old homesites. The Menominee had met their first modern threat to survival and, despite heart-wrenching losses, had survived. In doing so they established a permanent base on a much-reduced portion of their homeland in which their modern communities could take root. Indeed, they would need strong roots to withstand the future flood of threats emanating from federal and state attempts to control their nation over the next 150 years.

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By the time the reservation was established the Menominee had virtually no economic base or power. The United States prepared to strip tribal leaders of their political status as well. The United States attempted to do this by manipulating people's social lives, undermining the Menominee nation's social structure and its spiritual base, and controlling the tribe's economy. As in previous eras of Menominee history, the attacks were sometimes large-scale but often piecemeal, creating a debilitating sense of loss of control for tribal members.

Menominee attempts both to counteract these attacks and to shape the direction of their future as a tribal nation were rooted in the tribe's history and social structure. The tribe had long been both divided and unified. Catholic bands lived more closely to the white population and interacted with them on a more regular basis. Those bands that still followed the traditional *Mitāewin* religion lived farther away. Bands sometimes disagreed on specific actions to be taken in the face of Euro-American threats, maintaining autonomy in decision making. Yet the bands continued to come together at significant ceremonial times. Neither did Catholic Menominees give up all of their traditional social or religious practices.

In times of grave national crisis, the tribe as a whole made decisions together, often setting aside differences until they had resolved or diminished the crisis. Tribal leaders insisted on waiting for the input of all tribal members before making decisions. This combination of consensus and democracy foiled outsider plans to divide and conquer. The Menominee were also adept at forging alliances with would-be enemies or antagonists. This is evident from their early alliances with the Ho Chunk, their relationships with traders, and their interaction with contacts who lobbied the Wisconsin legislature to regain a piece of the homeland. The factionalism, the unity, and the carefully crafted alliances were to play key roles in shaping the Menominee future.

The new reservation community, despite the carryover of the band structure, was not entirely the same as the old Menominee nation. Not all tribal members moved onto the newly formed reservation. Some remained behind—in the area of Menominee, Michigan, and Marinette, Wisconsin, in the north or Milwaukee County in the south, for example—because of their ties to the land. Others remained behind because they were married to nontribal members who decided not to move. The 1848 treaty bought some, known as forty-niners, out of the tribe. Still others stayed behind with the promise of avoiding military removal to Minnesota.

Those who made the move formed the new Menominee polity, though many of those who remained behind maintained family ties and connections

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to the tribe as a whole. Despite factional distinctions, members of the new reservation community shared much in common. They had a deeply held reverence for their lands and resources, which they vindicated to some extent when they regained a piece of their homeland. They continued to view the land and waterways of the forest as the basis of their nourishment, in both physical and spiritual terms. The concentration of so many tribal members on so small a land base led to starvation, malnutrition, and want. According to the official count, 2,002 Menominees lived in close proximity after the 1852 move. Many would continue to hunt, fish, and gather in their old homelands until forced to remain on the reservation as the surrounding white population grew. This view of the landscape as a foundation of their society would play a determining role in their history over the next 150 years.

In political terms, tribal leaders consistently acted with the best-perceived interests of the tribe at the forefront, even if the definition of those interests varied among leaders. They viewed their primary responsibility to be to the whole community, even above their own interests. This meant caring for relatives and for those too weak to care for themselves. This would set them at odds with the American perception of individual success time and again—even in cases where they seemed to be following the American model. They wanted for the sake of their children and grandchildren to fulfill the American dream of finding a good living, but they added a Menominee twist: they wanted this for the extended family, band, and tribe, not merely for themselves. Always the community came first. The Menominee recognized that the world around them was changing. And they wanted to change with it. As Roy Oshkosh would say, “We like our modern comforts now.”<sup>3</sup> They simply wanted to be able to provide them in a manner they deemed tribally appropriate.

The United States, on the other hand, desired individual Menominees to succeed on their own. Indian Service and other federal officials therefore worked hard to separate the individual from the tribe and the tribe from its resource base. They equated progress with individual effort divorced from the community. Simply put, the two cultures defined success in radically different ways. So while both sides seemed to have the same goals—Menominee success in a modern American culture—their definitions of success differed so drastically that they were constantly at loggerheads with each other. In other words, two different processes were now in conflict. Both had the same purpose, but the definitions of that purpose were almost diametrically opposed.

Ironically, tribal leaders and federal officials often thought the same methods might lead to success, and so at times the Menominee embraced federal initiatives, while at other times they proposed their own initiatives that in

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the end they would have to fight off. Tribal goals generally centered around maintenance of the tribal way of life and the establishment of a high quality of life for tribal members. They hoped to accomplish this within an evolving economic and political system that was largely driven by their forest resources. Over the years, federal goals were generally to find ways to abandon their trust responsibility and to encourage individual Menominees to enter into a vaguely elaborated, idealized, and unrealistic representation of the larger society.

And so the Menominee struggled in the coming years to make a success in terms they themselves defined. They had to do so as an impoverished nation that was increasingly surrounded by a dominant society that defined success in very different terms. The Menominee would often adopt American means and would even appear to be moving toward American ends. But ultimately, success would only come to them if they could work with their own strengths and overcome their own weaknesses to make a path of their own choosing. Their struggle to meet the future on their own terms, to develop a political voice, and to maintain a semblance of self-determination and cause it to grow over time is the subject of this book.