

Pam
90-
458
Over-
size



CULTURES IN CONFLICT



STATE HISTORICAL SOCIETY OF WISCONSIN

This Wisconsin Chippewa pictograph from 1849 shows the longstanding conflict of cultures in the North Woods. Chippewa chiefs led by Oshcabwis carried this petition to Washington, performing dances along the way to pay for their trip. The pictograph expresses a desire to return to a chain of wild rice lakes lost in an

1842 treaty. Animals represent various clans; the lines linking hearts and eyes show a unity of purpose. The thick blue line is Lake Superior — the desired lakes are to the south. Congress paid the chiefs' travel expenses back to Wisconsin, but said the lakes could not be returned without the state's permission.

By Jeff Mayers
State government reporter

LAC DU FLAMBEAU — By the late 17th century, they had acquired the Indian name: Wah-suah-gun-e-win-in-e-wug.

These "men of the torches" fished the lakes of the upper Wisconsin River watershed at night from birch-bark canoes, using torchlights and spears to gather food. The French, the first white men to encounter them, called the Indians' home "lake of torches." Hence, Lac du Flambeau.

Today, the Chippewa fish spearers use battery-powered lamps, not torches, to illuminate the lake shallows

in spring, when spearfishing is most intense. They travel in motor-equipped boats, not hand-paddled canoes.

But they still use a pronged metal spear on the end of a 10-to-15-foot-long wooden shaft, a method that pricks many a non-Indian angler who can't fish for walleye on the northern lakes until spawning is over each spring.

The modern-day "walleye warriors," as the more combative Chippewa spearers prefer to be called, kill spawning fish as their ancestors did. Not just for food — but to prove a point.

"Use it or lose it," says Tom Maulson, the outspoken, controversial leader of Wa-Swa-Gon. Wa-Swa-Gon, from the Indian name for "men of torches," is the organized

Please turn to Page 6

A reprint from stories published Dec. 10, 1989, to April 8, 1990, in the

Better information is how we can help

In the basement of the governor's residence last Oct. 27, Gov. Tommy Thompson and three other top state officials stood before a group of editors and publishers and admitted they just didn't know what to do.

The newspaperpeople had been invited to hear Thompson urge their support for legislative ratification of a proposed 10-year, \$50 million "lease" of Chippewa treaty rights. But two days before the meeting, the Lac du Flambeau band had voted down the proposal.

Wisconsin's North Woods — widely known for the natural beauty of its lakes and forests — had begun attracting national attention for a different reason. Disputes over Indian treaty rights, particularly the Chippewa practice of spearing walleye during spring spawning, threatened to destroy the peacefulness for which the northern third of the state is known.



FRANK DENTON

That day, the governor, Attorney General Don Hanaway, Administration Secretary James Klauser and Natural Resources Secretary C.D. Besadny stood before the group stunned, dispirited, at a loss, if not for words, then for ideas or optimism.

Indian treaty rights, they agreed, is the biggest problem facing Wisconsin.

Five days later, Wisconsin State Journal staff members gathered to brainstorm how we might shine some light on the fascinating, emotional issue that threatens to drag this civilized state into hatred and violence.

If negotiation had failed to that point, then perhaps information would help. There was great misunderstanding and misinformation between, or among, the sides, and those are areas in which journalists can help most.

We decided on a major reporting project, probably the largest in this newspaper's 150-year history, involving much of the staff through the winter and into the spring. We agreed the issue is so important we should commit an unprecedented level of our resources.

Over the next five months, led by Assistant City Editor David Stoeffler, nearly 20 State Journal reporters, photographers and editors explored the people, places and politics of the treaty rights issue. They traveled to Washington state, Oklahoma, Maine and Minnesota to learn from experiences there, and they spent so much time in the North Woods that we rented an apartment.

Over the first three months of this year, we published three special sections and many other daily and Sunday stories examining:

■ The history of Indians in Wisconsin and the beginnings of the current dispute.

■ The economy of the North Woods and how it lies at the core of the issue.

■ The cultural differences between whites and Indians and the relationship between the two cultures in the Minocqua-Woodruff-Lac du Flambeau area, the heart of current problems.

■ The threat to the resources of the North — and how resolution of the treaty-rights issue could lead to wise, as well as fair, use of the fisheries, timber, minerals and small game.

■ The people at the center of the controversy, including tribal leaders, anti-treaty protesters and state and federal leaders.

All in all, that amounts to thousands of words and scores of photographs.

We hope they will make a difference.

Your reaction to "Cultures in Conflict" is welcome. Please get in touch with any of us by writing to:

Wisconsin State Journal
P.O. Box 8058
Madison, Wis., 53708

Frank Denton

Frank Denton
Editor



State tracing Indian heritage

Students at Lac du Flambeau, gathering here under a birch bark canoe and ceremonial drum, are rediscovering their own culture — just as people across Wisconsin are discovering the state's Indian history. It's a heritage stemming from the time settlers took over lead mines first tapped successfully by Indians and from when whites made a tourist attraction out of the Wisconsin Dells, which Indian legend says was formed by the Great Spirit embodied in a huge snake. Even the state's name comes from an Indian word meaning "gathering of the waters" or "home land."

Table of contents

As spearfishing begins, the fear is violence at the boat landings could undermine progress already made toward long-term solutions/Page 3.



Courts gird for lengthy treaty battle 5
1825 meeting signaled start of dispute 8
PROFILE: Tom Maulson 8
Histories, statistics of Wisconsin tribes 10

✓ Experts say the real cause of conflict is not spearfishing, but a troubled northern economy and changing tourism industry/Page 11.



✓ Who will manage the resources and how they'll be managed is what's at stake in the legal and rhetorical battle over treaty rights/Page 14.

PROFILE: Dean Crist 18
PROFILE: James Holperin 19
Black River Falls school battles racism 19
Teaching varies on Indian history 20
Many schools try to bring history alive 20
'Handout' stereotype plagues tribe 21
PROFILE: Michael Allen 22

✓ Since the Chippewa began spearfishing, two divergent cultures have come face to face in a way that hasn't happened since whites first came to the area/Page 24.



✓ A month's sojourn on the Lac du Flambeau reservation reveals a group of people trying to learn what it is like to be Indian/Page 27.



All that remains in Wisconsin are the names: remnants of once-powerful tribes relocated from Wisconsin to other areas of the country/Page 31.



Maine tribes gain respectability 34
White fishing guide backs Chippewa 35
PROFILE: Barbara Crabb 35
PROFILE: George Meyer 36
PROFILE: Douglas Morrisette 37
Landings likened to Selma battles 38
Activists watch for peace at landings 39
Churches caught in conflict 40
State, tribe at odds on gambling 41

✓ In the midst of conflict, the Lac Courte Oreilles Chippewa and Hayward neighbors have maintained an oasis of apparent calm/Page 42.



Better northern economy may help 44
Groups tout abolition of treaties 45
DNR says stocking fish not answer 46
State Journal editorials on treaty rights 47

Wisconsin's last Indian crisis — the takeover 15 years ago of a Gresham novitiate by unhappy Menominee tribal members — ended peacefully/Page 48.



Ada Deer's fight now national 49
Apesanahkwat: from 'thug' to leader 50
PROFILE: Gaiashkibos 51

Washington state leaders wonder if it will take Wisconsin's antagonists as long as them to discover more cooperative means to settle differences/Page 54.



This reprint is part of a Wisconsin State Journal project, "Treaty Crisis: Cultures in Conflict," and includes material originally published between Dec. 10, 1989, and April 8, 1990. Staff credits may be found on page 53. Additional graphic work was by Michael J. Mihm. Composing and paste-up was done by Beth Klein.

North steps toward peace

By Ron Seely
and Jeff Mayers

Wisconsin State Journal

There stood Jerry Maulson, a Chippewa Indian from Lac du Flambeau, and there stood Don Sogka, a white businessman from Eagle River.

They faced each other, not three feet apart, on a cold afternoon in January, minutes after an Eagle River meeting between Chippewa and local business and community leaders. An Indian man and a white man. Between them, as real as the snow falling outside the conference room window, was the issue of Chippewa treaty rights.

Between them was all that had gone before. The violent protests. The anger and name-calling. The frustration and fear.

But Sogka the white man looked at Maulson the Chippewa and said:

"There's things happening out there I don't like. We gotta have peace."

Maulson, nodding his head, said: "We all have to live together."

Things are different this spring in the North Country, better in many ways. People are talking. It's a small but important step — a step taken in other states where similar conflicts have been resolved.

"People are trying to get along today," said state Sen. Robert Jauch, D-Poplar, "where they avoided each other before."

Still, long-term solutions remain elusive — two "lease-out" agreements trading cash and aid for limitations on Chippewa treaty rights have failed, and federal officials continue to balk at paying millions of dollars for any solution.

Although a federal court case continues to define a variety of treaty rights, the controversy focuses on the exercise of one treaty right — spearfishing — because it affects fishing lakes coveted by anglers, guides and resort owners who value wall-eye and muskie as parts of their livelihoods.

As the spearfishing season begins, the fear is violence at the boat landings could undermine progress already made toward long-term solutions.

Sources inside and outside government point to these signs of a creeping movement toward compromise and understanding on both sides:

- Eleven northern chambers of commerce issued a joint statement denouncing protests at the boat landings this spring. In exchange, the Lac du Flambeau tribal council agreed to reduce the tribe's share of the catch so bag limits for non-Indian anglers on northern lakes would be three to five walleye per day.

- More moderate voices are being heard this spring. Some believe the issue was controlled last year by extremists on both sides who encouraged conflict. This spring, more moderate community leaders as well as tribal leaders are speaking up, counseling peace and cooperation instead of confrontation.

- Calls are going out from government and Indian leaders, asking outsiders on both pro- and anti-treaty sides to stay away from the landings.

Some go as far to say anti-treaty rights groups such as Stop Treaty Abuse are losing their effectiveness — a charge disputed



State Journal photo/SCOTT SEID

Some preach more cooperation between Indians and the state in managing resources. Here, Washington state fishery workers Scott Chitwood and Paul Huffman conduct a spawning survey,

watching for Coho salmon to flash their silver color as the two walk along Big Creek, a tributary to the Quinalt River.

by outspoken STA leader Dean Crist.

- U.S. Sen. Daniel Inouye, D-Hawaii, chairman of the Senate Indian Affairs Committee, has visited the state in the effort to bring his power and expertise to help resolve the conflict. Recently, he has suggested establishing a federal commission — including federal, state and tribal officials with staff at the federal level — to draw up a settlement for Wisconsin's treaty-rights dispute. The plan was being reviewed by members of the state's congressional delegation, some of whom were skeptical.

The Bureau of Indian Affairs, keeping an eye on the volatile situation in northern Wisconsin, endorses Inouye's involvement and promises to help with information and technical assistance. It's the closest thing yet to federal help.

- Gov. Tommy Thompson's office, the Department of Natural Resources and other state agencies are preparing for every contingency to prevent bloodshed on northern boat landings.

Asked for the single best peacekeeping solution, James Klauser, Thompson's top aide and point man on treaty issues, said this: "Have people stay away from the landings and demonstrate in other places, but not at the crowded little landings in the dark of the night."

Crist, of Minocqua, leader of the anti-treaty group STA, said the organization would honor a moratorium against any protests prior to April 14. But after that, he said, members will be at the landings. The only thing that would stop them, he said, is if the state's Chippewa bands agree not to spearfish or would reduce their fishing enough to allow a return to the five-walleye daily limit for non-Indian anglers that existed on all northern lakes before last year's spearing season.

"Last spring," Crist said, "people went to the landings to (encourage) state and federal involvement. The issue became very visible." That visibility was due to the protesters, he said, comparing them to the students who protested in China's Tiananmen Square.

Crist doesn't buy the theory that STA's power has been eroded by more moderate forces. He argues that the moderates, primarily local government and business leaders, were not at the landings last year and do not speak for those who were.

Nor does Crist read anything into the recall election victory of state Rep. James Holperin, D-Eagle River, who easily beat a Republican candidate April 3 after beating a Democratic foe, an STA sympathizer, in a March 6 primary.

The bottom line, Crist said, is the viewpoint represented by the anti-treaty organizations remains popular. Therefore, people will be protesting at the landings.

Federal and state officials say violence at the landings would undermine what positive steps have been taken toward solving the dispute. Worse, they say, violence could delay any long-term resolution of the

conflict.

Inouye, during his recent visit to Wisconsin, said the state stands at a crucial moment. A peaceful spring is essential if progress is to continue, he said.

Where is this progress leading? What are the solutions that will finally put the issue to rest? Those close to the issue say these possible long-term solutions are evolving:

- Recognition of Chippewa treaty rights, and the acceptance that abrogation or changing of the treaties by Congress is both unlikely and unwise as the federal and state governments try to build up the government-to-government relationship between Indians and non-Indians.

- More cooperation between the Chippewa bands and neighboring communities especially in the area of economic development.

- More cooperation between the Chippewa and the state in the management of natural resources, building on successful interim pacts used to regulate activities like Lake Superior fishing.

- More government-to-government ties. State political leaders are paying more attention to elected tribal governments and their agencies — not just in the area of natural resources.

While few long-term options are ruled out, Wisconsin seems to be moving away

North steps toward peace

By Ron Seely
and Jeff Mayers

Wisconsin State Journal

There stood Jerry Maulson, a Chippewa Indian from Lac du Flambeau, and there stood Don Sogka, a white businessman from Eagle River.

They faced each other, not three feet apart, on a cold afternoon in January, minutes after an Eagle River meeting between Chippewa and local business and community leaders. An Indian man and a white man. Between them, as real as the snow falling outside the conference room window, was the issue of Chippewa treaty rights.

Between them was all that had gone before. The violent protests. The anger and name-calling. The frustration and fear.

But Sogka the white man looked at Maulson the Chippewa and said:

"There's things happening out there I don't like. We gotta have peace."

Maulson, nodding his head, said: "We all have to live together."

Things are different this spring in the North Country, better in many ways. People are talking. It's a small but important step — a step taken in other states where similar conflicts have been resolved.

"People are trying to get along today," said state Sen. Robert Jauch, D-Poplar, "where they avoided each other before."

Still, long-term solutions remain elusive — two "lease-out" agreements trading cash and aid for limitations on Chippewa treaty rights have failed, and federal officials continue to balk at paying millions of dollars for any solution.

Although a federal court case continues to define a variety of treaty rights, the controversy focuses on the exercise of one treaty right — spearfishing — because it affects fishing lakes coveted by anglers, guides and resort owners who value wall-eye and muskie as parts of their livelihoods.

As the spearfishing season begins, the fear is violence at the boat landings could undermine progress already made toward long-term solutions.

Sources inside and outside government point to these signs of a creeping movement toward compromise and understanding on both sides:

■ Eleven northern chambers of commerce issued a joint statement denouncing protests at the boat landings this spring. In exchange, the Lac du Flambeau tribal council agreed to reduce the tribe's share of the catch so bag limits for non-Indian anglers on northern lakes would be three to five walleye per day.

■ More moderate voices are being heard this spring. Some believe the issue was controlled last year by extremists on both sides who encouraged conflict. This spring, more moderate community leaders as well as tribal leaders are speaking up, counseling peace and cooperation instead of confrontation.

■ Calls are going out from government and Indian leaders, asking outsiders on both pro- and anti-treaty sides to stay away from the landings.

Some go as far to say anti-treaty rights groups such as Stop Treaty Abuse are losing their effectiveness — a charge disputed



State Journal photo/SCOTT SEID

Some preach more cooperation between Indians and the state in managing resources. Here, Washington state fishery workers Scott Chitwood and Paul Huffman conduct a spawning survey,

watching for Coho salmon to flash their silver color as the two walk along Big Creek, a tributary to the Quinalt River.

by outspoken STA leader Dean Crist.

■ U.S. Sen. Daniel Inouye, D-Hawaii, chairman of the Senate Indian Affairs Committee, has visited the state in the effort to bring his power and expertise to help resolve the conflict. Recently, he has suggested establishing a federal commission — including federal, state and tribal officials with staff at the federal level — to draw up a settlement for Wisconsin's treaty-rights dispute. The plan was being reviewed by members of the state's congressional delegation, some of whom were skeptical.

The Bureau of Indian Affairs, keeping an eye on the volatile situation in northern Wisconsin, endorses Inouye's involvement and promises to help with information and technical assistance. It's the closest thing yet to federal help.

■ Gov. Tommy Thompson's office, the Department of Natural Resources and other state agencies are preparing for every contingency to prevent bloodshed on northern boat landings.

Asked for the single best peacekeeping solution, James Klauser, Thompson's top aide and point man on treaty issues, said this: "Have people stay away from the landings and demonstrate in other places, but not at the crowded little landings in the dark of the night."

Crist, of Minocqua, leader of the anti-treaty group STA, said the organization would honor a moratorium against any protests prior to April 14. But after that, he said, members will be at the landings. The only thing that would stop them, he said, is if the state's Chippewa bands agree not to spearfish or would reduce their fishing enough to allow a return to the five-walleye daily limit for non-Indian anglers that existed on all northern lakes before last year's spearing season.

"Last spring," Crist said, "people went to the landings to (encourage) state and federal involvement. The issue became very visible." That visibility was due to the protesters, he said, comparing them to the students who protested in China's Tiananmen Square.

Crist doesn't buy the theory that STA's power has been eroded by more moderate forces. He argues that the moderates, primarily local government and business leaders, were not at the landings last year and do not speak for those who were.

Nor does Crist read anything into the recall election victory of state Rep. James Holperin, D-Eagle River, who easily beat a Republican candidate April 3 after beating a Democratic foe, an STA sympathizer, in a March 6 primary.

The bottom line, Crist said, is the viewpoint represented by the anti-treaty organizations remains popular. Therefore, people will be protesting at the landings.

Federal and state officials say violence at the landings would undermine what positive steps have been taken toward solving the dispute. Worse, they say, violence could delay any long-term resolution of the

conflict.

Inouye, during his recent visit to Wisconsin, said the state stands at a crucial moment. A peaceful spring is essential if progress is to continue, he said.

Where is this progress leading? What are the solutions that will finally put the issue to rest? Those close to the issue say these possible long-term solutions are evolving:

■ Recognition of Chippewa treaty rights, and the acceptance that abrogation or changing of the treaties by Congress is both unlikely and unwise as the federal and state governments try to build up the government-to-government relationship between Indians and non-Indians.

■ More cooperation between the Chippewa bands and neighboring communities especially in the area of economic development.

■ More cooperation between the Chippewa and the state in the management of natural resources, building on successful interim pacts used to regulate activities like Lake Superior fishing.

■ More government-to-government ties. State political leaders are paying more attention to elected tribal governments and their agencies — not just in the area of natural resources.

While few long-term options are ruled out, Wisconsin seems to be moving away

Courts gird for lengthy rights battle

By Richard Eggleston

For The State Journal

District Court Judge Barbara Crabb in Madison oversees a complex 15-year-old treaty-rights lawsuit that attorneys say could easily be around another 15 years before courtroom maneuvering finally comes to an end.

Crabb inherited the case from her mentor, the late federal Judge James Doyle Jr., who — though often the subject of scorn from treaty opponents — first sided with the state in the Chippewa lawsuit staking claim to many of the resources of northern Wisconsin.

As emotional and provocative as the fishing issue is to non-Indians, off-reservation spearing of fish is only one of a broad bundle of rights enjoyed by the tribal members and recognized by federal courts in a series of decisions over the last seven years.

The rights themselves go back a full century and a half, since the Chippewa began ceding land to government agents hungry for white-pine timber and minerals. The rights go back to a time when no one conceived of a tourism industry in northern Wisconsin, a thriving market for second homes or a sporting ethic that labels certain hunting or fishing methods as unfair.

Though critics may try to wish away Chippewa treaty rights as an anachronism, they remain a fact of life in Wisconsin that threatens to undo both broad social progress and individual political careers.

Efforts to partially settle the case out of court have been uniformly unsuccessful.

Attorney General Don Hanaway directs the state's legal case and has led negotiations with the tribes. Hanaway now says he sees no prospect for success in future settlement talks between the state and individual Chippewa bands.

So far, the terms of settlement offers have not been enough for the tribes. Opponents within the tribes, citing a cultural reawakening among many Chippewa, scoff at the notion of putting a price tag on traditional Indian practices. Two Chippewa bands — Lac du Flambeau and Mole Lake — rejected proposed settlements in referendums last year.

In the absence of a settlement, attorneys say the lengthy appeals that are almost certain mean it could easily be the year 2005 before courtroom maneuvering over tribal rights finally comes to an end.

Crabb has already completed two more trials in the effort to further define treaty rights. She has others scheduled in order to establish the limits of state regulation on Chippewa fishing, hunting and gathering in the North.

Decisions are pending on deer hunting and timber rights.

The rights themselves go back a full century and a half, since the Chippewa began ceding land to government agents hungry for white-pine timber and minerals.

Chippewa land ceded by treaty



Treaty court battle at a glance

Each side can claim some victories in the 15-year-old lawsuit aimed at defining the Chippewa claim to hunt, fish and gather on 14.33 million acres ceded to the U.S. government under treaties signed in the 1800s.

State victories

■ The state has the power to regulate tribal members to protect public health and safety as well as to protect a given resource.

■ The DNR has ultimate responsibility for protecting Wisconsin's natural resources.
■ The acceptable risk that a tribal harvest will damage a given resource is a low one. Also, regulations must have a scientific basis.
■ Generally, the Chippewa appear to have lost their right to hunt, fish and gather on private property.

Indian victories

■ To date, courts have ruled that tribal members are entitled to up to 100 percent of the fish that could be taken without harming the resource, if that is what it takes to provide them with a "modest living." Judge Barbara Crabb has rejected state efforts to limit tribal members to half of the available resources.
■ Tribal members are entitled to use modern harvesting methods, not only those that were used in the mid-1800s.
■ The state has recognized the authority of Chippewa wardens to enforce court-approved regulations on their members off the reservations. However, state wardens also may ticket off-reservation violators.
■ Courts have ruled that treaty rights apply to the commercial sale of a resource, and that timber harvesting is among those rights. Timber rights are among the hot issues remaining in the case, and one the state is almost certain to appeal.
■ The state has agreed that tribal biologists will have a role in the future management of northern Wisconsin's resources.

WSJ graphic

A timber decision, expected this summer, could be especially controversial, depending on how far Crabb goes in allowing Chippewa to harvest timber from state and county forests without paying a stumpage fee like those paid by non-Indian loggers.

Last year the 28 northern and central counties with forests took in almost \$5 million from selling wood.

The Chippewa tribe's broad rights to hunt, fish and gather were recognized in treaties in which the Indians ceded 14.33 million acres of what is now northern Wisconsin to the federal government.

Critics contend everyone should have equal rights to fish, game and other resources, but legally they don't have a leg to stand on.

"The tribes do not have unequal rights," Crabb wrote in denying an injunction against the Chippewa last spring.

"They have the same rights as any other resident of the United States to enter into contractual agreements and to go to court to enforce their rights under those contracts," she said.

It was the nature of the tribe's treaties as contracts that gave the Chippewa what Doyle called "the right to exploit virtually all the natural resources in the ceded territory, as they did at treaty time."

Since the issue went to court, the task of defining those rights — and clarifying the responsibility for regulating them — has bedeviled a changing cast of judges and attorneys, frustrated resource managers and fueled racial hostility between Indian and non-Indian in the north.

"We're talking about a significant part

of the state of Wisconsin. We're talking about very special resources," Crabb reminded the case attorneys from the bench last year.

"But saying that doesn't mean this court can throw up its hands," she added. "Someone has to make a decision, and that someone is me."

Her decision in early 1989 upholding broad tribal spearfishing rights drew the scorn of protesters at northern boat landings in the spring, even though it declared preservation of fish population paramount and established strict rules to prevent overfishing.

The ruling eased concerns of professionals like James Addis, head of the state Department of Natural Resources division of resource management. But, ironically, it also gave treaty rights opponents more to complain about: new limits on non-anglers.

"The judge stated very clearly that the resource is to be protected at a high level," Addis says. "The fallout from that has been reductions in bag limits."

Before Crabb inherited the case, Doyle had recognized the emotional dimension of the treaty-rights issue.

"I do not ignore the obvious practical dilemma present in the ceded lands," Doyle wrote when he defined tribal rights.

He said a practical solution to the issue would not come through further court action, but through a new treaty — preferably reached by negotiations, but forged by unilateral act of Congress if need be.

Weeks later, he died.

In court, first Doyle and then Crabb have been bound by legal principles, dating from as early as 1908, that

apply to Indian law:

■ Treaties must be interpreted as the Indians understood them at the time the treaties were signed.

■ Ambiguities must be resolved in favor of the Indians.

■ The state has the burden of proving both that its proposed regulations are "reasonable and necessary," and that proposed tribal regulations are inadequate.

■ And while a state can regulate treaty-based activities for conservation, those regulations cannot discriminate against tribal members.

The U.S. Supreme Court has given Indians the benefit of the doubt in interpreting treaty language because the government had the upper hand when the treaties were negotiated. State regulation of treaty rights is limited because of tribal sovereignty.

The language of the treaties in which the Chippewa retained their traditional rights was no less sweeping than the rights now being recognized.

An 1837 treaty said tribal members would have "the privilege of hunting, fishing and gathering the wild rice, upon the lands, the rivers and the lakes included in the territory ceded . . . during the pleasure of the President of the United States."

An 1842 treaty, in which the Chippewa surrendered more land, allowed tribal members "the right of hunting on the ceded territory, with the other usual privileges of occupancy, until required to remove by the President of the United States."

President Zachary Taylor, who led troops through Wisconsin chasing the Sac Indian, Black Hawk, and who headed the nation for 16 months before dying in mid-1850, tried to rescind those rights, but his order was never carried out.

However, in 1978 Doyle ruled that the tribe had given up its hunting, fishing and gathering rights in 1854 when it accepted reservations.

In 1983, the 7th U.S. Circuit Court of Appeals in Chicago overruled him, and ordered Doyle to define the tribe's treaty-rights.

The U.S. Supreme Court refused to consider the case, and in 1987 Doyle issued his landmark decision defining the tribe's rights.

Eggleston is a free-lance writer on leave from the Associated Press, for whom he covered treaty rights issues.

'The tribes do not have unequal rights. They have the same rights as any other resident of the United States to enter into contractual agreements and to go to court to enforce their rights under those contracts.'

Barbara Crabb,
federal district judge

Warriors spear for their rights

Continued from Page 1

fishing group based on this Chippewa Indian reservation in the midst of Wisconsin's low-lying, heavily forested and sparsely populated lake country.

The defiant message of the spearers — born of a confused federal Indian policy and recent legal triumphs by Indian rights activists across the country — is heard throughout Wisconsin as the state girds for what could be another spring of confrontation in the North Woods.

The walleyes go to lake shallows to spawn after the ice thaws and breaks, usually in mid-April. Although the state's two major anti-treaty rights groups vowed to stay off the boat landings until April 15, no one could be sure whether spearfishing-related protests at northern boat landings would be worse or better than last year's ugly affair, when more than 200 protesters were arrested.

Complicating this year's peacekeeping were plans by hundreds of Indian sympathizers from southern Wisconsin to stand "witness" to racial abuse at the landings. Members of the American Indian Movement also were to be on hand, as were hundreds of news reporters and photographers. Many state officials found that mix a potentially volatile one and pleaded for all but the spearfishers to stay away.

"That would solve a lot of problems," said Gov. Tommy Thompson, who made an extraordinary last-minute television appeal for people to stay away.

A repeat of 1989, interviews and months of reporting indicate, threatens the peace and potential prosperity of Wisconsin's North Woods. The conflict also threatens to tarnish Wisconsin's national image as a progressive state and to undercut the apparent popularity of Thompson, a first-term Republican preparing for a re-election campaign against Democratic Assembly Speaker Thomas Loftus of Sun Prairie. Thompson's top aide, James Klauser, already has devoted much of 1990 to Indian matters.

Ultimately, the conflict could affect landowners, businesses, vacationers, hunters and anglers with interest in the northern third of the state. Certainly, it will set the tone for future relations between the state and its 30,000 Indian citizens living in cities and on reservations — relations that sometimes have been rocky.

Indians from Maine to Washington to Oklahoma are watching, too.

"People seem to forget that treaties are agreements, not one-sided affairs," says John "Jack" Thorpe, youngest son of famed Indian athlete Jim Thorpe and former principal chief of the Sac and Fox Nation in Oklahoma. "In return for our lands for 200 years, the people of Wisconsin have had the use of that land, the timber, the minerals. A good life. Now whose word stands up?"

On the other side are opponents of broad treaty rights, who don't understand how Indians — made citizens of the United States in 1924 — can still have special status, different than non-Indians in Wisconsin. Their rallying cry is "equality."

"People will oppose black apartheid," says treaty rights opponent Dean Crist, referring to South Africa's institutional system of discrimination against blacks,



This painting by frontier artist Paul Kane portrayed the Chippewa method of spearfishing at night, using the light from flaming torches.

"but support red apartheid."

Those in the middle preach accommodation, cooperation and education, hoping to avoid — as Hayward area businessman Ken Toebe said earlier this year — the violence "that has given the entire area a black name."

That middle-ground desired by Toebe and others solidified in the weeks before spearfishing season, giving many hope that a peaceful resolution was possible. For example, northern business groups pledged to support treaty rights; in return, Chippewa tribes promised to regulate their take of walleye so sports anglers can catch at least three fish a day in northern lakes when their hook-and-line season begins in the beginning of May. The involvement of respected U.S. Sen. Daniel Inouye, D-Hawaii, a congressional student of Indian affairs, also gave hope to those who prefer cooperation over confrontation.

The status of Indians today is rooted in ever-evolving federal law, a result of sometimes-conflicting congressional acts, federal court decisions and political pressures.

Nancy Lurie, an historian and anthropologist at the Milwaukee Public Museum, says "virtually every experiment in the history of Indian policy has been tried out on one tribe or another in Wisconsin," a territory since 1836 and a state since 1848.

"No matter what the government attempted, and no matter which tribe was involved, the effect was the progressive impoverishment of the Indian peoples," Lurie wrote in a 1980 history, "Wisconsin Indians."

An important phase came in the early 1800s, when the federal government was forcing so-called "hostile" Indians west of the Mississippi River.

While tribes such as the Sac and Fox were forced out, and others, such as the Oneida from the East Coast, were moved in, the Menominees and Chippewas managed to hang on to at least a piece of their

homelands.

Helping the two established tribes stay put, according to UW-Madison history professor Margaret Bogue, were: strong tribal leaders who lobbied in Washington, D.C.; removal orders that came shortly before federal policy was reversed; and relatively little settlement pressure from whites in northern Wisconsin.

President Zachary Taylor ordered the Chippewa in 1850 to relocate to Minnesota and relinquish their hunting and fishing rights in the ceded territory. The tribe resisted, and a Chippewa delegation to Washington later convinced President Millard Fillmore to countermand the removal order in 1852, historians say. About the same time, the federal government, worried about a potential Indian uprising, had second thoughts about putting so many tribes together in one area.

The removal policy was formally abandoned in an 1854 treaty that established permanent reservations for most Chippewa bands in Wisconsin, Michigan and Minnesota.

Later in the 19th century came the policy of allotment, which meant transferring tribal land holdings to individual Indians and others, often high-powered economic interests such as lumberers. Land remaining after Indians received their plots of 40 to 160 acres was sold to whites.

The policy's aim: to assimilate Indians into majority white society.

The result: land controlled by Wisconsin's Indians was reduced by half during the allotment period.

The Chippewa were encouraged to farm their tracts — and that first meant the land needed to be logged. While some profited by becoming loggers, others had problems adjusting.

"Beginning in the 1890s, because some Indians squandered their proceeds on whiskey, trinkets and gambling, the BIA (Bureau of Indian Affairs) demanded that the Indians spend the money for permanent improvements on each allotment — such as construction of a house or pulling stumps in preparation for planting," histo-

rian Edmund J. Danziger Jr. wrote in a 1978 book, "The Chippewas of Lake Superior."

Twentieth century federal policy brought more flip-flopping. In 1934, tribes began to reclaim some land holdings under the Indian Reorganization Act. But after World War II, Congress moved to terminate tribal status and to break up reservations. In Wisconsin, the Menominees were the guinea pigs. After a tumultuous adjustment period, termination policy was ended by the Nixon administration and "self-determination" became the vogue.

Today, there are congressional moves to reform again. Evidence of widespread fraud and mismanagement of federal Indian programs — most notably at the Navajo reservation in America's Southwest — has led to proposals that would allow tribes to come out from under the BIA and move toward greater self-government. These more autonomous governments would be financed by block grants drawn from the current federal pot of \$3.3 billion a year.

"When federal policies fail, they hand the problem back to Indians," says C. Matthew Snipp, a UW-Madison rural sociologist on leave at Stanford University. "I think we're in the handing-back phase. Sometimes it's hard to tell."

Influencing the changes in federal policy was the change in Indian population.

When Columbus came to the New World, natives numbered about 3 million to 5 million, according to Snipp, a Cherokee-Choctaw. Until about 1890, the number of natives declined continuously due primarily to white-introduced diseases and the federal policy of physical and cultural "extinction," Snipp says. Since then, changes in federal policy and better health care have led to a growth in population to the 1980 figure of 1.4 million, he says. The 1990 census likely will show more growth, Snipp says.

Lurie comments:

"People talk about the plight of the In-

Please turn to Page 7

Chippewa tradition inflames state

Continued from Page 6

dians," she says. "I think the Indian plight is that people are still under the impression that they're vanishing."

"A lot of treaty promises were made under the assumption that we wouldn't have to keep them," she adds. "It's hard to be taken seriously when everyone believes you're on the way out."

For the Chippewa, a series of four treaties between 1836 and 1854 reduced the tribe's land holdings to a fraction of the previous domain.

This area, comprising the northern third of Wisconsin, is the ceded territory, the area Chippewas gave up in return for direct cash payments, tobacco, provisions (blankets and food) and settling of debts.

Each Chippewa treaty is different from those reached with other Wisconsin tribes and contains wording at the root of today's crisis.

The 1837 treaty stated it most clearly: "The privilege of hunting, fishing, and gathering the wild rice, upon the lands, the rivers and the lakes included in the territory ceded, is guaranteed to the Indians, during the pleasure of the President of the United States."

Experts and historians are uncertain why only the Chippewa secured the rights to gather fish, deer, timber, wild rice and other natural resources in the ceded territory. But, the experts say, leaders of the semi-nomadic woodland tribe likely held out because of the importance of fishing and hunting to their people. Tribes in southern Wisconsin were less interested in fish because they were more agriculture-based. "You couldn't garden much in Chippewa country," Lurie says.

The treaty clauses have been validated by federal courts ruling on a continuing Chippewa Indian suit against the state of Wisconsin. (The federal government is not party to the suit.)

The landmark suit began in 1974, when state Department of Natural Resources wardens cited the Tribble brothers, two members of the Lac Courte Oreilles (LCO) band of Chippewas, for spearfishing through the ice on the off-reservation waters of Chief Lake.

The LCO sued, claiming the treaties guaranteed the off-reservation rights. U.S. District Judge James Doyle in Madison disagreed. But the 7th Circuit Court of Appeals, in January 1983, said the LCO was right.

The appeals court sent the case back to Doyle to work out details of state regulation of natural resources. Since Doyle's death, U.S. District Judge Barbara Crabb continues to work on the issue.

A March 1989 ruling by Crabb on the Chippewas' fishing rights set into motion the latest escalation in the case.

After the ruling, the Department of Natural Resources cut creel limits for non-Indian anglers who used rod and reel to fish for the popular walleye and muskellunge. The public perception was that Indian spearfishing hurt the fishing.

Vocal protests from the major anti-treaty rights groups, Stop Treaty Abuse and Protect Americans' Rights and Resources, mounted. Landings became focal points for protests. More law enforcement had to be called out as some white protesters — a minority, protest leaders say — figuratively hurled racial insults and literally hurled rocks, ball bearings and other objects at the Indian spearfishers. Pipe bombs were found, spurring treaty rights supporters to compare northern Wisconsin to Mississippi during the civil rights struggle a quarter-century earlier.

Thompson, who had courted anti-treaty groups during his 1986 campaign for governor, resisted labeling the protests as racist. He went on an economic development trip to Europe in late April as spearfishing

began but cut short the trip, aides say, when he saw television reports about the protests from Wisconsin.

Thompson decided to have the attorney general's office ask Crabb to shorten the Indian spearfishing season. The reason: state-coordinated law enforcement couldn't guarantee the safety of Indian spearfishers.

Crabb rebuffed the governor, saying: "Can we let the fear of bloodshed destroy our state and our country? What kind of country would we have if brave people had not faced down the prejudiced, the violent and the lawless in the 1960s? What kind will we be if we do not do the same today?" But the worst fears of state officials went unrealized. Cold weather kept down crowds and cooled tempers at the boat landings, leading top gubernatorial aide James Klauser to comment, "Fortunately, Mother Nature cooperated better than Mother Crabb."

State officials during the summer stepped up efforts to settle the dispute before spring 1990.

Negotiations with the major spearing band, the Lac du Flambeau, led to a tentative agreement announced Sept. 26 in Rhinelander. In return for a \$50 million package of state aid over a decade, Lac du Flambeau elected leaders agreed to limit spearfishing and other off-reservation rights. The package included \$35 million in new state aid and a provision that would result in direct cash payments to Lac du Flambeau tribal members.

On Oct. 25, Lac du Flambeau tribal members — at the urging of Moulson's Wa-Swa-Gon spearfishers — shocked state officials by voting down the pact. Both state and tribal officials declared the settlement avenue dead.

The federal government doesn't make treaties with Indian tribes anymore (treaty negotiations ended in 1871), and spearfishing is only one of the

court-affirmed rights stemming from the old Chippewa treaties.

Treaties are the problem, some have said. Get rid of the treaties, and that will eliminate the problem, they said.

But those calls have cooled, particularly following an ill-received conference in Salt Lake City, where county leaders from across the country — brought together at the behest of Wisconsin county officials — discussed forcing federal action to change treaty agreements.

National and state government leaders from both parties have said any solution wouldn't include abrogation.

With a monetary settlement and abrogation apparently ruled out, federal and state officials — as well as many who live and work in northern Wisconsin — have pushed for a local solution. A model, advocates have said, is here in Wisconsin's Sawyer County, where friendly relations exist between whites and the Lac Courte Oreilles Chippewas.

Others are pushing for more formal agreements with the state's tribes, perhaps setting up a legal arrangement, like the co-management program in Washington state, where the state and tribes jointly oversee resource regulations.

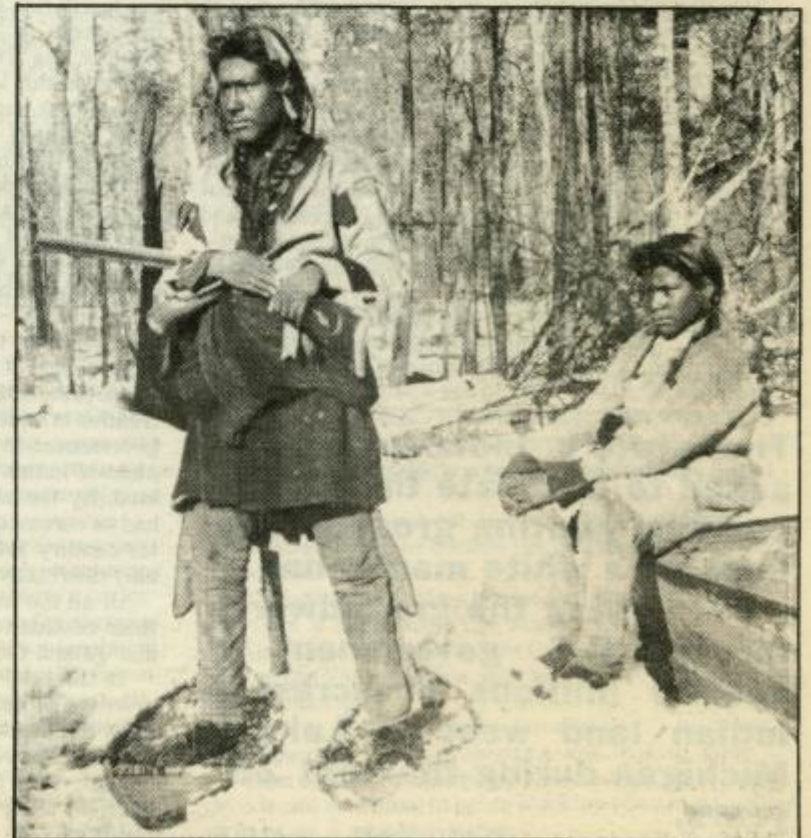
People are talking, and that's good, state officials say. But divisions remain.

Better relations, anthropologist Lurie says, will develop only if the white majority acknowledges Indian rights, such as spearfishing, and understands the strong ties Indians have to the land.

"We can go back and visit our (European) roots," Lurie says of the white culture. "While Europe has changed since the 1800s, we can go back and visit the unbroken tradition of that place."

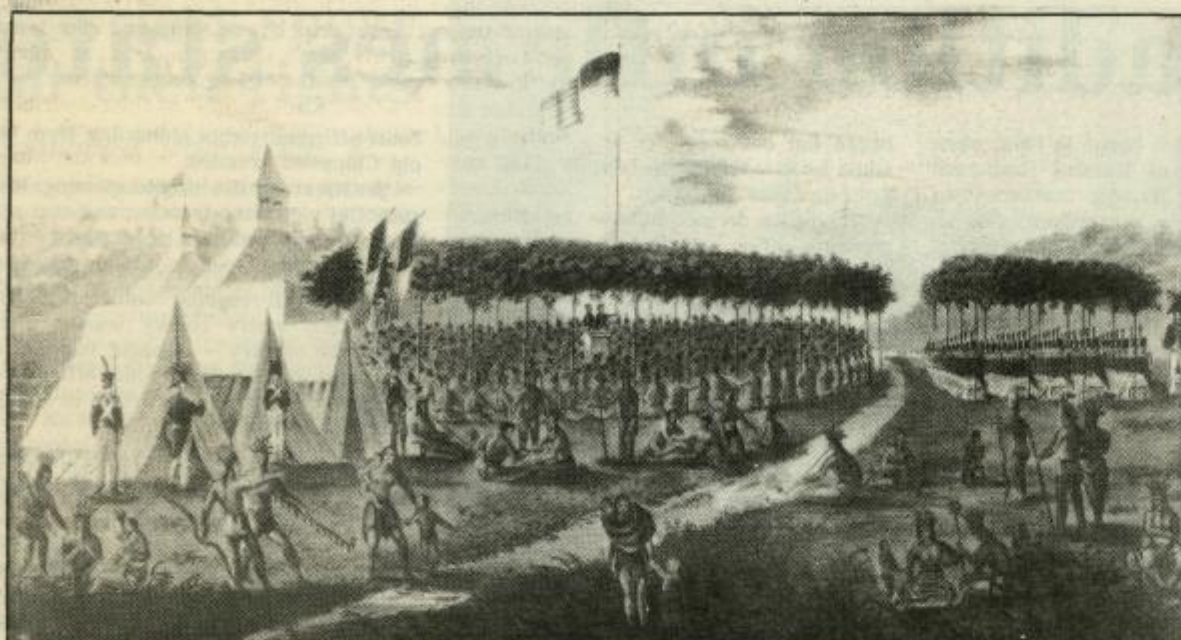
"But Indians can't go back, and when they give up their land and rights, they are giving up their heritage forever."

Susan Lampert Smith contributed to this story.



Photos/STATE HISTORICAL SOCIETY OF WISCONSIN

1908 postcard, above, shows Lac du Flambeau family; 1916 photo, right, of deer hunters.



STATE HISTORICAL SOCIETY OF WISCONSIN

This painting by J.O. Lewis gives a view of the treaty meeting held at Prairie du Chien in 1825.

1825 meeting signaled start of treaty talks in Wisconsin

By Ron Seely

Wisconsin State Journal

The battle being waged today in the courts and on northern boat landings by Wisconsin's Chippewa actually was heralded by a cannon shot that echoed across the Mississippi River on an August morning 165 years ago.

The cannon shot marked the beginning, on Aug. 5, 1825, of a great meeting between Indians and whites at Fort Crawford near the frontier village of Prairie du Chien.

At the meeting, the state's Indians were asked to translate their semi-nomadic hunting grounds into lines on a white man's map. Those territories would lead to the treaties under which the tribes eventually ceded millions of acres to the U.S. government — generally in exchange for cash or repayment of Indian debts.

Though the treaties are often thought of as dusty and lifeless documents, the 1825 meeting that produced what has become known as "The Treaty of Prairie du Chien," was far from dull, according to "The History of Wisconsin," by Alice E. Smith, published in 1973.

For days prior to the meeting, hundreds of Indians had been arriving in canoes on the Mississippi and Wisconsin rivers. Chiefs and warriors were accompanied by their wives and children. Each delegation made a great show of its arrival, forming their canoes in columns and arriving at the fort with drums beating and guns firing.

The Sioux were there, 359 strong, easily recognized by their skunk-skin decorations — signifying that they never ran from a fight — and long, red-stone pipes. There also were 132 Lake Superior Chippewa at the meeting along with groups of Winnebago, Menominee,

Ottawa and Potawatomi.

The contingent of Iowa, Sac and Fox were the last to arrive. These warriors were dressed for battle, their heads shaved except for scalp-locks festooned with red horsehair and their bare chests draped with bearclaws. They stood defiantly in their canoes, passing and repassing the council grounds, then beaching their canoes and parading toward their ancestral enemies whooping war songs.

Preparations had been going on for days. Congress had appropriated \$10,400 to pay for the meeting. Boatloads of food, liquor, and gifts were sent upriver from St. Louis. A makeshift structure of leaf-covered branches was raised beside the fort and negotiations were carried on beneath its shade.

By the end of the meeting, the Indians had agreed — in the interest of peace and for the purpose of establishing territorial claims — to the boundaries set forth by the agents of the U.S. government. The meeting adjourned Aug. 19 and agents passed out liquor and gifts. Although no land actually had changed hands, the groundwork had been laid for the U.S. government to acquire millions of acres of Indian land west of Lake Michigan during the next 25 years.

The Chippewa asked for another meeting the following year on Lake Superior so the boundaries could be further explained to other members of the far-flung tribe. That meeting was held in 1826. It resulted in a treaty under which the Chippewa agreed to the boundaries of their holdings — roughly the northern third of Wisconsin, much of what is now Michigan's Upper Peninsula and a huge chunk of northeastern Minnesota.

In 1836, 1837, 1842, and 1854, the Chippewa signed treaties in which they ceded all of these lands to the U.S. government in exchange for cash, tobacco and repayment of Indian debts. Other tribes, too, were losing their land. By the mid-1800s, all of the Indians tribes which had so ceremoniously arrived in Prairie du Chien a quarter century before, were nearly landless. They retained only the relatively small reservations set aside for them.

Of all the tribes, only the Chippewa included words in their cession treaties that permitted them to hunt, fish and gather food on their former lands.

In the 1837 treaty, for example, Article 5 reads, "the privilege of hunting, fishing, and gathering the wild rice, upon the lands, the rivers and the lakes included in the territory ceded, is guaranteed."

Today, 153 years later, those words are at the heart of the fight being waged by the Chippewa in Northern Wisconsin.

The state's Indians were asked to translate their semi-nomadic hunting grounds into lines on a white man's map. . . . (laying the groundwork) for the U.S. government to acquire millions of acres of Indian land west of Lake Michigan during the next 25 years.

PROFILE:

Tom Maulson

By George Hesselberg

Wisconsin State Journal

LAC DU FLAMBEAU — Tom Maulson was digging through a drawer, searching for a tiny cassette to fit a mini-tape recorder.

"I think I found someone to go to the meeting for us tonight," he said to his wife, who sat clipping coupons at the kitchen table.

Maulson was hardly able to contain his glee.

The meeting was of the anti-spearfishing group called Stop Treaty Abuse, and Maulson needed a spy, a non-Indian to sit through the meeting and record what was to be said.

Tom Maulson has made a good living by knowing what was going on, staying one step ahead of a competitor, getting the upper hand and taking advantage of it. Surreptitiously tape recording or sending a spy to a meeting that was open to the public anyway may not sound necessary.

Once again, Tom Maulson was looking for an edge.

Tom Maulson and his twin brother, Jerry, were born Dec. 7, 1941, in the Indian hospital in Hayward. His mother had gone to Hayward weeks ahead of her due date. It was the only hospital available for Indian women.

His father is a non-Indian from Red Granite who set up a roofing business on the reservation nearly 50 years ago. His mother is a Lac du Flambeau Chippewa.

Maulson also has two sisters and another brother. They grew up in a house on the northeast side of Lake Pokegama on the reservation.

Maulson had a "normal" reservation childhood, trapping, hunting and annually harvesting or "making rice" at Mole Lake to earn money for school clothes.

"My father had a business, so we were a little better off than the average Indian," he said.

"And you might say I was athletically inclined," he said quietly, during an interview at his home.

He was leaning back in his favorite easy chair, a worn brown lounge that sighed when he sat on it and groaned when he rose to make a point. The living room has at least 14 stuffed animals and birds attached to the walls in various poses — geese in full flight, for example. There are plenty of chairs and a long two-piece sofa.

The home, which is adjacent to a tribal fish hatchery and looks out on the southern section of Lake Pokegama, had only three rooms and a dirt-floor basement when it was bought by Maulson's father. Now it sprawls like a warehouse, a description that fits only the exterior. Everything inside except for the scores of stuffed dead animals on the walls and the giant indoor swimming pool — is typical of a middle-class home.

Maulson's hand is a pillow for a coffee cup. He is big, heavy-bellied, square-faced, thick-necked, with a full head of black hair that is combed back. Invariably, the sleeves of his hoodless pullover sweatshirt are rolled up to his elbows. He has been known to show up at saloons that are notorious gathering places of his critics, teasing them, bluntly showing that "we can go where we want, too."

"I am not a shy person," he said.

"One guy in a bar on New Year's came up to me and said he wanted to ask me a couple questions, but he didn't think I'd like the questions. I told him I thought he probably wouldn't like my answers, either."

Maulson said football, basketball and baseball got him through Lakeland High School in Minocqua, where for many years he held the school's single-game basketball scoring record (32 points). Athletics also got him through the Army.

"I married locally right out of high school, and then I joined the Army for a three-year hitch, 1961-63. A friend and I wanted to get airborne training, but we were sent to Germany right away, and I ended up in the quartermaster

Maulson stays a step ahead

Continued from Page 8

outfit of the 24th Infantry."

Maulson established himself as a football player, as the starting fullback and defensive back for the 24th Infantry Mustangs, which played in the military leagues in West Germany.

"I went out of the reservation a scared person, not knowing what I was going to see," he said. "I started to realize after coming back from the Army that the tribe had a lot of problems."

In the next decade, Maulson would work two jobs at a time, sometimes three. He was a roofer for his father, a police officer on the tribal police department. He would roof in the summer and work in a tribal-run factory in the winter. He got divorced, kept the custody of two sons while his first wife kept a daughter.

"One day I was working for my dad. There was a big hail storm in Eau Claire, and there was a lot of roofing work. I just got mad at my father and hitchhiked home," he said. "I was running with a girl at the time, and I carried my tools like all roofers, and we went to Milwaukee."

Maulson stayed a year in Milwaukee. He also worked a year in Chicago as a roofer for "Readyman." You show up at a certain place every morning, and you are either picked for a job or not, then provided with 75 cents traveling money.

In Milwaukee, "I found out that if you are going to survive in the city, it's up to you. I found out that hard work is rewarding and that working by hour is not. I worked piece-work, by the square. (A roofer can be paid by the hour or by the square. A fast, efficient worker would rather work by the square, or per 100 square feet.) You get a chance to show your stuff, and then you get the opportunity to pick your own jobs," he said.

An aversion to cold-weather work outside drove him back to the reservation. He married for the second time, and then, he says, faced welfare for the first and only time in his life.

"It was Christmas, and we weren't going to get paid until after the first of the year. It was a government contract (through the tribe) to build fish cribs, and I went and asked for two weeks pay in advance but couldn't get it," Maulson remembered. "The man asked me why don't I go to Eagle River and apply for two weeks relief."

"I went to Eagle River. I had a '63 Pontiac convertible at the time and a television set. I told the man I needed help until after Christmas. He said fill out these forms. He said I'd have to sell the car and television first."

"I got mad and told the guy I'd sooner drive that car up your ass and hit you over the head with the TV than to go on relief that way. It was a tough Christmas, but we made it go," he said.

Then he bought his father's roofing business, consisting of materials and a truck, and rejoined the tribe's police department. He would schedule himself to work nights and then work days as a roofer.

He also made a return to tribal politics, having been rebuffed earlier, he said, on a technicality. (He ran for tribal council without being properly enrolled in the tribe.)

"I saw a lot of money being poured into the reservation and spent foolishly," he said.

Also about this time the Wisconsin Indian Development Corp. (WDIC) was getting started up.

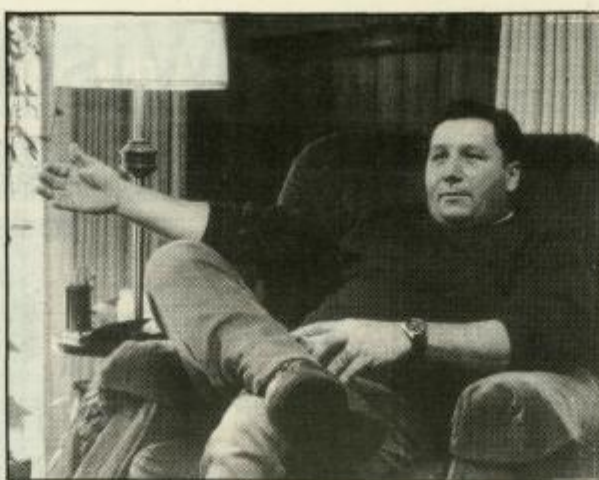
"I saw where it would be beneficial to form a private company, I thought I could get some of the gravy. It would have been foolish not to," he said.

"The WDIC was looking for Indian contractors, and that motivated me to get involved, so I started Chippewa General Contractors and got joint ventures with white companies," he said.

He also started a bar with his twin brother, Jerry. It was called "Tom and Jerry's," and it flopped.

"We gave away everything. Indians are people who just cannot say no," he explained. Later, Maulson and his third (and current) wife, Laura, borrowed money and revived the bar.

Maulson and his wife were taking care of his two sons



State Journal photo/CAROLYN PFLASTERER

Spearing leader Tom Maulson: always seeking an edge.

by his first marriage, a stepdaughter, another son and two nephews.

"I'd go hunting and kill as many and as much as I could get. We'd have to cook eight to 10 ducks a meal," he said.

As construction work picked up, Maulson watched, learned and put his competitive edge to his advantage.

"It was an education, and I put people to work, and they worked at federal wages," he said. "I never failed to deliver on a contract."

Maulson was in his second term as a tribal judge, deciding such issues as child welfare, hunting and fishing, and civil cases, before being forced out last fall over what tribe officials called a breach of ethics by Maulson, who had announced his candidacy for another tribal post. Maulson is appealing that action, which he says was "saddening," because the tribal government was "naive enough to fall for a trick to get rid of me."

He also was chairman of the tribe's housing authority for 10 years, a position that started what Maulson calls "political jealousy."

"There was a lot of conflict, and it was starting to hold me back," he said. "I divorced myself from input on contracts, but you know there is no doubt you have an inside on a contract as a commissioner. I thought that if I got out of the position on the housing authority, I would avoid that."

Maulson said he did no construction work for the commission he was on, though he did try to "co-venture" on a project, then backed out.

"I didn't really push it hard. What stopped me was there would be a conflict of interest, and I thought, hell, I'm better off sitting in the peanut gallery hollering and screaming than if I was on the commission."

In 1981, in addition to running a bar and a construction company, Maulson started running the tribe's Wa-Swa-Gon recreation-vehicle park, campground and marina, where he sold tax-free cigarettes.

He built a 30-foot-by-30-foot building adjacent to his leased-out bar on Highway 47 and started a separate cigarette-selling business. Somebody mentioned it would be nice to buy gas there, "so we put in gas pumps and a big gravel lot, but we spent all summer watching the Cadillacs just drive on by without stopping," remembered Maulson.

"Then I figured it out. We put in blacktop, and that made the difference," he said. "I learned it can be the little things that bring in the business."

He and his wife have continued to expand. They own or are partners or "consultants" in several other businesses, including a scuba-diving instruction and equipment business (Maulson is a scuba-master), a restaurant, apartments and a mini-storage business adjacent to his gas station and "mini-mart."

All function under the moniker "Maulson Enterprises."

His most recent deal was to set up a propane gas company that cornered the tribal contract. Maulson's critics (specifically Stop Treaty Abuse leader Dean Crist) claim the gas company was financed by a \$100,000 government loan at 1-percent interest. Maulson said he borrowed \$3,500 at prevailing rates from a local bank to buy a gas truck. Maulson is a non-practicing Catholic. His daughters and sons are doing well, including one who is in the doughnut business on the reservation and another who is a roofer in Milwaukee. One high-school-age son remains at home.

His critics, again, specifically Crist, say Maulson's

motivation for supporting treaty rights and spearfishing, and not supporting the state buy-out of those rights, is simply the same as Maulson's lifelong motivation: money.

"I've heard this 100 times," Maulson sighed.

Asked if he is a "multimillionaire," as Crist describes, Maulson said simply, "That's not so, but I wish I was."

"Our equity may be worth that; maybe they are alluding to that," he said. "We've always had our buildings up for sale. Everybody around here does."

It may be in Maulson's best interest, of course, for the reservation to remain where it is and as it is. He profits from the reservation. All of his businesses — and customers — are here.

And some of his enemies.

"I know, my own people begrudge me for what I have today," he said. "The Indian community is very clannish. There are factions. If you rub one the wrong way, you rub them all the wrong way."

Crist calls Maulson a loan shark ("Not true. I help people I know out with a loan once in a while," Maulson responded). Rumors swirl about Maulson's money, his loans, his family.

During the spearfishing season, non-Indians whispered that Maulson was making money by selling speared fish, but no one could prove it, and Maulson said the charge is made of smoke.

Actually, until three years ago, Maulson did serve speared walleye at his restaurant, but that was walleye speared from reservation lakes. He stopped his restaurant's Friday night fish fry because of the rumors he was serving off-reservation-speared walleye, he said.

(That big swimming pool at his home also figures in much of the gossip. Crist claimed it was built with federal money to "teach Indian children to swim." Maulson denied that but said he got a tax deduction on its cost because he used it to give scuba-diving lessons as part of his scuba-diving business.)

And, he said, Crist has both "political and racial motives" for leading the Stop Treaty Abuse crowds at the lake landings.

Just as Crist sees Maulson as a tool of a larger, national Indian strategy, Maulson sees Crist as a tool for large-business interests.

"He (Crist) is working for someone big. I understand how big business works. The man is an intelligent person; he takes a lot of time thinking about what he says," Maulson said.

Maulson suspects, but admits he cannot prove, that Crist and the anti-Indian movements may be associated or bankrolled by big oil companies interested in mineral rights.

For that reason, he added, "there is an agenda far broader than just spearfishing," he said.

"If we continue to sit back and say nothing about all this, we will forget about the bigger problems, like pollution, that kill more fish than we ever will," he said.

"More fish are killed by pollution than by Indians hitting them over the head with an iron spear," he said. "We have already exposed the state of Wisconsin to be a very poor keeper of the resources."

"What turned me around was being on the Voight Task Force (of which he is chairman, and which was set up to look at, among other things, fish harvest quotas, following a federal court decision.) It taught me we have to understand who we are, that we have to be able to do it all without crutches, without the governments 'gimmee' programs. We have to draft our own role models, put away our knives and pat our people on the back once in a while."

"I can remember when my dad used to bootleg liquor. I know I am criticized for selling liquor, but I'd throw my liquor license out the door if everyone else did. I have seen Indian kids die driving to and from Woodruff and Minocqua for liquor."

Life has changed for Maulson since spearfishing became an issue and he became the spokesman for one faction of that issue.

"I never took the time to read very much before, but now I'm a big reader," he said.

The most relaxation he gets these days is the five-day trip to Las Vegas he takes with his wife every year to meet friends and party.

"But do you know what I really like?" he asked. "Strategizing. I like strategizing and making plans."

Then he chuckled, sounding just like the kind of man who would be willing to put in blacktop to attract Cadillac drivers to a gasoline station.

Histories, statistics of Wisconsin Indians

Sources for histories and statistics: Bureau of Indian Affairs, Great Lakes Agency; "Wisconsin Indians," by Nancy Oestreich Lurie; "Indian Tribes of Wisconsin," Wisconsin Division of Tourism.

1 RED CLIFF

History: For many years after the Chippewa arrived on the shores of Lake Superior, the seat of their empire was at La Pointe, a town at first located on the Chequamegon Peninsula but later moved to Madeline Island in the Apostles.

In the 1840s, the La Pointe Chippewa population separated into the Red Cliff and the Bad River bands. The Red Cliff Reservation is about three miles north of Bayfield on Lake Superior.

Originally, the new settlement was known as "Wi-kwe-ang," which means "bay." Eventually, it became known as Buffalo Bay, partly because of the numerous buffalo that roamed the area and partly as a tribute to Chief Buffalo and his warriors, to whom the land was assigned in the treaty of 1854.

In 1897, a firm known as the Red Cliff Lumber Company built a sawmill, a store, a post office, and other buildings. Since then the reservation has been called Red Cliff.

Reservation acreage: 1854 treaty, 13,652 acres. Today, 7,856 acres.

Tribal membership: 2,830.

Reservation population: 1,471.

1989 BIA contracts and grants: \$824,000.

Tribal businesses: Fishing business, fish market, marina, campground, bowling alley.

Unemployment: 50 percent.

2 BAD RIVER

History: After the Red Cliff and Bad River bands separated in the 1840s, the Bad River Band continued to hunt and gather in the Chequamegon Peninsula area. Today, the Bad River Reservation, established by treaty in September 1854 in northern Wisconsin on the shore of Lake Superior, includes 196 acres on Madeline Island.

Reservation acreage: 1854 treaty, 124,332 acres; today, 56,679 acres.

Tribal membership: 4,664.

Reservation population: 1,538.

1989 BIA contracts and grants: \$586,000.

Tribal businesses: Bingo hall, fish hatchery, wood products manufacturing.

Unemployment: 81 percent.

3 ST. CROIX

History: Despite having dwelt for centuries in the St. Croix River Valley, this band of Chippewa has been long referred to as the "Lost Tribe."

The name came about because the band refused to settle on any of the four reservations designated for the Chippewa in the 1854 treaty. For many years, while the government was providing recognized tribes with schools, hospitals, and other assistance, the St. Croix Chippewa were scratching out a meager existence as squatters on cutover land or on tax-delinquent land belonging to various counties.

Finally, members of the band, led by John Lonestar of Shell Lake, went to Washington, D.C., to seek official recognition. And in the Indian Reorganization Act of 1934, 80 years after other bands had settled on reservations, they were recognized as part of the Lake Superior Chippewa and given title to lands set aside for them in the St. Croix River Valley.

Reservation acreage: Landless until 1934; today, 1,934.96 acres.

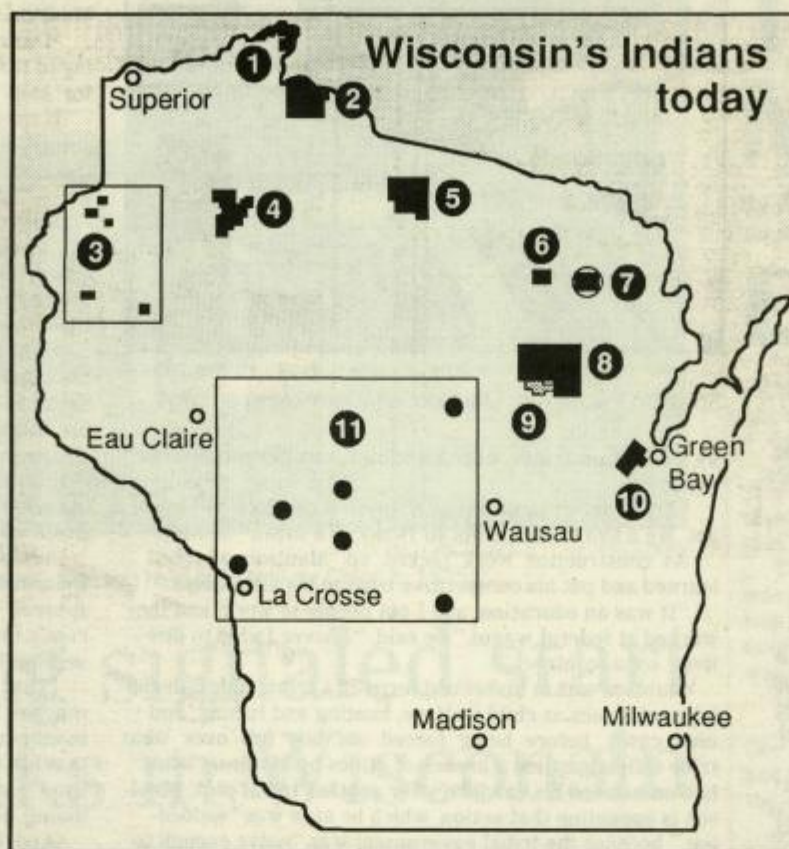
Tribal membership: 1,288.

Reservation population: 759.

1989 BIA contracts and grants: \$277,000.

Tribal businesses: Four bingo halls, construction company, restaurant, historic park.

Unemployment: 51 percent.



4 LAC COURT OREILLES

History: In 1745, three Chippewa hunters of the Bear Clan settled for the winter hunt on the shores of Lac Courte Oreilles. During the winter, a child of the band died and was buried in the woods. After the hunt, the parents of the child stayed on at the graveside, despite the threats of attacks from the Dakota Indians. Such was their strength that others followed them and soon a permanent village grew.

The 1854 treaty set aside the land, in northwestern Wisconsin east of Hayward, as the band's reservation. The name Lac Courte Oreilles, given the band by the French, translates to "Lake of the Short Ears," and is thought to refer to a small lake in the area shaped like an ear.

Reservation acreage: 1854 Treaty, 70,000 acres; today, 48,516.

Tribal membership: 5,217.

Reservation population: 2,279.

1989 BIA grants and contracts: \$2,044,000.

Tribal businesses: Cranberry farm, fish hatchery, construction firm, bingo hall, shopping center, auto service center, 100,000 watt FM radio station.

Unemployment: 52 percent.

5 LAC DU FLAMBEAU

History: Flambeau Lake in northeastern Wisconsin had been a gathering spot for Chippewa long before there was a permanent settlement on the lake's shoreline.

The lake was a favorite rendezvous because of its beauty, its accessibility and the fishing. Indians named the lake "Waus-wag-im-ing," or "Lake of the Torches," because of the traditional practice of spearing fish by torchlight.

Another explanation of the name comes from Indian legend — stories of fireballs along the lake's shoreline that the Chippewa believed were medicine men traveling on their missions of good or evil. French traders discovered these mysterious lights to be will-o'-the-wisps from the gaseous, boggy bottomlands. The French, after seeing reflections of the fishing torches in the lake, called the Chippewa settlement Lac du Flambeau. The

reservation was established by the 1854 treaty.

Reservation acreage: 1854 treaty, 70,000 acres; today, 44,914 acres.

Tribal membership: 2,706.

Reservation population: 1,420.

1989 BIA contracts and grants: \$520,000.

Tribal businesses: Bingo hall, Simpson Electric Co., casino, co-op store and commercial center, fish hatchery, museum, campground.

Unemployment: 49 percent.

6 MOLE LAKE

History: Like the St. Croix, the Mole Lake or Sakaogon Chippewa were a "lost tribe," for many years, a band without a reservation.

Legend has it that band chief, Mee-gee-see, was prevented from attending the 1854 treaty council on Madeline Island. He sent a man named Ni-gig to serve as his speaker. Ni-gig was promised lands and the following year, Mee-gee-see met with a government agent in Washington to receive a copy of the plat showing the band's reservation lands. But on the return trip from Washington, the boat sank in the Great Lakes and everyone aboard was lost.

Later, the band apparently acquired the original plat. That, too, was lost when a trader who had grubstaked the tribe \$1,200 against the winter's trapping returns sneaked into the chief's tent and stole the map as security for his loan. The trader became ill and died; the Mole Lake band never recovered the map and were left with no evidence to press its claim to a reservation.

For many years, because of these quirks in history, the Mole Lake band lived in extreme poverty in tarpaper shacks on land near Cranston. With the Indian Reorganization Act of 1934, the band finally was recognized by the U.S. government. But of the 12 square miles promised in the original, lost document, the band received only a fraction.

Reservation acreage: Promised 12 square miles in 1855; granted 1,700 acres in 1934.

Tribal membership: 1,399.

Reservation population: 413.

1989 BIA contracts and grants: \$199,000.

Tribal businesses: Smoke shop, bingo hall, annual bluegrass festival.

Unemployment: 85 percent.

7 POTAWATOMI

History: The Potawatomi were originally located in eastern Canada but migrated to lands along Lake Michigan from Green Bay to Chicago. As white settlers moved in, the tribe was relocated to Kansas. But many members resisted the relocation and scattered throughout northern Wisconsin, living in stray bands.

A Potawatomi reservation in Forest, Marinette, and Oconto counties was established by Congress in June 1913.

A member of the Confederacy of the Chippewa and Ottawa, the Potawatomi were given the responsibility of keeping the sacred fire, thus acquiring their name, which translates as "Keeper of the Fire."

Reservation acreage: Landless until 1913 when granted 14,439 acres; today, 11,692 acres.

Tribal membership: 783.

Reservation population: 460.

Tribal businesses: Bingo, smoke shop, construction company.

Unemployment: 70 percent.

8 MENOMINEE

History: The Menominee Indians are an Algonkian tribe whose name means "wild rice gatherers." They are the oldest known continuous residents in the state and remain an exclusively Wisconsin tribe. Their reservation in the northeast part of the state is on a portion of their original homeland.

An important part of the Menominee's history has to do with the disastrous federal policy of termination. Under that policy, the government made the 276,400-acre reservation into a county.

During termination, several thousand acres of reservation land were lost to white buyers, many of whom bought the property at tax sales after Indians defaulted on their payments. In 1973, tribal status was restored and the reservation was re-established. Today, the tribe is trying to buy back the white-owned property within its boundaries.

Reservation acreage: 1854 treaty, 276,400 acres; reduced by 1856 treaty to 232,400 acres. Tribal status terminated 1961-73. Acreage today, 230,000 acres.

Tribal membership: 3,684.

Reservation population: 3,000.

Tribal businesses: Casino, bingo, supermarket, logging camp museum, sawmill.

Unemployment: 33 percent.

9 STOCKBRIDGE-MUNSEE

History: The Stockbridge are originally from the eastern United States and were part of the Mohican nation. The band's name, Muh-he-con-ne-ok, means "People From Where The Waters Are Never Still."

Unlike many other tribes of the Algonkian linguistic background, the Stockbridge long have been entirely an English-speaking tribe. Their settlement at Stockbridge, Mass., was one of the earliest reservations created in colonial times after the defeat of the coastal tribes by the British in the latter half of the 17th century.

The Stockbridge withdrew into New York in the 18th century to live under the protection of the Oneida and both tribes began moving west early in the 19th century because of pressure from white settlement. The Brotherton of New Jersey, another small Algonkian-speaking group, joined the two tribes. Later, in Indiana, where the tribes were promised land by the government, they were joined by the Munsee, a band of the Delaware tribe, and the Brotherton of New Jersey, another small Algonkian-speaking group. When the Indiana land negotiations failed, all four groups moved to Wisconsin.

The Brotherton opted for citizenship in

Please turn to Page 11

Histories, statistics

Continued from Page 10

1848 and were assimilated into the Stockbridge-Munsee and white populations. The Stockbridge-Munsee Reservation in Shawano County was created in 1856 when the Menominee ceded two of the 12 towns that made up their reservation to provide them a home. In 1871, this area of 44,000 acres was reduced to about 12,000 acres by an act of Congress.

Reservation acreage: 1856 treaty, 44,000 acres from the Menominee; almost landless by 1934 when granted more land; today, 15,602 acres.

Tribal membership: 1,653.

Reservation population: 846

Tribal businesses: Bingo, Mohican Development Corporation, tobacco sales.

Unemployment: 51 percent.

10 ONEIDA

History: The Oneida Tribe is a member of the Iroquois Confederacy which formed in the 1500s. The tribe fought with the colonies in the Revolutionary War and as a result of the war and unscrupulous land deals, many tribal members moved from New York to Canada and Wisconsin.

In the 1820s, Oneidas settled along Duck Creek, about 10 miles from Green Bay. Treaties in 1838 and 1931 created their reservation in Brown and Outagamie counties.

The tribe formed its government under the Indian Reorganization Act of 1934. The tribe struggled for many years but started to grow economically in the 1960s. In the early part of that decade, the tribe employed four people; today it employs more than 600 in tribal enterprises and programs.

Reservation acreage: 1838 treaty, 65,000 acres; today, 2,874 acres.

Tribal membership: 10,309.

Reservation population: 4,875.

Tribal businesses: Bingo and lottery, Radisson Hotel, museum, convenience store/gas station, tribal farm, print shop.

Unemployment: 22 percent.

11 WINNEBAGO

History: The Wisconsin Winnebago do not have a reservation like other Indians in the state but instead live in scattered settlements across central and western Wisconsin.

The Winnebago are of Siouan descent and first entered Wisconsin from the lower Mississippi Valley several centuries before white contact. They settled first in the Green Bay area but moved to lands bounded by the Rock and Fox-Wisconsin River systems as the territory was vacated during the 18th century by the Sac, Fox, and Kickapoo.

The Wisconsin Winnebago refused to leave for a western reservation. Today, there are major Winnebago settlements, on parcels up to a few hundred acres each of tribal land, at Wittenberg, Wisconsin Rapids, Black River Falls, Tomah, La Crosse and Wisconsin Dells. These settlements are in existence because when the Winnebago refused to move, the government, after 1874, allowed members of the tribe to take up 40-acre homesteads. The arrangement is not unique to the Wisconsin Winnebago but they are the only tribe in the state that benefited from the homestead alternative to reservations.

Reservation acreage: During 1870s and 1880s, individual families took 40 to 60-acre homesteads; today, 4,506 acres of homestead land (since 1962, tribe had acquired 554 acres for housing at Wisconsin Dells, Tomah, and Black River Falls.)

Tribal membership: 3,970.

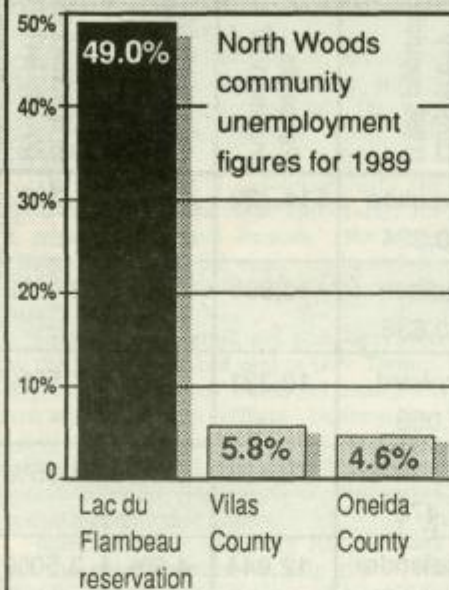
Reservation population: 2,763.

Tribal businesses: Three bingo halls, four tobacco shops.

Unemployment: 19 percent.

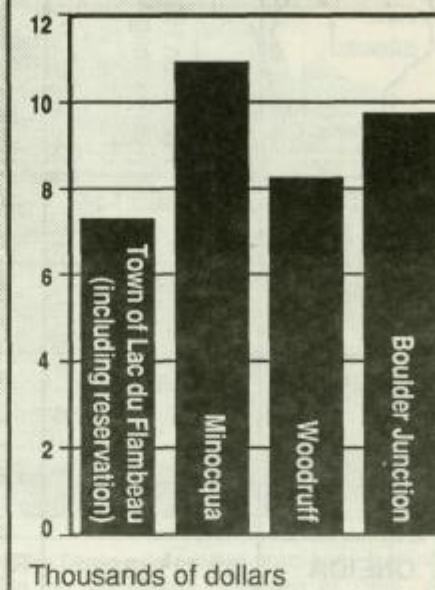
Comparing white, Indian communities in the North Woods

White, Indian unemployment

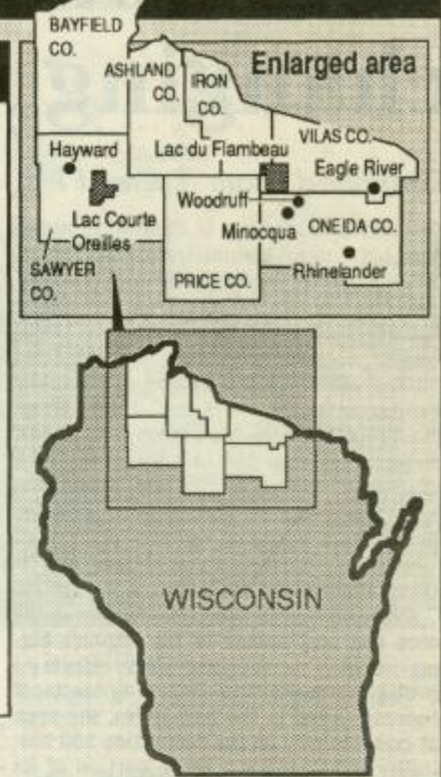


SOURCE: Department of Industry, Labor and Human Resources

Per capita income 1985



SOURCE: U.S. Census Bureau



WSJ graphic

SOURCE: U.S. Census Bureau, U.S. Department of Industry, Labor and Human Resources

Poor economy underlies woes

By Jennifer Riddle

Assistant business editor

MINOCQUA — For North Woods business owners like Dick and Joanne Strucel, the loss of their livelihood is just a bad season away.

Whether it's a cold, rainy summer, or a warm, snowless winter that keeps tourists from coming, the Strucels and others understand success or insolvency can hinge on something as unpredictable as the weather.

But they can't accept something they view as an equally serious threat to their resorts, retail shops and restaurants. Since the Lac du Flambeau Chippewa started spearing fish on off-reservation lakes five years ago, many business owners say a new strain has been put on an already unstable economy.

"Whether they fish or not, people coming up here are aware of the problem," says Dick Strucel, a former Milwaukee resident who took over the Aqua Aire Motel in Minocqua seven years ago.

Of particular concern is the effect spearing has on spring and fall business — when resorts depend most on serious anglers to keep rooms full.

"Summer pays the bills, but spring and fall are what we live on," says Jean Butler, who operates Butler's Blue Island Resort on Little Arbor Vitae Lake with her husband, Lee. "We don't want to have to work as hard as we work and not have anything to show for it."

In an area where per capita income has lagged the rest of Wisconsin by as much as 20 percent in the past decade and unemployment is nearly double the statewide average during some months, such economic fears are easy to understand.

But experts say the real cause of conflict is not spearfishing. The problem, they say, goes well beyond walleye to a troubled



State Journal photo/CAROLYN PFLASTERER

A new gas station-grocery store stands out in economically troubled Lac du Flambeau.

northern economy and fundamental changes in its leading industry, tourism.

How well cities like Minocqua and Lac du Flambeau address economic issues and broaden their tourist offerings, experts say, will help set the tone for race relations in the North while shaping the financial future of the region. Until whites and Indians set aside their differences, however, the conflict may hamper true economic gains, observers add.

"The controversy is not about fish. It isn't even about Indians," says Ken Carlson, president of the Lac du Flambeau Chamber of Commerce. "It's about some-

one wanting what the Indians have, or being mad at the Indians because they have it.

"I think one of the problems is that, at that time of the year when the protests occur, unemployment is high," adds Carlson, a Chippewa from Keweenaw Bay, Mich. "There's not a lot to think about and there's not a lot to do. Yet economically, the Indian people are certainly not better off than the people surrounding the reservation."

A lot of the problems are below the sur-

Please turn to Page 12

Tourism changing

Continued from Page 11

face and spearfishing is clearly bringing them out," says Administration Secretary James Klauser, GOP Gov. Tommy Thompson's top adviser on the treaty conflict. "Spearfishing itself is an issue as well, though."

"This controversy operates on a number of different levels," says Rep. James Holperin, D-Eagle River, who survived a recall attempt that was due to his support of a settlement with the Lac du Flambeau. "You can imagine how upsetting it is. Many small-business people just don't know what the future might hold and it makes them very resentful."

A key reason for the uncertainty is the boom and bust nature of the region's biggest industry — tourism. Since efforts to develop northern Wisconsin's agricultural economy failed in the late 1920s, the area has come to rely on the recreation and hospitality industry for a large portion of its jobs and income.

"It's basically been a service economy built on a slim resource base," says Jack Holzhuter, associate editor of the Wisconsin Magazine of History. "It's been a marginal lifestyle for many people for 70 years now."

In Vilas and Oneida counties, for example, agriculture accounts for less than 2 percent of all jobs, state Department of Development research shows. And manufacturing, which provides about 21 percent of all jobs statewide, accounts for 9 percent of the employment in Vilas County and 12 percent in Oneida County, according to a 1987 development department report.

Although the state does not collect data on tourism industry employment, Vilas and Oneida counties are among the most heavily tourism-dependent areas in Wisconsin, says Jack Gray, a marketing specialist with UW-Extension's Recreation Resources Center. And because most tourism traffic occurs in summer, the area is subject to large seasonal employment swings.

During 1988, for example, unemployment in Vilas County peaked at 11.5 percent in February — just before the spearfishing season begins — and dipped as low as 3.1 percent in August, according to the state Department of Industry, Labor and Human Relations.

"There are a lot of people who are not working from December through the end of April," says Randel Pilo, an development department economist. "It adds up to an economy which is softer and which creates more stress."

The area's reliance on tourism also is evident in its lower per capita income, because service jobs typically pay less than manufacturing jobs. In 1987, for example, per capita income totaled \$12,944 in Oneida County and \$12,123 in Vilas County, according to the U.S. Bureau of Economic Analysis. Statewide, per capita income totaled \$14,723 in 1987, the figures show.

As a result of the region's dependence on tourism, changes sweeping through the nation's hospitality industry have hit the area's economy full force. Carlson blames the ongoing transition in the industry for

How the North stacks up socio-economically

		Population 1989 est. (Rank among counties)	Largest city (1989 population est.)	Per capita income 1987	Unemployment 11/89	% families below poverty level (1979)	% households on AFDC 12/89	School years completed* 12 or less	16 or more	Serious crime reports per 100,000 people (1986)
STATE		4,863,154	Milwaukee 600,324	\$14,723	4.1%	4.36%	6.3%	70.8%	14.8%	4,064
DANE		352,999 (2nd)	Madison 180,636	16,895	2.9%	2.03%	4.7%	50.1%	30.9%	5,251
SAWYER		14,180 (65th)	Hayward 2,058	10,321	6.8%	7.50%	13.4%	75.1%	11.7%	2,704
VILAS		18,178 (53rd)	Eagle River 1,470	12,123	6.4%	1.95%	16.6%	70.9%	11.7%	3,078
ONEIDA		32,781 (38th)	Rhineland 8,024	12,944	4.9%	3.50%	6.4%	70.3%	13.2%	3,957

*1980 data

SOURCE: U.S. Census, State Department of Administration, U.S. Bureau of Economic Analysis

WSJ graphic

much of the current spearfishing conflict.

"There are some people who think that the Indians are a threat to their livelihood, and I'm sure they're very sincere," says Carlson. "But the impact of spearfishing in northern Wisconsin is, in my opinion, very minimal. The reason is, fishing, by many surveys, has been falling off for an awful long time."

In fact, a 1987 study by UW-Extension's Gray shows 8.3 percent of North Woods tourists say fishing is the main reason for their trip.

Ken Toebe, ex-president of the Hayward Lakes Resort Association in Sawyer County, says tourists are now more interested in a variety of recreational offerings. He says complaints about reduced fishing limits are "an overplayed issue."

Carlson says the changing nature of the tourism industry has been particularly difficult for smaller North Woods resorts, which offer fewer of the amenities sought by travelers and may lack the financial resources to adapt.

"In the old days, it was very customary for the man to go off on his own, and the wife and kids stayed home" he says. "Now, that's not acceptable, because the wife and husband share responsibilities. That's what's ruining the fishing camp concept. We haven't adjusted our resort economy to the new market."

Dick Matty, state tourism administrator, agrees. "Some of the people who say their business has gone down (because of spearfishing), they are not really the thriving, developing businesses," Matty says. "They are the people who have been having a hard time."

In the Hayward area alone, for example, about 240 resorts have closed their doors since the mid-1960s, the resort association's Toebe notes. The businesses that have survived, he says, are the ones that have updated offerings and marketed more aggressively.

Many people in the tourism industry point to the Chippewa as a detriment to business development and a drain on the region's resources.

In 1989, for example, unemployment on the Lac du Flambeau reservation reached

49 percent, according to the state Department of Industry, Labor and Human Relations. The situation has not improved over time: In 1979, unemployment on the reservation stood at 35 percent.

Per capita income also has lagged behind that of the state and even the surrounding counties. In 1985, according to U.S. Census Bureau data, per capita income in the town of Lac du Flambeau totaled \$7,266, about 29 percent below the state average and 14 percent below the Vilas County average.

"Have they been left behind, or have they not put forth the effort?" asks James Galloway, owner of the Northern Highland Motor Lodge in Boulder Junction and a local chamber of commerce director. "They have a marvelous potential for developing the tourism industry on the reservation, but there has to be an air of cooperation."

"As far as the unemployment, the Indians can get just about any job they want to," says Tommy Zinda, who operates Linda's Fishing Adventures, a sports shop and guide business in Woodruff. "If an Indian came to me looking for work, I would certainly be glad to hire them. I think (the unemployment) is a chosen thing."

James Murray, an economics and business administration professor at UW-Green Bay, says whites commonly overlook the economic contributions Indians make. While Lac du Flambeau is not without problems, he says, revenues from tribal enterprises and government funds for health, housing and other initiatives quickly enter the surrounding area.

"It's like having a military base," says Murray. "Their income is generally spent in non-Indian communities creating jobs and providing income."

Paul DeMain, managing editor of News from Indian Country, an independent Indian paper published in Hayward, estimates that Wisconsin's Indian communities have a \$200 million direct impact on the state's economy each year. His estimate is based on tribal budget totals, revenues from Indian-owned businesses and gaming



Toebe



Carlson

receipts.

For example, on the Lac du Flambeau reservation alone, more than 200 people are employed by the tribal government, and one tribal business, Simpson Electric, has a payroll of more than \$2.5 million for its 200 workers.

Other Lac du Flambeau enterprises included, at the beginning of 1990: the bingo hall, which employs 28 full and part time; the casino, which employed 32 full and part time until cutting operations following an adverse attorney general's opinion; the new grocery store and gas station, which employs about 12; and a fish hatchery, which employs about 30 people. Two tribal joint venture projects, a pallet factory and construction company, employ about 20 people.

"We don't have enough businesses here to spend all the money on the reservation," says Julie Valiere, treasurer for the Lac du Flambeau band. "I know all the dollars aren't staying here."

To let North Woods communities know the positive economic impact reservations have, DeMain launched a campaign encouraging Indians to use \$2 bills until spearfishing season began. "Money talks," DeMain says. "The truth is, Indians do have a heavy impact on the economy."

Still, Indian leaders say, more needs to be done to improve conditions on the reservation. And like development projects in any community, economic initiatives on

Please turn to Page 13

Tribe wants tourism role

Continued from Page 12

reservations face a number of obstacles.

Joseph Bresette, executive director of the Great Lakes Inter-Tribal Council, says reasons for depressed conditions at Lac du Flambeau range from a lack of seed capital for new businesses to the absence of good role models to high dropout rates from local schools.

"Most reservations are pretty isolated and, in Wisconsin, most areas that reservations are in are not booming," Bresette says. "It becomes a self-perpetuating thing. Kids don't see the pharmacists and the barbers, so the idea of learning the drugstore business from the ground up is not there."

Jerry Maulson, Lac du Flambeau gaming manager and a member of the tribe's tourism council, says the band is eager to improve its economic status and is pursuing a number of initiatives. Now under consideration, he says, is construction a bingo hall and hotel-convention center in the Chicago metropolitan area.

Although initial plans for a 2,400-seat bingo hall and 300-room hotel in Elgin fell through, Maulson says the band is looking at other land in the area.

The band also is discussing the possibility of building an 18-hole golf course and resort at Lac du Flambeau, he says.

Other tribal business development initiatives include plans for a Chippewa Indian Village expected to open in mid-June, says Carlson. The village, near a new Indian museum along the town's central road, will feature winter and summer wigwams, fish-drying racks, traditional cooking utensils and a variety of Indian fare.

Chippewa artists will be able to sell baskets, beadwork and weaving at the village, Carlson says, and eventually, a replica of a pioneer-era trading post will be built.

In the past, he says, the tribe has not had many attractions to draw tourists to the reservation. "This will be our first summer to really showcase ourselves," he says.

Already, the Lac du Flambeau Chamber of Commerce has been given \$26,900 by the state's tourism division for advertising and tribal leaders hope as many as 50,000 people will visit the village during its first year. By 1991, Carlson says, the band aims to start boat tours to Strawberry Island on Long Interlaken Lake where Chippewa and Sioux warriors fought for control of the area in 1745.

But without cooperation from nearby communities like Minocqua, Woodruff and Eagle River, efforts to attract tourists to the reservation may fail, Carlson says.

"Every one of these communities, as far away as Eagle River, have always had their own agenda for tourism," says Carlson. "We've never united. We've been working on as many as 10 different strategies, trying to get one customer in here."

Evelyn Hartlep, executive director of the Greater Minocqua Chamber of Commerce, says cooperative marketing efforts are needed so tourists become aware of the broad variety of recreation in the area. For example, she says, while tourists might not make the drive from Minocqua to Lac du Flambeau on a lark, many would go if they knew of a specific event or at-

traction.

(The town of Lac du Flambeau is along Highway 47, about a 20-minute drive northwest of Minocqua, which is about 210 miles north of Madison on the main artery to the north, Highway 51.)

If the various chambers of commerce can find a way to work together, Hatlep says, both the reservation and the surrounding communities will come out ahead.

"If we can get a resolution with the spearing issue, there is the opportunity for a positive economic impact," she says. "They have bingo, the casino and a beautiful new museum. We have the accommodations."

Under an economic aid plan approved by the Legislature and sent to Gov. Thompson, the North Woods would get money for tourism promotion efforts, business improvements, economic planning and Indian job training. The plan includes \$1.2 million specifically for Indian-owned businesses operating on reservations.

Administration Secretary Klauser says the aid package aims to help the North Woods adjust during a time of transition for its primary industry. "We know that the nature of tourism is changing," he says.

Others are trying to improve the situation, too. White and Indian business leaders from the North have set up meetings at the suggestion of the state's tourism division to gain a better understanding of the problems they all face. And the group took a significant step when members said they would speak out against protests at boat landings if tribal spearers agreed to cut-backs allowing bag limits of three or more fish on most northern lakes. The tribes cooperated and bag limits were increased.

"It's going to take a good-faith effort on both sides," says Boulder Junction Town Chairman Jeff Long. But, "if you can get the communities working with one another on positive activities rather than reacting emotionally, you'll have an excellent chance."

Unfortunately, Long says, agreement among white and Indian community leaders will not automatically guarantee peace. What may be necessary is broader recognition among business owners that the changing nature of the tourism industry poses a greater threat to the North Woods economy than Chippewa spearfishing, experts say.

"They've got to think beyond fishing," says the UW-Extension's Gray. "Everybody doesn't fish. Everybody doesn't swim."

"You cannot have a tourism economy based on one thing," says Jim St. Arnold, a community education coordinator with the Great Lakes Indian Fish and Wildlife Commission in Odanah. "There are other things that are going to bring people into the area and keep them coming back year after year whether the fishing is good or not."

Gray predicts that North Woods resorts and retailers who fail to keep up with changing tastes will be forced to close their doors whether or not the spearing controversy continues.

"I think the future is going to be in consolidation with larger resorts offering more amenities" such as tennis, golf, boating and biking, Gray says. The region also will need to do more to promote winter recreation opportunities, such as snowmobiling and cross-country skiing.

"We can no longer afford to build anything for seasonal use," he says.



Photo/STATE HISTORICAL SOCIETY OF WISCONSIN

This photo, designed to encourage farming in the stumplands, was part of 1896 "A Handbook for the Homeseeker," produced

by Dean W.A. Henry of the UW-Madison College of Agriculture at the request of northern residents.

North Woods resistant to agriculture

By Susan Lampert Smith

Wisconsin State Journal

The pictures would be absurdly amusing if they hadn't lured so many families to lives of hardship in the North.

One shot, taken in 1895 near Phillips, shows a family displaying grotesquely huge turnips and cabbages while the charred spikes of a burned-over forest loom in the background.

Another shows a man moodily considering a field filled with huge stumps, boulders and fallen trees.

The pictures were part of an 1896 UW Agricultural College publication, "A Handbook for the Homeseeker," which was financed by northern Wisconsin communities eager to lure farmers to the vast stumpland left behind when the lumber barons moved on to the Pacific Northwest.

"As they (northern Wisconsin residents) saw the timber disappearing and sawmills shutting down, they pushed the panic button," said Professor Margaret Bogue, who teaches state history at UW-Madison. "They thought farming was the answer."

Northern Wisconsin boomtowns had reason to panic in the 1890s. The population growth of counties such as Ashland and Bayfield, which grew 1,200 percent in the 1880s, began to tail off in the 1890s and even to decline by the 1920s.

Opening the stumplands to the plow was promoted vigorously by public officials and private "colonization" companies. Unfortunately for homeseekers, many of them immigrants, the lumber barons were the first and probably only people to make an easy living in the North.

A state soil survey done belatedly in 1910 showed less than 20 percent of the

land denuded by lumbering actually proved suitable for farming.

In the 1920s, a nationally depressed agricultural economy forced many northern Wisconsin farmers out of their marginal lands and clearing for agriculture virtually stopped. At the same time, iron ore production in the Gogebic and Menominee ranges began to tail off. By 1927, the 17 northern counties had 2.5 million acres of tax delinquent land on their hands — almost a quarter of their total acreage — and few buyers.

"It was not until the 1920s, when the ideas of reforestation, recreation and summer homes came together," said Bogue, who added that the creation of a lower tax on woodlands was crucial to reforestation.

Towns like Bayfield, a stop on the passenger steamer lines, had been tourism centers since the 1860s. As early as 1874, a family near Antigo converted a former lumber camp into the "Log Cabins," a hotel that catered to lumbermen traveling the military road between Green Bay and Michigan's Copper Harbor. But, Bogue said, "the real development of recreation depended on automobiles and roads, and the good roads movement really blossomed in the 1920s."

In 1935, the Legislature first provided funds to advertise the resorts and vacation spots of northern Wisconsin, and by 1950 estimates put recreation spending at more than \$300,000 a year.

Still, the dollars earned by tourism can be as hard won as those eked out of the sandy soil. A 1979 UW-Extension forecast of what northern Wisconsin should expect in the 1980s predicted a continual flow of migrants from the cities.

"These people have neither the skills nor resources to survive long in the North," the report noted. "Their goings and comings have helped account for the large number of turnovers in small businesses in the past."

"They will continue to come, stay a while, and try their hand at something, eventually sell out (at a loss) and leave. They will make very (few) permanent marks on the lifestyle of the North."

Conflict tugs at resources

By Jeff Mayers and Ron Seely

Wisconsin State Journal

When French explorer Jean Nicolet journeyed to the Great Lakes in 1634, he found a people whose lifestyle dictated that they take from the land only what they needed.

After Nicolet, the Great Lakes Indians never would be the same.

The European traders who followed him brought a new culture and a vastly different philosophy of natural resource use — one in which the beaver, fish and timber of the North Woods would be converted into currency.

"With the development of a fur trading industry, native peoples began hunting different animal species than those traditionally sought," says a history contained in a UW-Extension proposal for a northern Great Lakes education-visitor center in Ashland. "European trade goods began to replace items of local manufacture."

"The advent of settlers and the various treaties through which different tribes ceded parts of their land to the U.S. government had drastic impacts on where Indians could live, and eventually, how they could live."

Those once-abundant resources of the North Woods, coveted now by Indian and non-Indian alike, have to be managed to ensure that all competing groups have access.

Who will manage the resources and how they'll be managed is what's ultimately at stake in the legal and rhetorical battle over treaty rights.

Today's Chippewa hope to use the newly affirmed power of treaties signed in the mid-1800s to seek a greater say in how resources are managed.

"I think," says Walt Bresette, a Red Cliff Chippewa and organizer of the environmental group Lake Superior Greens, "they (the treaties) are the best environmental protection device that exists."

Treaties increasingly are being recognized for an ability to protect — as well as give Indians direct access to — fish, small and large game and timber in northern Wisconsin.

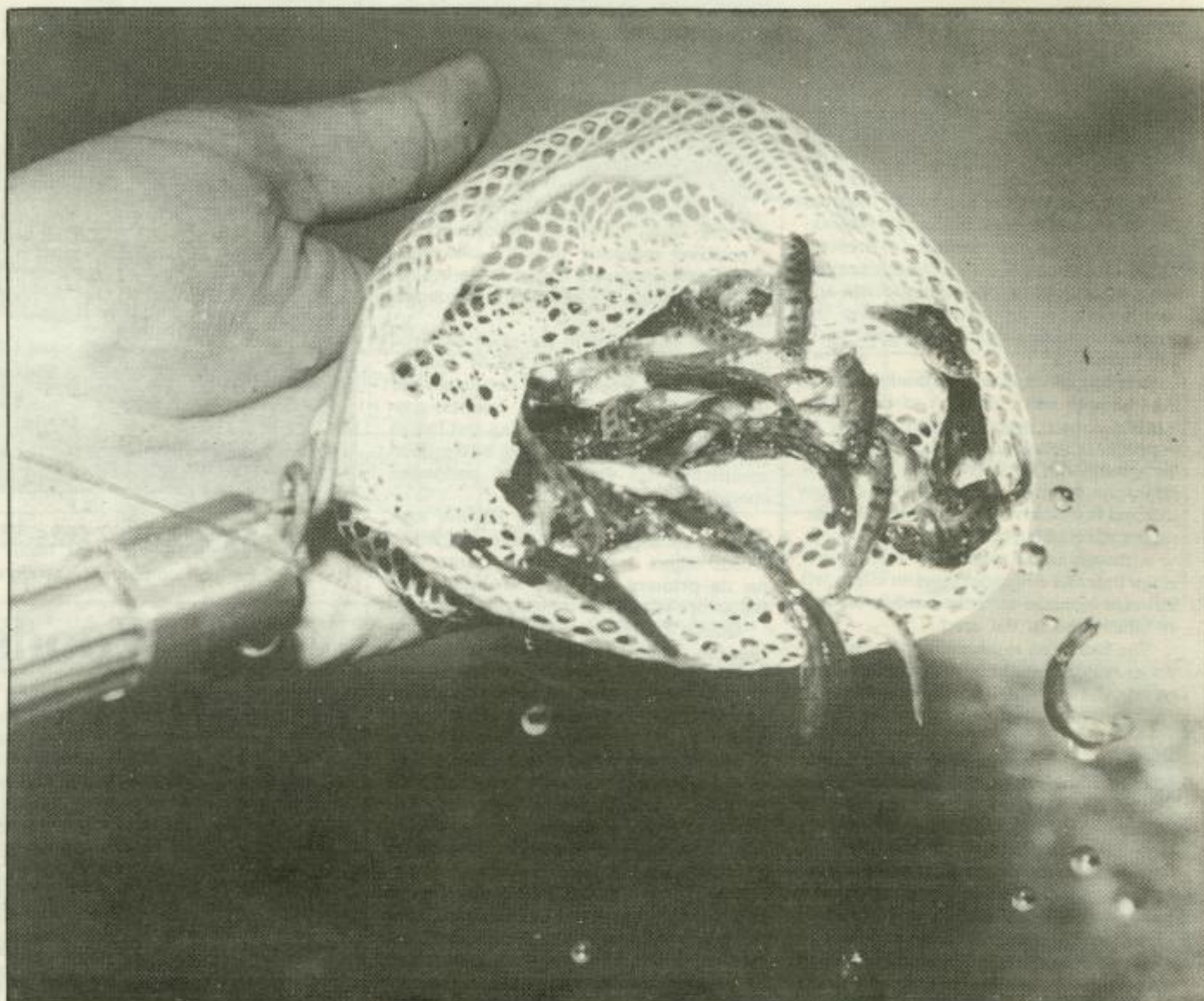
And some think the treaties may help prevent damage due to potential mining development, though the Chippewa haven't sought off-reservation mining rights.

Treaty power is recognized by anti-treaty-rights groups. One of the more active anti-treaty groups, Protect Americans' Rights and Resources, joined with Indians in opposing a now-rejected low-level radioactive waste site in Michigan's Upper Peninsula.

The power of the treaties also is recognized by the state Department of Natural

'To me, the Chippewa treaty rights issue is the biggest blessing that could be bestowed on the North Woods.'

Nick Van Der Puy,
fishing guide



State Journal photo/CAROLYN PFLASTERER

Trout fry are among fish raised in Chippewa hatcheries and later stocked in reservation lakes, fished by Indian and non-Indian anglers.

Resources. Rival biologists and others question the DNR's methods of protecting resources.

The DNR, always a lightning rod for criticism, is getting it from all sides.

Nick Van Der Puy, an Eagle River guide sympathetic to Chippewa concerns, calls DNR fish studies "voodoo biology."

"They don't have the political will to find out" how many fish are taken, he charges.

DNR officials are sensitive to the questions and say the agency has neither the staff nor the money to count every fish taken by millions of sports anglers. However, they concede they've had to improve information collection to better regulate the vast walleye and muskellunge fishery of the ceded territory — in more than 800 lakes throughout the northern third of Wisconsin.

"I don't see it as a negative," says DNR Secretary C.D. "Buzz" Besadny, former chief of conservation programs who has a background in wildlife management. "The more data we get, the better we can manage the fishery."

But Besadny and other DNR officials also say U.S. District Judge Barbara Crabb's decisions in a years-long treaty rights trial detailing resource regulation

have backed up their management role. While Indian activists push for legal co-management of resources, DNR officials stress their record of cooperation with Indians and promise more.

DNR officials reject co-management. They say the state is bound by the constitution and state laws in managing the resources and that, under co-management, the Indians would not be.

Still, a new DNR office of Tribal Cooperative Management, headed by former fisheries chief Douglas Morrisette, has been created recently to focus attention on ventures such as fish hatcheries. "Cooperative efforts, cooperative projects, are really the way to go," Besadny says.

Another Eagle River fishing guide, though, wonders about the true DNR motive.

"Co-management is offensive to the bureaucrats. It's not offensive to me as a guide," says George Langley, the head of the Eagle River Guide Association who blames DNR for what he thinks is a decline in the fishing. "I don't think the Indians could be doing any worse than the DNR is doing."

The DNR's record is defended by Anthony Earl, the former Democratic governor who also served as DNR secretary. He says protests at northern boat landings have overshadowed quiet but important

agreements between the tribes and the DNR over issues such as small-game hunting, trapping and ice fishing.

Earl says the treaties are a positive force in protecting some of the last remaining wild country in the state. A look at the ceded territory from the air shows a block of green, Earl notes.

The treaties also provide a valuable defense against potential environmental damage from mines and other industrial development in the North Woods, adds Earl, who was at the DNR during much of the debate over Exxon Corp.'s proposal for a massive copper mining operation at the headwaters of the Wolf River.

"The implications of that mine on the Wolf River and the people who live downstream were among the most serious questions raised about that mine," Earl says. "And that was on account of the treaties."

Exxon representatives say opposition to the mine wasn't the reason for suspending the project three years ago, and many boosters still view it as a potential economic boon to a faltering northern Wisconsin economy.

"When our outlook for future mineral prices is such that we see economic attractiveness, we'll seek to restart the permits," said Tom Torget, a spokesman for Exxon

Timber ruling nervously awaited

By Susan Lampert Smith

Wisconsin State Journal

The way Carl Theiler sees it, all of northern Wisconsin should be nervously awaiting the decision that's coming from the February federal trial involving Chippewa Indian rights to timber.

At stake are the rights to log the trees growing in the 570,000 acres of state forest and in the vast 2.4 million acres of county forests. Most of those forests are in the territory ceded by Indians to the U.S. government under treaties signed in the mid-1800s.

And counties are finding there's more than one kind of green in those trees: Last year the 28 northern and central counties with forests took in almost \$5 million from selling the wood growing on the former land that was burnt over and abandoned as the lumber barons moved on.

"Everyone in the North has a selfish interest in the county forests," said Theiler, who is executive secretary of the Michigan and Wisconsin Timber Producers Association. "Here in Lincoln County we have 100,000 acres of forest owned by 20,000 people. Evidently, it has the potential to become worthless."

But the Indians and their attorneys scoff at such predictions. "They seem to think there's a chainsaw behind every Indian," said Tom Maulson, a member of the Lac du Flambeau band.

What worries Theiler is that U.S. District Judge Barbara Crabb could decide that under the treaties, Chippewa Indians have the right to harvest timber from the county and state forests without paying a stumpage fee. Besides costing the counties money, loggers such as Lynn McKee of Crandon worry that if the treaty decision gives Indians first rights to the tim-



Photo/STATE HISTORICAL SOCIETY OF WISCONSIN

The logging era resulted in the near-total loss of northern Wisconsin's giant white pines.

ber on private lands, it will shrink the supply available to the non-Indian loggers.

"It will leave fewer jobs to bid on and raise bid prices up," said McKee, who operates a small logging company with his two sons. "There's not a lot of money in a cord of wood as it is."

When a county or other landowner decides to sell timber, loggers inspect the stand and submit bids on its worth. The highest bid wins the right to cut the timber, but the more a logger pays for the standing timber, the lower his profit mar-

gin when he delivers the cut wood to the mill.

"It's a tough business," said Theiler, who was a logger himself for 15 years until he went broke. "We're like farmers. We produce too much and the price stays low, so we work 14 hours a day."

Observers say that because there are only a small number of Indian loggers — and because they lack the capital to buy the expensive equipment needed for logging — the decision's impact will hinge on whether Judge Crabb allows them to form joint ventures with whites.

"The key decision that will come is the whole definition of gathering," said state forester Charles Higgs. "The ability to bring in other people — that's where there could be a major, immediate impact."

The timber trial comes at a time when county forests are finally becoming money makers for the counties. The forests were born during the Depression, when more than 2.7 million acres of tax delinquent land reverted to the county. The land had been logged, burned, and most was unsuitable for farming. Since then, the state has loaned counties more than \$14 million to plant and manage forests on the cutover land. Many of the plantings were established by public work crews during the Depression. The counties are required to pay the state back from the proceeds of timber sales and seven have fully paid back the initial loans.

Sales from county forests, said Paul Pingree of the Department of Natural Resources, began picking up in the 1970s, as the timber matured.

"Before that, it was unusual to see county forests making more than \$1 million a year," he said.

Among the major disputes Crabb must resolve are whether the Indians must pay a conservation fee to cut wood on county land, whether the Indians can hire non-Indians to work in their logging operations and how much wood the Chippewa would be allowed to take.

The state wants to limit the Indians to 50 percent of available wood to ensure a supply for non-Indians. The state would allow the Indians to cut timber for free, but it doesn't want the Indians to employ non-Indians. Crabb's decision is not expected before June.

Conflict tugs at Wisconsin resources

Continued from Page 14

Coal and Minerals Co. in Houston. "There's no doubt the project is a very good one."

"I am confident they would have gotten their (state) permits" despite the opposition, adds Thomas Evans, of the Wisconsin Geological and Natural History Survey.

But the political climate is different now. Before the power of the treaties had been bolstered by federal courts and congressional act, the documents were viewed historically as instruments that opened the way for commercial resource use by whites.

"The U.S. government always allowed fur traders to protect their debts (in the treaties)," says Margaret Bogue, a UW-Madison history professor. She notes that fur trading companies like the American Fur Company, owned by the Astor family, was a third party to many treaties.

"You'll see John Jacob Astor's name all over these treaties," she says. "The Indians were dupes in the whole thing. There seems to be good evidence the traders inflated the Indian debts."

UW-Stevens Point Professor David Wrona tells the story in raw numbers. The

Chippewa alone, he figures, gave up:

- At least 100 billion board feet of standing timber in the ceded territory at the time of the treaties.

- 150 million tons of iron ore in present-day Michigan, Wisconsin and Minnesota, most of it extracted by now.

- 13.2 billion pounds of copper, most of it in Michigan.

- And 14 million acres in Wisconsin alone.

The treaty issues, they say, and the debate that has surrounded them, have at the very least focused attention on environmental threats and may hold even greater promise for actually blocking potentially damaging development in the future.

"They certainly have made us all a lot more aware of how fragile the resource really is," says Langley, the Eagle River guide who doesn't align himself with pro-or anti-treaty forces. "We've learned to be much more aware of conservation issues."

Adds fellow guide Van Der Puy, "To me, the Chippewa treaty rights issue is the biggest blessing that could be bestowed on the North Woods. It's made us look at what's happening to the fish and the wild rice."

Susan Lampert Smith contributed to this report.



State Journal photo/CAROLYN PFLASTERER

The largest of fish hatcheries operated by Wisconsin Chippewa is at Lac du Flambeau.

Effects of spearing debated

By Ron Seely
and Jeff Mayers
Wisconsin State Journal

April 1989, and the Indians are spearing Squirrel Lake near Minocqua again.

Their boats bob in the cold chop and the headlamps they wear cut swaths of light through the dark. On the shore, beneath the glare of the spotlights, a crowd of anti-spearing protesters surges behind a snowfence as the Indians near the landing.

The Indians pull their boats onto the concrete ramp; they clamber up the slick incline lugging large aluminum tubs filled with speared walleye. The mounds of fish gleam in the light. The protesters smash against the fence.

"Murderers!" several protesters scream. "Murderers!"

The people of northern Wisconsin take their fish and their fishing seriously. Over the years, fishing has been one of the mainstays of the northern economy. A resort or a bait shop or a guiding service can measure its success during the course of a year by the size and number of fish that appear on stringers in the local newspapers.

This accounts, at least partly, for the intense emotion that has surrounded the issue of off-reservation Chippewa spearfishing.

But more than five years have passed since the first Indian spears, reinforced by federal court decisions affirming their rights, launched a boat and raised a spear on an off-reservation lake. In the beginning, anti-spearing groups were predicting disaster for northern Wisconsin's walleye fishery (most of the fish speared by Indians are walleye).

Has the disaster happened? Are northern fishing waters being cleaned out by Chippewa spears?

Some — including members of state conservation groups and anti-spearing organizations such as Stop Treaty Abuse — maintain that northern lakes are being hurt by the practice. Others, most significantly biologists with both the state Department of Natural Resources and the Great Lakes Indian Fish and Wildlife Commission, say spearing will not ruin the resource if the practice is closely regulated.

But Indians and others argue the Chippewa spears have been unfairly blamed for hurting the resource when most of the fish in northern Wisconsin are taken by regular season anglers. They say poor management by the DNR, including inadequate monitoring of sport angling catches and insufficient steps to control increasing regular season fishing pressure, are more to blame for the need for recent Draconian measures like last season's one-walleye bag limits. (Limits are set at three to five walleye per day this season on northern lakes.)

"I really think the DNR has been asleep at the switch on fish management," said George Langley, an Eagle River sport shop owner and head of the Eagle River Guides Association. "I perceive the one-fish bag limits to be the DNR's fault, not the Indians."

Still, some people aren't absolving spearfishing of blame. Like Francis "Bill" Murphy, chairman of the Wisconsin Conservation Congress, a statewide organization of sportsmen that advises the DNR on hunting, fishing and trapping issues.

"I don't think there is any question that spearing has hurt the fishery," Murphy said. "Spearing itself is offensive because you're taking fish during the middle of the spawning season. Even if they take only 10 females, that's 10 females that won't produce spawn. Long term, I think it's bad."

Michael Hansen, treaty fishery specialist with the DNR, disagreed. Asked if spearing will hurt fishing in northern Wisconsin, he answered: "Not if regulated properly."

Nor did Hansen agree that spearing during the spawning season threatens walleye populations. He said the Chippewa spears take only a small percentage of spawning females. Statistics kept by biologists with the Great Lakes Indian Fish and Wildlife Commission show that about 84 percent of the walleye speared over the past five years have been male. Females are larger than males, the tribal biologists explain, and spears are allowed to take only two fish 20 inches or longer.



State Journal photo/CAROLYN PFLASTERER

Gary Allen cleans trout tank at Lac du Flambeau hatchery.

Still, Hansen said, regulation is necessary because spearing is a very effective way to take fish and, he argues, an additional strain on a fragile resource. He cited, as an example, a survey of 19 lakes conducted by the DNR in 1986, 1987 and 1988. The survey showed that non-Indians took 30,963 fish over that time; Indians speared 8,819 walleye on the 19 lakes.

The important thing, Hansen said, is to understand that at least a large percentage of these 8,819 fish would have remained in the population had not the Indians speared them.

"You can't add (that amount) of new harvest to lakes without cutting back," Hansen said. "There's no head room here . . . where they can fit in and not have any effect."

This kind of additional pressure on the fishery, plus strict spearfishing regulations ordered last year in a federal court decision, forced the DNR to reduce the five-walleye-per-day bag limits during the regular season last year, Hansen said. Bag limits were cut on 254 lakes the Indians said they would spearfish. The reduced bag limits initially ranged from four to only one walleye on some lakes. This year, anglers will be allowed at least three walleye on all lakes.

Also, beginning this year, the DNR has put in place a new regulation that prohibits fishermen from keeping walleyes less than 15 inches long.

Indian biologists, however, cite numbers that show the spearing impact on specific walleye lakes to be well within acceptable limits and not extensive enough by itself to require such a drastic response from the DNR.

The point to the raw numbers: Last year, according to tribal figures, Indians speared 16,394 walleye on 102 lakes in the ceded territory. The DNR estimates that sport anglers took about 672,000 walleye from more than 800 ceded territory lakes.

Numbers from one body of water offer a more striking and probably more accurate comparison, according to Neil Kmiecik, a tribal biologist. The numbers also show how the court-ordered regulatory process works.

Iron County's Turtle Flambeau Flowage is the second largest body of water in the ceded territories and an important Indian fishery. In 1989, tribal biologists conducted a population survey during spawning season. From the survey, they estimated the flowage is home to about 84,000 adult walleye. This was in line, according to Kmiecik, with a 1975 DNR estimate of about 93,000 adult walleye (the difference can be accounted for by natural population fluctuations, he said).

tuations, he said).

In last year's federal court decision on spearfishing, U.S. District Judge Barbara Crabb imposed a new method for figuring a "safe harvest level" or the number of fish that can be taken by both spears and the regular season anglers from a lake without hurting the population.

Using that calculation, Kmiecik said, the safe harvest level for the Turtle Flambeau Flowage for the 1990 spearing season would be 10,243 walleye. If Chippewa bands take 54 percent of the safe harvest on most lakes this year, the Indians would spear 5,531 walleye from the Turtle Flambeau.

How many fish will sport fishermen take from the Turtle Flambeau?

Kmiecik said a creel survey done by the DNR in 1979 showed sport anglers took 35,000 walleye from the flowage during the regular season. Results of a 1989 creel survey are not yet available, he said.

But if sport fishermen take anywhere near the 35,000 they took in 1979, they would be taking a far greater number of fish than the safe harvest level of 10,243 walleye, Kmiecik said.

"It seems to be a double standard," Kmiecik said. "If we are forced to live by the safe harvest level, then how can they be taking so many fish?"

Instead, Kmiecik and others said, Indians become the bad guys and criticism is deflected from the DNR for not managing the fishery more effectively.

This argument is supported even by some knowledgeable non-Indian anglers in northern Wisconsin.

Langley, of the 24-member Eagle River Guides Association, has not been a supporter of spearfishing. But, he agrees with the Indians that the DNR — not Indian spearfishing — may be more to blame for the necessity of bag limits.

Langley said he believes the DNR should have instituted a three-walleye bag limit several years ago because of increasing pressure on the fishery from sport anglers.

Last year, Langley said, when the DNR announced the bag limits immediately prior to the Chippewa spearing season, it appeared that the Indians were entirely to blame.

"They were implying that the reason for the decline in the walleye fishery was spearing," Langley said. "When the reduced limits were imposed, not a word was said about the DNR's management over the years. It was done as a response to spearing. What does that say to you? It says, 'Those damn Indians are killing all the fish, so we're going to take some away from you.'"

Douglas Morrisette, DNR's outgoing fisheries chief, disagreed. He said the DNR has in the past and will continue to monitor the sport angling catches. He said 25 lakes in the ceded territory will be surveyed this year; that's 15 more than last year.

Morrisette also said it's faulty logic to compare catching fish by the highly efficient method of spearing and the largely inefficient method of hook-and-line angling.

The DNR, Morrisette said, sees hook-and-line angling as "self-regulating." In other words, if fishermen aren't catching anything, they don't fish. Morrisette said Crabb saw it that way, too. She required quotas only for efficient fishing methods like spearing and netting.

"We know what sport fishing has been doing," said Morrisette. "The court said we could regulate as we had in the past because we've been managing a population up there for 100 years."

'I really think the DNR has been asleep at the switch on fish management. I perceive the one-fish bag limits to be the DNR's fault, not the Indians.'

**George Langley,
Eagle River sport shop owner**

Treaty rights may be weapon against mining

By Jeff Mayers and Ron Seely

Wisconsin State Journal

The circumstantial evidence raises suspicions.

■ A subsidiary of Exxon Corp., the giant oil company, still admits to interest in mining a massive zinc-copper deposit near Crandon — a project it suspended in late 1986.

■ James Klauser, top aide to GOP Gov. Tommy Thompson and a former Capitol lobbyist for Exxon, is the governor's point man on the Indian treaty issue.

■ Klauser once talked about "modernizing" federal treaties with Indians. Modernization, say they Chippewa, is code for abrogation. Indians view that talk as a threat to the treaties, one of their major weapons against large-scale mining proposals they fear could hurt treaty-protected resources such as fish, deer and timber.

■ Meanwhile, a subsidiary of Kennecott Corp. is trying to obtain permits for a relatively modest copper-gold pit mine, to be located about 140 feet away from the Flambeau River south of Ladysmith. The development is being watched closely by other mining companies because the state hasn't given the go-ahead for a new mine since elaborate regulations went into effect in the 1970s, say those monitoring mining activity. A state OK would spur more mining, many experts speculate.

The conclusion, according to this theory: that Klauser and the Thompson administration are fronting for the mining companies by trying to undermine the treaties and open the door for more development.

"Before any mining company sinks" millions of dollars "into a politically risky venture, they will do their best to create a 'favorable' investment climate," says Al Gedicks, a UW-La Crosse professor and executive secretary of the environmental activist group, Wisconsin Resource Protection Council.

"In the Third World, that frequently means overthrowing a democratic government and replacing it with a brutal military dictatorship more amenable to mining company plans. In Wisconsin, it means weakening or overturning existing environ-

mental regulations and neutralizing potential opposition in the affected communities."

Walt Bresette, a Red Cliff Chippewa and a leader of the Lake Superior Greens, adds his opinion that the state has a "sweetheart relationship" with mining interests. His fear: the "industrial colonization" of the ceded territory by large mining corporations like Exxon and Kennecott.

"Once they're gone," Bresette says, "all we've got left is a big, old pit mine and more poisoned water."

State officials, including Klauser, say they've heard it all before.

Klauser, who concedes his former law firm represented Exxon, says Gedicks and his group have been "buzzing around my head" for years.

"They have all kinds of conspiracy theories," he adds. "Our firm represented the Democratic Party once. That doesn't make me a Democrat."

Klauser said the Thompson administration favors only mineral development "consistent with state environmental standards."

Other state officials, while acknowledging the legitimate tribal interest to protect their treaty rights, also downplay worries about mining operations ravaging the North Woods. They also dismiss arguments that companies are really after uranium stores in northern Wisconsin, saying uranium occurs in only small amounts.

While some environmental groups say there are many companies exploring for minerals, state officials say only a handful of companies are active in the state.

According to figures compiled by Thomas Evans of the Wisconsin Geological and Natural History Survey, only four of the eight companies licensed to drill in Wisconsin last year conducted drilling programs. Forty-five new holes in six counties were drilled last year, compared with 54 holes drilled in 10 counties in 1984, Evans said.

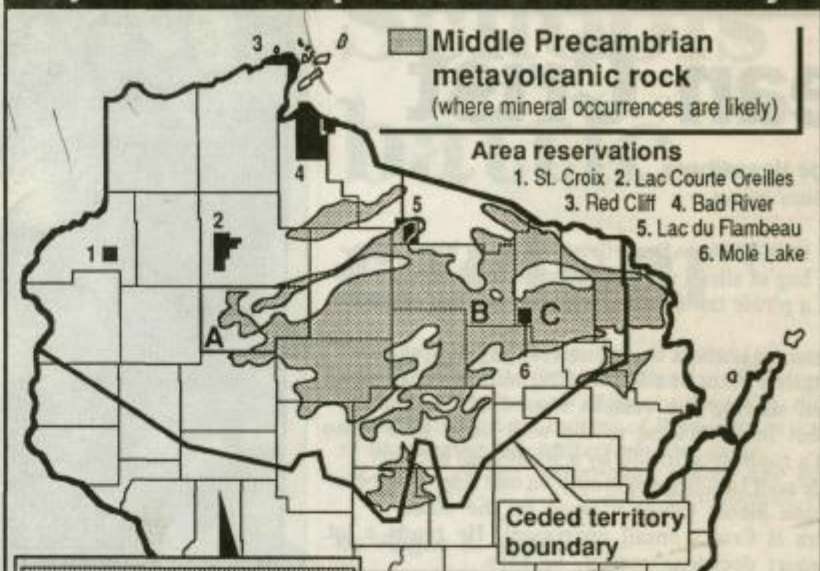
"Wisconsin is a tough state to do business in for a mining company," Evans said. "We have tough regulations."

Kennecott's project, which had been on hold for a decade, was restarted in the spring of 1987 after being scaled back to account for the economic uncertainty, says Larry Mercado, project manager for Kennecott's Flambeau Mining Co.

Metal prices have recovered somewhat but apparently not enough for Exxon, which had wanted to take and process more than 67 tons of ore at an environmentally sensitive site near the headwaters of the Wolf River about two miles from the Mole Lake Chippewa reservation. A dye test showed potentially polluted runoff from the project reaching the band's major rice-producing lake.

"We continue to believe the project will be a good one sometime in the future but we don't know when that will be," said

Major mineral deposits in ceded territory



Key to enlarged area

Deposit	Company exploring development	Mineral type	Status
A. Flambeau	Kennecott	Copper, gold	Being considered for state permit
B. Pelican	Noranda	Base and precious metals	Inactive
C. Crandon	Exxon	Copper, zinc	On hold

SOURCES: Wisconsin Department of Natural Resources, Wisconsin Geological and Natural History Survey

WSJ graphic

Tom Torget, a spokesman of the Houston-based Exxon Coal and Minerals Co.

Economic projections from the state Department of Natural Resources show that depending on metal prices, Exxon would net \$359 million to \$1.2 billion after taxes over the 30-year life of the project. Once the mine operation was underway, it would directly employ about 620 workers, a quarter to half of which would come from the local workforce, according to 1986 projections.

Kennecott would directly employ about 40 local residents and net \$14.6 million to \$223 million after taxes for the 1.8 million tons of ore to be taken from the Flambeau pit mine over six years, according to figures contained in DNR's final environmental impact statement. Those numbers vary according to metal price projections and the cost of shipping ore out of state for processing.

The Kennecott proposal — smaller and less environmentally threatening than the Exxon proposal — appears in line for state permits that would allow the company to be shipping ore by the end of 1991.

The Kennecott subsidiary seeking the permits, Flambeau Mining Co., already has secured conditional use permits from local governments thanks to a 1988 change in state law that gives counties, towns and cities the option of negotiating agreements such as those that site landfills.

Groups, like Bresette's Lake Superior Greens and the Lac Courte Oreilles band of Chippewa near Hayward, plan to oppose the mine at the July hearing and could go to court if they're dissatisfied with permits that could be granted by the state hearing examiner or DNR Secretary C.D. "Buzz" Besadny. Mercado of Flambeau Mining says he's willing to talk to anyone who has worries about what he declares is an environmentally safe project.



James Klauser



Walt Bresette

Mining opponents 'have all kinds of conspiracy theories. Our (law) firm represented the Democratic Party once. That doesn't make me a Democrat.'

James Klauser,
Administration secretary

PROFILE:

Dean Crist

By George Hesselberg
Wisconsin State Journal

MINOCQUA — Dean Crist put away his plastic bag of sliced venison sausage and took a seat at a picnic table in his large, near-empty pizza restaurant.

Mid-January is about the bottom of the business year for Alexander's Pizza at 205 Front St., Minocqua. Three young men sharing the venison stayed at the small counter, but later strayed to the wall lined with video games. In a room split in half by a waist-high barrier, three large pool tables stood empty on one side, and a couple of dozen picnic tables yawned on the other.

Upstairs is Crist's small apartment. He reads a lot. Federal court decisions mostly, he says.

The topic of the interview is Dean Crist, but the talk turns to ownership of businesses on the nearby Lac du Flambeau reservation.

"What's the name of that bar?"

Crist asks a friend sitting at a nearby table.

"We call it Moccasin Square Garden," the friend answers.

"Yeah, that's what we call it," Crist says, grinning.

Dean Crist, 41, is a native of Blue Island, Ill., a rough suburb south of Chicago where, he remembers, "I rode my bicycle to school, and I didn't think anything of the murder or two a week in the neighborhood."

He has spent nearly all his adult life in northern Wisconsin, starting out with an idea for a restaurant and so little money that a botched order for pizza bags in Illinois led to the naming of his Minocqua restaurant.

"My uncle was a paper-plastics broker. Someone ordered 75 cases of pizza bags with the name Alexander's on it. I got the bags free so I decided to call it Alexander's. So there is no Alexander," he said.

Crist's father was an Air Force pilot, then an airline pilot, then he sold cars. His mother taught English in the Chicago public schools. The family, including Crist's two older brothers, Neil and Brian, lived in an apartment.

All three boys (all Eagle Scouts) were sent to Culver Military Academy in Indiana, a strict, expensive private high school probably best known by Wisconsinites for its hockey program.

"My dad was a strong believer in the military, so he put us all through Culver. We put ourselves through college, but Culver was our endowment," he said.

At Culver, Crist was in the cavalry. That is how he was able to wangle a summer job as a riding instructor in northern Wisconsin.

"I never liked school, any school. I liked being outside. I got to work at the camp in Wisconsin because I wrote to some camp organizations, and I sent my resumes around," said Crist, who had also worked at summer camps in Illinois.

"My first camp up here was really a pits camp," he said. "It was on a lake, and they were pumping water out of the lake, and everybody got sick. It was on the reservation."

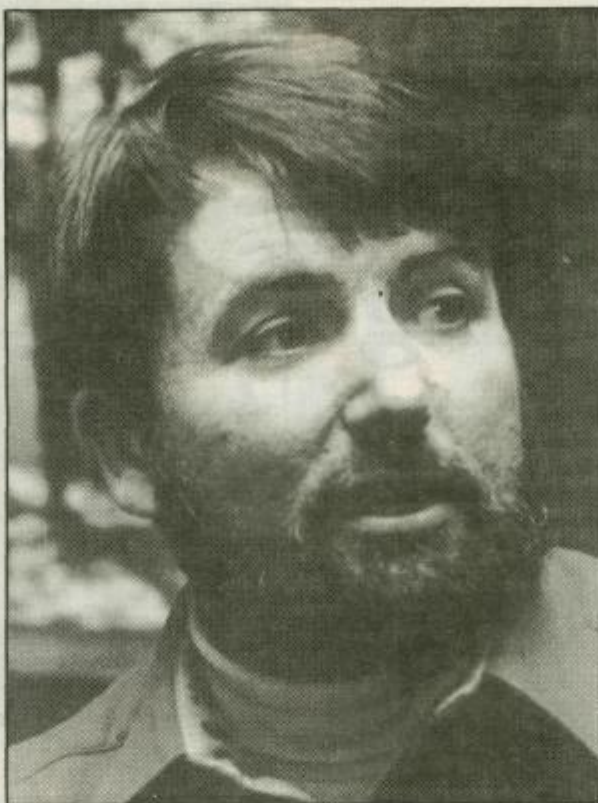
"It was beautiful, though. You could ride a horse anywhere," he said.

Crist came out of Culver, enrolled at Iowa State University in Ames and got a summer job as a construction worker. His hopes for enlisting in the armed forces were dashed when he stepped on a construction site hoist just as it was lifted.

"I fell three floors, broke my right ankle in five places and my right wrist in two places. I was on crutches for a year, cost me a year of college. I was 4-F after that. My wrist still hurts. It never heals," he said.

College was zoology and biochemistry classes, dormitory life and jobs washing test tubes at the university and shoveling manure at a chicken farm. He graduated in 1971 and came to Minocqua a year later with a partner who sold out after a few months for \$5,000.

Crist is a medium-sized man just starting a paunch. He



State Journal photo/CAROLYN PFLASTERER

Dean Crist thinks his group is unfairly labeled as racist.

is comfortable in a turtleneck shirt beneath a flannel shirt, with sleeves buttoned, nondescript trousers and a pair of pull-on boots. He has black hair that always appears to be freshly wet, parted and combed, and he has a short, well-trimmed beard.

If you picked six men at random off the street of Minocqua and had those six stand in line with Crist, a stranger would say Crist was the outsider.

With the volunteer fire department being the exception, Crist belongs to no civic organizations or political parties. As a youth, he spoke Spanish frequently enough to call himself fluent, and is a non-practicing Catholic. He learned the Spanish from his South American roommates at Culver.

He has never married, but "a lot of girls thought I would ask." His current girlfriend is the layout manager of the local newspaper, the Lakeland Times. He considers himself "part Indian." His brother Neil, an attorney in Utah, has traced the family tree and found that Crist is "a small part" Canadian Iroquois.

His other brother, Brian, owns an Alexander's restaurant in Eagle River. The corporation that runs both Alexander's is owned solely by Dean Crist.

Dean Crist lives in northern Wisconsin because he loves the outdoors. His favorite fish catch is the muskellunge, but he especially likes to hunt with the bow and arrow for white-tail deer. He said he prefers to fish and hunt alone.

"I don't make a lot of money here, but it keeps me from living in the city," he said. "I've always been a loner, or I should say until all this (anti-treaty activity) started," he said.

Crist was not a born communicator, but today he is keenly aware of the value of the media in getting his group's message to the public.

"We have taken a pounding in the media, and at first no one wanted to talk to the press. But I made myself accessible, and it has paid big dividends," he said. "We know this issue will be won in court, but fought in the media."

"I went a long time in constant fear of public speaking. I do a lot of it now with no problem, but the first time I was as nervous as a whore in church. But I figured if I didn't get up and say it, no one else will." Crist entered the public relations arena when he helped form Stop Treaty Abuse in 1987, and its sister company, Stop Treaty Abuse/Wisconsin, in 1988. (STA was formed to market Treaty Beer, STA/Wisconsin was formed to solicit donations for anti-spearfishing activity.) Crist had been supporting another anti-treaty group, PARR (Protect Americans' Rights and Resources).

"I watched PARR founder for years, even supported them with pizza and beer," Crist said, "but I saw they were not able to find their butt with both hands."

"I figured the people downstate never even heard of the (treaty rights) problem, so I came out with Treaty Beer. I figured I can market this, sell the product and sell the issue. Face it, no organization could afford to buy air time to tell people downstate about the issue. So we got Treaty Beer. We used the slogan 'Treaty Beer: Tastes Bitter, Hard to Swallow.'"

"The other part was that we figured if people are old enough to drink it, they're old enough to vote. We could use sales figures to get political clout, showing how much beer was sold in a political district," Crist said.

Not a bad marketing strategy. Lousy beer though.

"The original beer, brewed by Hibernia, they put some real garbage in the last batch. It was green," Crist said. "Then the brewery folded with our \$17,000 in royalties, which unfortunately was money we had been spending all along."

He tried to market the beer in Washington state, but was rebuffed. A second effort recently has been met with more outrage.

Crist and his group are unfairly called racist, he said.

He has a stock response to the "racist" question: "Attacking the man is a lot easier than explaining the issue or arguing the facts," he said. "(Tom) Maulson will yell racist, but I never heard the words 'timber-nigger' used more than when Maulson (uses the epithet himself) at the podium. What would I be racist against? The federal Indian policy is racist," he said.

(In talks, Maulson frequently describes the racist taunts of "timber nigger" hurled by anti-spearfishing protesters on the lake landings.)

Crist said he has neither sought nor received support from overtly racist groups, such as the Ku Klux Klan.

The topic, though, strikes a chord.

"You know, I was listening to (KKK member and Louisiana state legislator) David Duke speak the other day, and he was good, very good. . . . What he was saying was the same stuff we have been saying. It was like he might have been reading it from STA literature," said Crist, adding he was frightened by the similarity.

"We consider Duke to clearly be an extremist, a racist, and it is frightening to me that he was sort of using our views, which we consider more mainstream," Crist said.

And there was the cover story on Treaty Beer in the neo-Nazi "Skin Head News," a California publication that Crist said he was unaware of until after the story was published.

Crist has other worries, though.

"I am more worried about people coming in here, plants from the other side, showing up at the landings and spouting a whole bunch of racist stuff, and we would get the blame," Crist said.

"There is an AIM (American Indian Movement) plan — I think it is a serious threat — to dust one of their own and blame us. Nothing would discredit our side more than being blamed for something like that," he said of the alleged plot.

"Do I get threats? If I called the FBI for every time I got a death threat, I'd have an agent living in the apartment," Crist said. "They always say they're going to kill you. Young kids mostly."

"You know there are good Indians living out there, a faction of pretty sincere people. We would support them pursuing their rights and traditions, but they are bullied by Maulson."

"It's frustrating to see (Indians) wholly rely on (welfare when they have the abilities. A lot of what is wrong is how the system is abused out there. The Indians are the most heavily subsidized minority in the country, but they are still in the worst economic position."

"When I first came up here, I thought, well, there's a reservation and the kids need jobs, so the first kids I hired were Indian kids. One was good, and the other two were just the pits. The Indian kids just never seemed to last," Crist said.

"It's tough to find Indian kids to work when they can get a couple hundred a month for doing nothing," he said. "I would hire an Indian kid today, hell, I don't care if they're green, if they work."

The Indians are being impractical, he said, by trying to perpetuate an outdated culture.

"Ethnic pride is fine, but clearly the American Indian culture is dead, non-existent, gone," he said. "It started to die with the first contact between the white man and the Indian."

PROFILE:

James Holperin

By Doug Mell
State government reporter

When James Holperin campaigned for the state Assembly in late 1982, he wasn't asked about Chippewa Indian treaty rights.

How times change.

Holperin, whose 34th Assembly District includes the Lac du Flambeau Chippewa reservation, now estimates that he spends at least half his time on the contentious treaty-rights issue.

His participation in that debate — called courageous by his fellow Democrats — led this year to a historic recall campaign. Holperin easily dispatched two political opponents in March and April elections, however, to remain in office.

Holperin supported an attempt last year to lease the Lac du Flambeau's 19th century treaty rights for some \$50 million over 10 years. That agreement, reached between state and Indian negotiators, was intended to cut down on the annual confrontations that occur when the Chippewa take to off-reservation northern lakes to spear gamefish.

After the band turned down the agreement, a group opposed to spearfishing, Stop Treaty Abuse, gathered 4,535 signatures on petitions to force the first recall election of a legislator since 1932. The 1932 recall also was unsuccessful.

Holperin, who wondered openly during the campaign about whether opposition to treaty rights would do him in, waged an expensive and laborious campaign. He called on the resources of the state Democratic Party, as well as his fellow legislators, and ended up running as much against the recall process itself than his two opponents.

Holperin easily outdistanced Democratic primary opponent Gene Ahlborn, and then overwhelmed Republican challenger Brian Sherren.

It's unclear, however, whether Holperin's big win will mean he will face little or no opposition in the fall election.

Holperin said after his general-election win that the victory was a repudiation of single-interest groups who abuse the recall process.

The charge that Holperin faced repeatedly during the campaign, which he vigorously denied, was that he has been co-opted by legislators from Dane County and Milwaukee, meaning that he doesn't fight for the particular interests of his North Woods constituents. Holperin's opponents, however, said this issue was drowned out by the constant criticism leveled by Holperin and a score of other Democratic Party officials that the recall effort simply was unfair.

Holperin is held in high regard by his Democratic colleagues, who said he doesn't duck tough issues, even when particular stands could endanger his career.

"He's a profile in courage," said Assembly Speaker Thomas Loftus, D-Sun Prairie, who is running for governor.

Holperin's problems developed, Loftus said, because "he wanted to be a leader. He felt that it was important for him to be a leader" on treaty rights. "He tackled it head-on."

"I think he attempted to be the voice of reason in a very volatile situation," said Rep. David Travis, D-Madison, who serves with Holperin on the Legislature's Joint Finance Committee.

"I think he took a very courageous stand and tried to resolve probably the most emotional issue we have facing the state of Wisconsin," Travis said.

Holperin's critics contended, however, that the legislator remains distant from the district.

"We would like him to represent us," said Dean Crist, a STA leader. "He flatly goes against 90 percent of his district."

Spearfishing didn't dominate public discourse back in 1982 when Holperin, a former legislative aide and radio-



Associated Press

Rep. James Holperin survived historic recall attempt.

TV announcer, was pounding on doors in his first Assembly bid.

"I had no idea this would be an issue at the time," Holperin said.

But shortly after Holperin took office in January 1983, the federal court system changed the agenda. The 7th U.S. Circuit Court of Appeal told U.S. District Judge James Doyle Sr. that he erred in ruling the Chippewa Indians gave up their hunting, fishing and gathering rights in the northern third of Wisconsin when they accepted reservation status in the 1800s. A lawsuit was sent back to Doyle and he was told to define those treaty rights.

"Ever since then, it's been an issue," Holperin said.

As a finance committee member, Holperin deals with the intricacies of state government. Every time the Legislature wants to spend a dollar, or millions of them, the committee has to pass judgment.

About the recall election, Holperin said, "It's frustrating to have done what you considered to be the best for your constituents . . . and run into this sort of organized effort," Holperin said.

The recall effort quickly turned into a war of words between Democratic and Republican party officials.

Democrats accused Republicans of aiding and abetting the recall effort because of the chance it would provide for minority party in the Legislature to pick up a seat. Democrats said it was wrong to side with extremists in the treaty-rights debate for simple political advantage.

Republicans answered that they had no involvement in the recall effort, despite that fact that state Sen. Donald Stitt, R-Port Washington, a former party chairman, helped the recall effort financially. The Republicans said they had a responsibility to help the Republican candidate once an election had been scheduled.

Schools battle racism

"Our staff needs to be aware of Indian problems and attuned to student problems. Our kids in today's society are walking in two sets of moccasins in two different worlds. To consider Indians of Wisconsin as a single mass is like saying all whites are the same."

John T. Ward, Winnebago Indian and Black River Falls home-school coordinator.

By Roger A. Gribble

Wisconsin State Journal

BLACK RIVER FALLS — At Black River Falls High School, teachers and administrators worry about the effect of Chippewa spearfishing on their racially mixed student body even though the closest boat landings for walleye spearing are more than 70 miles away.

To head off tensions at the time whites in the North Woods are protesting Chippewa activities off-reservation, this school schedules a "Native American Awareness Week" every year just before the start of spearfishing.

But that is only part of what goes on in this school district where 15 percent of the students are Winnebago Indians.

The district has a program that wins kudos from Indians and others, beginning with elementary school courses and including a required freshman history class on Native American culture.

And the school has made headway with local Indians by cutting the school dropout rate of Winnebago students from more than 30 percent in 1980 to 2 percent.

Said Roger Sands, Black River Falls High School principal: "We're attuned to the types of conflicts arising in the state, such as spearfishing.

"When these things come up, we're very conscious of trying to deal with them," added Sands. "Throughout the week we make it a point to share native American culture," he said. "The more students can understand the uniqueness of these people, the better they'll be able to deal with them."

Last year, Sands received a Man of the Year Award from the Winnebago Nation "for his sensitivity to the needs of the Indian students and his sincere dedication to furthering the cause of education of minorities."

That award stems in part from the school's reduced dropout rate for Indians.

The school also recently received a Friend of Indian Education Award from the Wisconsin Indian Education Association.

During Native American Awareness Week, native American food is served in the cafeteria and speakers, both native American and white, come in.

"A UW-Stevens Point professor knowledgeable about treaties gives kids an understanding of the legal issues, presenting both sides," said Sands. "We generally find if we give kids enough information, they're pretty good at understanding the issues. We really present the facts and issues and try not to get wrapped up in emotions."

Instruction about the Winnebago Indians begins in the school district in the third and fourth grades.

A course that includes an extensive unit on native American culture, specifically the Winnebago tribe, is required of all freshmen.

Students in the class see it as a real plus.

Lance Blackdeer, an Indian freshman, sees it this way: "You can have a lively discussion in class and still be friends when you leave."

The class has discussed spearfishing, Blackdeer said, "and most here think they shouldn't be able to spearfish. I feel they should . . . Sometimes you can disagree and still get along."

Sarah Lanphear, a white student, said, "I think white

Schools battle against racism

Continued from Page 19

students understand Indians better and know that stereotypes aren't really true."

Lanphear said the course covers how Indians lived in the past and the problems, prejudices and economic problems they face today.

Eric Peterson, another white student, said he has learned how inaccurately Indians have been portrayed in the movies. He now understands better how Indians live, he said.

"They really aren't much different from us," he said. "We haven't treated them very well over the years. The white man cheated on treaties. Most were broken. It's they who should be mad at us."

Until requiring the class two years ago, the high school offered elective courses in native American history and literature. But these courses were taken almost exclusively by Indian students, Sands said.

"It's a real problem finding adequate material in commercially produced texts," said Sands.

Sands said material used in classrooms "has to reflect legends and concerns of the Indians we deal with. We spend time talking to elders and others who help us reflect the culture of the Winnebago. A lot of the culture is verbally transmitted, so we get people to come and transmit the culture through their presentations."

Indians 'really aren't much different from us. We haven't treated them very well over the years. The white man cheated on treaties. Most were broken. It's they who should be mad at us.'

**Eric Peterson,
white student**



State Journal photo/CAROLYN PFLASTERER

Winnebago Karen Martin tells fourth-graders at Madison's Orchard Ridge school a legend told by her grandfather.

Sands said he and Charity Thunder, a native American tutor-counselor, have been working together for about 10 years "to try to deal with tensions and relationships by communicating with parents."

Said Thunder: "There is a commitment on the part of the school district to work closely with the local Indian Education Committee, parents elected to that group by other Indian parents. There's a real positive and very effective dialogue between the school board, the district and the education committee."

"There's still racism in the district, but in the district we try to display something positive about our program," she continued.

"I was the only Native American staff person when I came here in 1979," she recalled. "It wasn't a good situation. There were threats by parents to pull kids out of school. Roger (Sands) has been real important. He spearheads a lot of what goes on."

John Ward, the district's school-home coordinator who was formerly a student at the school, admitted: "We have a lot of problems. I think it's the culture gap, although we're closing it. If parents have problems with school, I try to iron them out. We cover a lot of area and ground to keep kids in school and motivated."

"We're living in two cultures and are sometimes considered marginal in both," added Ward. "To live in the white culture and be accepted is almost like shedding a skin. When Indian students go home from school, they live in their own culture and have grandma come home over and talk the language."

"Then they put that aside when they go to school."

Teaching varies on Indian history

By Roger A. Gribble

Wisconsin State Journal

In the shadow of one of the key skirmishes of the short-lived Black Hawk War, Sally Miller struggles to teach Wisconsin Indian history with a textbook short on details and supplementary materials culled from the historical society or bought with money out of her pocket.

Miller, who teaches third and fourth grades at Black Earth Elementary in western Dane County, is not alone in her struggle to meet her students' interest.

Bill Gollnick, chairman of the state's American Indian Language and Culture Education Board, says the teaching of Indian history in state schools varies greatly.

"Written material about Indians over the years has been very inaccurate, shallow and incomplete," Gollnick says.

Madison school district multi-cultural curriculum specialist Ellen Osterhaus adds, "More than any culture, we see American Indians portrayed in a non-authentic way."

In addition, Gollnick says, "Teacher preparation has included less than a comprehensive picture of Indian history and culture."

Some inconsistency is due to teachers' and administrators' differing levels of interest, says Gollnick, an Oneida Indian and former tribal school administrator now an assistant chancellor at UW-Green Bay.

Miller's Wisconsin Heights School District includes the site where, in 1832, about 50 Sac and Fox warriors, led by Black Hawk, held off 1,000 federal troops while the rest of the tribe crossed the Wisconsin River.

Miller tries to supplement her Black Earth classes with "Badger History," a State Historical Society of Wisconsin publication. But historical society materials do not cover the period since 1900, she said.

State officials are responding. Curriculum is being developed for grades four through 12 on Chippewa Indian treaty rights and schools will be required, beginning in the fall of 1991, to teach about history, culture and tribal sovereignty.

Many try to bring history alive

By Roger A. Gribble

Wisconsin State Journal

From Rhinelander to Black Earth, from Madison to Milwaukee, efforts abound to bring Indian history and culture alive in the classroom.

Here is a round-up:

■ **Madison:** In the Madison School District, which has about 110 Indian students, an Indian Parent Committee reviews and helps develop curriculum material about Indians and provides resource people to assist in instruction and teacher training.

During a recent fourth-grade class at Orchard Ridge School, Karen Martin, a Winnebago Indian, held youngsters spellbound as she talked about native American history, treaties, culture, customs, language and present living arrangements.

Donning Indian clothing, she also demonstrated Indian dances with the aid of a tape recorder and showed examples of Indian crafts.

The Indian Parent Committee, in existence many years, also helped the district develop a policy to deal with racial slurs after some Indian children were taunted with cries of "chief" by classmates or told to "get your bow and arrows," said John Beaudin, a committee member.

■ **Milwaukee:** In Milwaukee, where about 1,400 In-

dian students attend public schools, there is a federally funded program called We Indians. It aids teachers in classes on Indian culture and provides direct services to about 200 Indian children and their parents each year, said John Clifford, a coordinator of Indian studies who works with the program.

In addition, said Edward Neudauer, a social studies curriculum specialist, "Milwaukee spends a great deal of time and effort developing a multi-cultural education guide that discusses the contributions of American Indians and others. The aim is to get teachers to interject that all the way from kindergarten through 12th grade."

■ **Black Earth:** In Black Earth Elementary School in western Dane county, Sally Miller, who teaches third and fourth grades, uses State Historical Society of Wisconsin publications to teach about Wisconsin Indian tribes but laments the fact the material covers little since the year 1900 and texts on the subject are inadequate.

Last year James Razer, a native American, spent a day in the school under an artist-in-residence program. "He talked about unemployment, poverty and generations of alcoholism," Miller said. "He played music, talked about history and danced. He made all the clothing he wore. He was wonderful."

■ **Rhinelander:** In the Rhinelander School District,

where only about 35 of the 3,000 students are Indians, extensive curriculum material on Wisconsin native American tribes has been developed with the aid of a \$500,000 federal grant.

Much of that material has been duplicated by the Department of Public Instruction and it is being used in many school districts.

Gyneth Slyth, a Rhinelander School District learning resources director, said Nell Lee Hawpetoss-Tiedemann, a Menominee Indian parent, told the elementary school principal where her children attended school several years ago their fourth-grade textbook included no information about contributions of American Indians.

"She and the principal talked at length and wrote a federal grant proposal after talking to elders in many tribes," explained Slyth. The 36 curriculum units developed under the grant include a history of all Wisconsin tribes and units on customs, dance, housing and food.

"We developed kits to go with each unit and embellished them with slides, videos, books and games," said Slyth. "The American Indian Language and Culture Education Board decided to fund publication of many of the units."

Indians fight freeloading stereotype

By Ron Seely

Wisconsin State Journal

Indians, if you believe what some people say, get everything free.

In fact, if you talk to some in the Minocqua-Woodruff North Woods area about life on the nearby Lac du Flambeau reservation, you'll hear as many complaints about "government handouts" to people on the reservation as about spearfishing.

That's because government assistance to Indians is a favorite target of anti-treaty-rights organizations.

For example, a recent publication from Stop Treaty Abuse listed several benefits that all Indians supposedly receive. The list included a \$20,000 per household, per year cost-of-living allowance; free commodities in addition to food stamps; free government housing; and complete educational subsidies.

A closer look at the economic assistance received by Indians at Lac du Flambeau reveals a different picture. A check of all assistance programs for individuals — in areas including welfare, education, commodities, fuel assistance, medical and housing — reveals no \$20,000 cost-of-living stipend. Low-income Indians, if they meet the eligibility requirements, can receive commodities but not commodities and food stamps; it's one or the other. Nor do Indians receive free housing.

Here's a rundown of Indian assistance programs and comparisons with similar programs available in the non-Indian community:

Welfare: Indians with low incomes rely on the same programs as non-Indians for economic assistance, according to Stella Schumanski, social service director at Lac du Flambeau.

They are eligible, for example, for the major federal welfare programs like Aid to Families With Dependent Children and food stamps. Indians must follow the same income guidelines as non-Indians to determine their eligibility, Schumanski said. The only welfare program available strictly to Indians is called Relief to Needy Indian Persons — a state program that is the Indian equivalent of general relief, which is available to non-Indians at the county level.

Schumanski said to qualify for RNIP, individuals must be tribal members and must not be receiving AFDC.

The program, like general relief in the non-Indian community, is strictly for use as a "last resort" when an individual does not qualify for other assistance programs. Also, individuals receiving an RNIP check are required to work in the

'I've got kids who can't get (college education grants) because their families make too much money.'

Brooks Big John,
tribal education director

Comparing aid to Indians and non-Indians

Lac du Flambeau vs. neighboring white community (Key differences in aid programs)

	INDIAN	WHITE
Welfare	Relief for Needy Indian Persons, individual gets \$209 per month	County general relief, individual gets \$175 per month
Commodities	Eligible if individual's income is less than \$611 per month; no longer eligible for federal Food Stamps	Eligible if individual's income is less than \$748 per month; remain eligible for federal Food Stamps
Education	High school juniors and seniors paid \$50 per semester to defray book and other costs Up to \$1,800 per semester in college grants set aside for Indians; amount of grant reduces eligibility for other state and federal grants and loans	No similar program Wide variety of state and federal grants and loans
Medical	Free medical care unless covered by Medicaid, Medicare or employer health insurance	Hill-Burton Program, WisconCare: government programs which provide care for the very poor

SOURCE: Lac du Flambeau and Vilas County officials

WSJ graphic

community 60 hours a month — something not required of non-Indians on general relief in Vilas County.

An Indian who qualifies for RNIP receives \$209 a month if he or she lives alone. A two-person household receives \$369 a month and a three-person household receives \$419. Of the total reservation population of about 1,600, between 140 and 150 individuals receive RNIP checks, Schumanski said.

To qualify for general relief in the non-Indian community, individuals must not be receiving AFDC. Audrey Roecker, director of social services for Vilas County, said a person living alone would receive \$175 a month under the county's general relief program.

Roecker said an average of 10 people a month receive general relief payments in Vilas County.

Commodities: Food distribution programs exist on and off the reservation.

On the reservation, the program is paid through the U.S. Department of Agriculture and is open to anybody who lives within the reservation boundary, whether Indian or non-Indian, and who meets the economic guidelines.

Betty Graveen, director of the Lac du Flambeau food distribution program, said Indians who live off the reservation and within the program service area — Oneida and Vilas and parts of Iron and Price counties — also can receive commodities if they qualify. An average of 300 people a month receive commodities, Graveen said, including about 50 non-Indians who live within reservation boundaries.

Graveen said eligibility is based on income. An individual qualifies to receive commodities if his or her income is \$611 a month or less. For a family of two to qualify, the total household income must be \$781 a month or less.

Among the items available are canned meat, peanut butter, dry beans and cereal, cheese, dry milk, butter, honey, shortening, white rice, flour and pasta.

Commodities are also available for low-income, non-Indian families off the reservation. In Vilas County, for example, the Commission on Aging operates a commodities distribution program.

Edie Ball, director of the Commission on Aging, said the commodities — including most of the same items available on the reservation — are distributed once and sometimes twice a month in Eagle River, Phelps, Sawyer and Land O' Lakes.

Income limits are more lenient than those set for the reservation program. To qualify for the commodities program, Ball said, an individual's income has to be \$748 or less. A family of two would qualify with an income of \$1,003 or less and a family of three, \$1,258 or less.

Unlike individuals receiving commodities on the reservation, participants in the Vilas County program can receive commodities and still be eligible for food stamps.

Education: Several educational assistance programs exist for both Indians and non-Indians.

Brooks Big John, tribal education di-

rector at Lac du Flambeau, said it's not true that all Indians get free college educations. He said they rely on grant and loan programs similar to those available in the non-Indian community.

Nor is it true, he said, that Indian high school students are paid to stay in school — another rumor often heard in Minocqua-Woodruff. Big John said the rumor probably stems from a junior-senior scholarship fund maintained by the tribe. He said Indian high school students are paid \$50 a semester from the fund to help defray the cost of items like class rings and yearbooks.

Indian students who want to attend college can apply for a federal Bureau of Indian Affairs educational grant or a state Indian grant. Up to \$1,800 a semester is available through either program if a student's family meets the economic guidelines.

To be eligible for the grants, Big John said, students must be tribal members, attend an accredited school and maintain a C average. Also, a student's family is expected to contribute to the cost of the education.

Not all Indians qualify for the grants, Big John said.

"I've got kids who can't get these because their families make too much money," said Big John.

Indian students also can apply for the same grants and loans available to non-Indians, Big John said. But their acceptance in any of those programs, he added, reduces their eligibility for the Indian programs.

Non-Indians also can apply for a wide variety of grant and loan programs, said Paul Harshner, guidance director at Lakeland High School in Minocqua. He said at least five federal and state grant programs are available in addition to a student loan program.

"Eligibility is based on need," Harshner said. "And it's not that difficult if you're lower to middle class. At least 50 percent of our students qualify for some kind of assistance. It can be a full ride for somebody who financially qualifies."

Also, Harshner said, Lakeland has a \$50,000 scholarship fund. Last year, he said, about 60 students out of the senior class of 150 received scholarships. Eligibility for the scholarships is based on academic performance and service to the community.

Housing: Indians do not receive free housing, according to Julie Valliere, director of the Lac du Flambeau Chippewa Housing Authority.

Through a variety of programs, financed with loans from the federal Department of Housing and Urban Development, Indians can rent or purchase homes on the reservation.

Depending on the program, Valliere said, Indians pay between 15 percent and 30 percent of their incomes toward mortgages or leases. If they don't keep up with their payments, they're evicted.

"We have people evicted just like everywhere else," Valliere said. "If they default on their payments or damage the units, they're evicted."

Valliere added that more housing is needed on the reservation. She said about

PROFILE:

Michael Allen Sr.

By George Hesselberg

Wisconsin State Journal

LAC DU FLAMBEAU — It's 1:30 p.m. on a February Thursday and Michael W. Allen Sr. is nearly four hours behind schedule.

It started at 8:10 a.m., when the governor called. Something about spearfishing.

Allen is the president of the Lac du Flambeau band of Chippewa Indians, the closest formal position to "chief" existing in this band. Spearfishing walleyes off the reservation is culture to some, a reason to cover a political hide for others, including the governor.

Then a real estate fellow called from Illinois. It was bingo news, and it was not good. A deal to open a new bingo parlor in that state was in the process of falling through.

The chairmen of two neighboring towns called next. A conference conversation. Something about spearfishing, again, a pledge to coordinate activities, to work together.

Meanwhile, a meeting is being set to discuss management problems in a tribal-owned grocery store. The business, seen as a moneymaker and community necessity, is being mismanaged, an employee claims. People put in two hours for an eight-hour day. Management doesn't show up for work on time. A butcher who suggests management incompetence is fired for working on his day off. The meeting starts and drags on. The butcher will keep his job, for now.

The vice chairman of the Lac du Flambeau calls to discuss problems and schedules in the court system and tribal justice. A referendum is considered to decide on tribal authority to police the reservation.

The fish-and-game manager for the reservation is on the phone.

The "people from HUD" show up for a meeting.

There is a family matter to attend to, a sick son, an angry mother.

And there's the reporter who has been sitting on the floor in the hallway for three hours.

"Always like this around here?" he asks Allen's secretary.

"This is quiet, so far," she answers, without a hint of a humor.

Another day begins in the life of Michael W. Allen Sr., 41, president of the tribal council (an elective office) of the newest band of Indians in Wisconsin, the 2,700-plus member Lac du Flambeau band of Lake Superior Chippewa Indians.

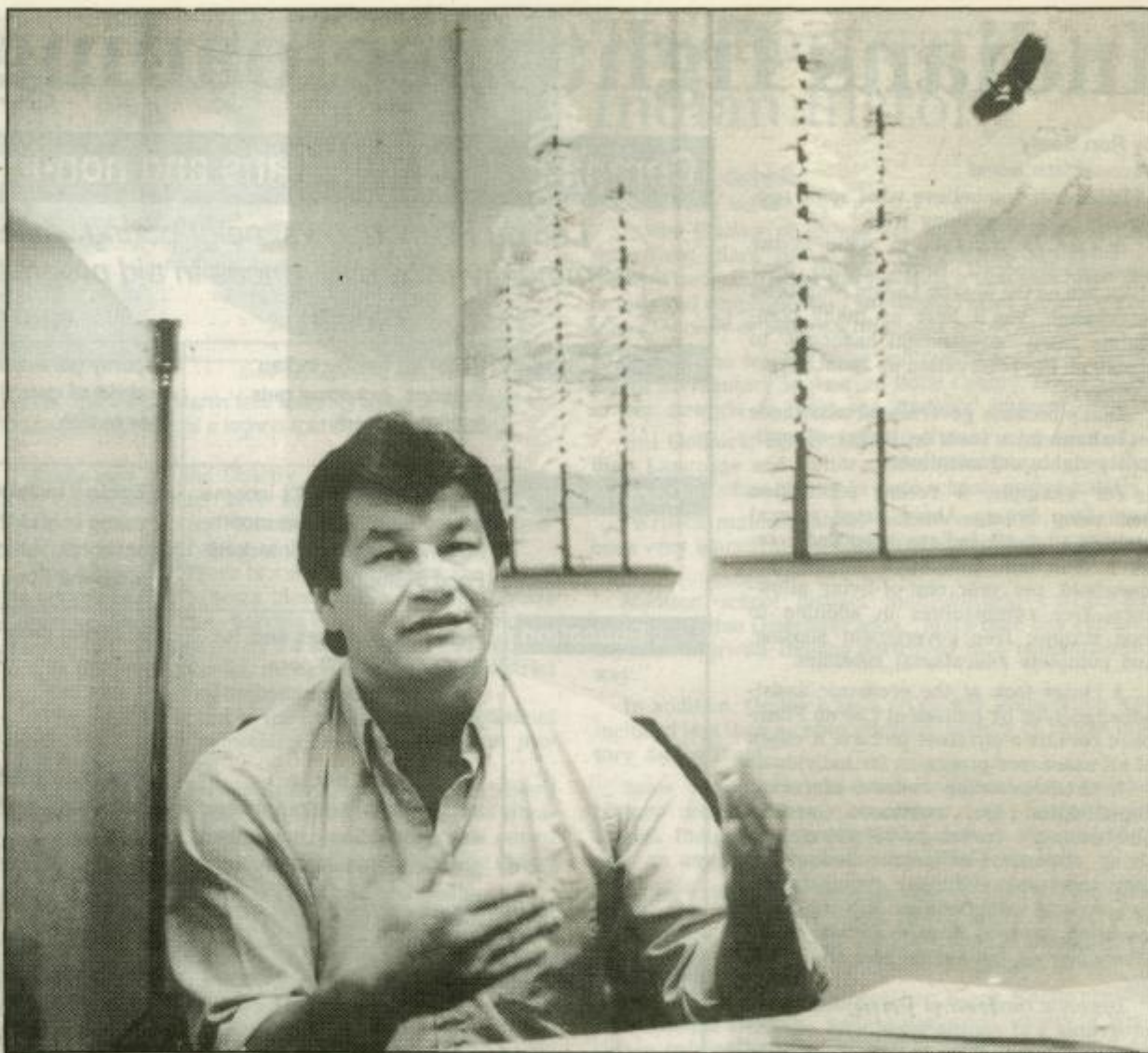
Allen is supervisor of all matters as naturally pertain to the general welfare of the community, counter-signer of all checks, ex-officio member of all subordinate boards and committees, chairman of the board of the multi-million dollar Chippewa business, Simpson Electric, and probably the hardest-hitting third baseman-left fielder ever to drop out of Lakeland High School.

He got his general equivalency diploma in 1981, long after he had made his mark as a ballplayer and a boxer (Golden Gloves, heavyweight, 1974, 1975 and 1976, boxed at 234 pounds, now weighs 238), after the end of his first marriage, and just as he was starting his rise to the top of the tribal hierarchy.

As he says, he hits hard, and he can take a punch.

Lately, he's been taking more than delivering. Tribal finances are in a tailspin. Customers — skittish or racist or broke or all three — are no longer flocking to reservation bingo halls. A newly opened casino may have to drop its popular poker-blackjack operation, and everyone wants to talk about spearfishing.

A winter walk in downtown Lac du Flambeau is a tour of closed businesses. "Good P.R.," as in "Boy we could sure use some . . ." is on the lips of tribal administrators.



State Journal photo/CAROLYN PFLASTERER

Lac du Flambeau Tribal President Michael Allen: "Just because you are quiet does not mean you are weak."

Also, a group of reservation Chippewa and spearfishing supporters called Wa-Swa-Gon keeps a constant yipping at Allen's administrative heels, calling him an overpaid (he makes \$35,000 annually) weak leader. Being an Indian and a spokesman for his band, Allen is also in the sights of treaty rights opponents.

No wonder he says, in an interview conducted during that recent busy Thursday, that he no longer spearfishes because, since the relatively tiny number of speared fish has resulted in a large controversy, "it just isn't fun anymore."

Mike Allen, one of a family of five boys and five girls, is a lifelong resident of the reservation. He dropped out of Lakeland High School as a junior. He joined the U.S. Navy, where, he says, he was "demoted three times for fighting," but was honorably discharged in 1967.

He is, like his father before him, a very good baseball player, playing in his youth for Stevens Point and Wausau semi-pro teams. He was a sectional champion heavyweight boxer in the Golden Gloves tournament in 1976.

Allen and his second wife have two daughters and a son. He also has two sons and a daughter from his first marriage. His oldest is a son, 20. His youngest is a daughter, 7.

Allen is a muscular non-smoker who appears to be physically fit. His eyes disappear when he smiles.

He seems shy, but that may be simple wariness, especially around strangers, and around reporters. (After this interview, for example, in a followup interview, he asks that he "not be quoted on anything.")

He is as simple in his dress as he is sparing in his speech. He usually wears tight blue jeans, light-brown pull-on boots and a plain button-down shirt, with the top two buttons open. His preferred winter coat is a thin black leather jacket, which he usually drapes over his chair in the corner office at tribal headquarters.

He is still active in sports, especially running and, these days, softball. There are those who say Allen can still throw a punch, but the talkers generally do not want to be identified.

Fellow Chippewa Tom Maulson does not shrink from the spotlight, however. It is Maulson and some members in Wa-Swa-Gon who are openly critical of Allen's administrative abilities.

"He is a weak leader, he has no business background," says Maulson, a businessman himself who daily chairs a group of coffee-drinking kibitzers at his cafe, Tracy's, just down Highway 47 from tribal headquarters.

Allen responds, "Just because you are quiet does not mean you are weak."

Allen's only remarkable non-tribal job was from 1971 to 1973, with the Department of Natural Resources in Woodruff, in fish management, overseeing the spawning of muskie and walleye at a state fish hatchery. Otherwise, he worked as manual laborer and in miscellaneous jobs off and on the reservation.

Since then he has quietly taken over the leadership of this band of Chippewa, working his way up as a tribal project worker to a start as a supervisor in 1975, coordinating a reservation sidewalk construction project.

Then he put his DNR experience to use as assistant manager of the band's fish hatchery, and from there to the power-brokering position as manager of the Realty-Natural Resources Program of the tribe. That position handled all leases, allotments, land purchases, easements and valuable timber-cutting permits. He held it for eight years, until 1988.

By then he had already been tribal president (everyone calls the office "chairman") since 1984, and an elected council member before that.

Allen's worst defeat at the Lac du Flambeau polls came last Oct. 25, when a treaty-rights settlement he — and the elected council — had personally approved was rejected.

The defeat still burns, he says.

Which is why, on this February day, the notice of the

'Handout' myth plagues tribe

Continued from Page 21

150 Indian families have applied for housing but are on a waiting list because no homes are available for rent or purchase.

Low-income housing is available for non-Indian families in communities like Minocqua and Woodruff, according to Roecker, director of Vilas County social services. But, she added, there are waiting lists and more such housing is necessary.

Medical: Indians on the Lac du Flambeau reservation receive health care at the Chippewa Health Center, which has been operating since 1974. Since then, the small clinic has been expanded and now has a staff of about 55, according to Glenn Safford, director.

Before 1974, Safford said, Indians had to go off the reservation for medical care.

The center provides out-patient services, a pharmacy, laboratory, dental care and other programs ranging from nutritional care to counseling for drug and alcohol abuse.

If a tribal member needs surgery of hospitalization, he or she has to go to a



Jerry Maulson

hospital in a neighboring community. The center's budget includes about \$350,000 to pay for contracts with the hospitals to provide such care, Safford said.

Because the budget for contract care is limited, Safford added, a waiting list is necessary for those individuals without needs that require immediate attention. If, for example, a tribal member needs something like non-traumatic orthopedic care or cosmetic surgery, his or her name goes on a waiting list. If enough money is available at the end of the year, then care can be provided.

Safford said the center is financed primarily through the federal Indian Health Service. This year, he said, the IHS will provide about \$1,532,540 for health-related services on the Lac du Flambeau reservation.

How do Indians pay for their health care? Safford said that if Indian patients have Medicaid, Medicare, or health insurance through an employer, those programs are billed for the center's services. Otherwise, service is provided at no cost to the individual.

Is that free medical care? Indians argue it isn't. Medical care, they say, is something that was guaranteed years ago by the U.S. government in exchange for Indian lands.

"Health care," said Jerry Maulson, Lac du Flambeau health board chairman, "is part of the compensation for the land we gave up years ago. Many of the treaties did talk about health care."

Indeed, in the March 28, 1836, treaty between the United States and the Ottawa and Chippewa nations, a clause in Article Four promises "the services of physicians, to be continued while the Indians remain on reservations."

Roecker said because of the large number of employers who do not offer health insurance, many non-Indians in northern Wisconsin qualify for Medicaid (medical assistance for low-income families) or Medicare (assistance for the elderly and disabled).

For the very poor who cannot pay for medical care and do not qualify for Medicare, Roecker said there are two programs available for non-Indians. These include WisconCare, a state program, and the Hill-Burton Program, a federal plan under which hospitals are allowed to offer free medical care to indigents instead of repaying government building loans.

Allen says he's now grayer, but wiser

Continued from Page 22

"upcoming" vote remains on the large message signboard outside the tribal offices.

"I keep that up there on purpose," he says. "Sometimes people forget about that. So if somebody comes up and asks 'Can I borrow a dollar?' the sign can remind them of what they could have had if they had voted for the settlement."

The settlement — estimated at a cost to the state of up to \$35 million — brought a round of criticism from Maulson and others that Allen favored a sellout of the tribe's heritage. Allen says he thought it was a good deal for Indians and non-Indians alike.

Despite the criticism, Allen does have a history of defending treaty rights, though with compromise and without the bluster of some spearfishing supporters.

He is aware that, from a public relations perspective, Indians may be spearing themselves in the foot if they appear greedy or too militant about their treaty rights.

"I think there is a way we can spear and get along" with non-Indian residents in northern Wisconsin, he said last April.

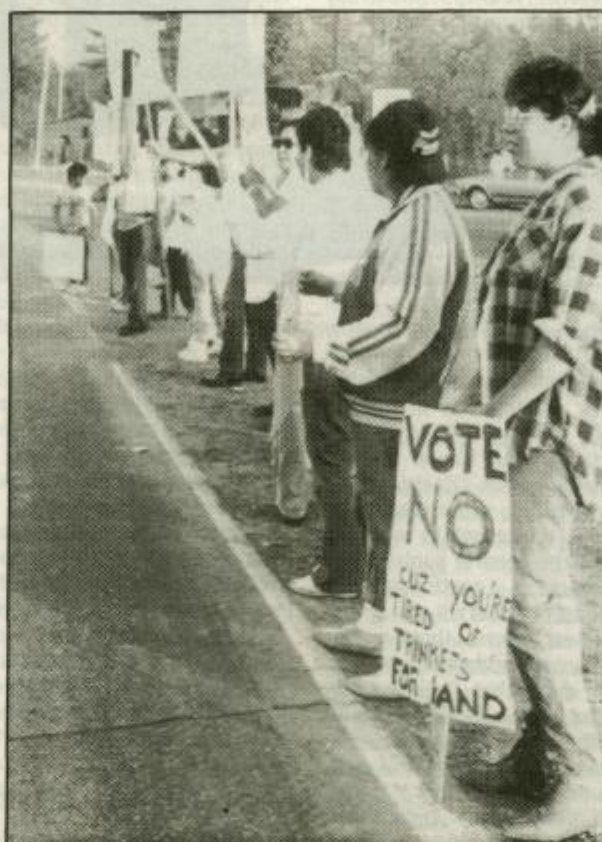
Last May, in the heart of spearfishing season, Allen angrily denounced spearfishing protesters: "My people are suffering. We are under an incredible physical and verbal attack."

When off-reservation spearfishing resumed in 1984, Allen was there, he says.

"I lost interest. Before, it was so simple. When I was young I used to violate game laws a lot. That's no fun anymore, and spearfishing isn't fun anymore. It's more headaches than anything else," he says.

He still preaches compromise, most recently backing a plan to reduce the number of fish speared this year. (Last year, Chippewa spearers took 16,053 walleye and 118 muskie. Non-Indians caught an estimated 839,000 walleye and 39,500 muskie.) The number of fish seems to have taken less prominence than the issue of off-reservation spearfishing itself. A person's year or nay on the topic is like an identity card, good only in certain bars located north of Wausau.

Allen, saying because of his position he must be neutral, still refuses to get into an insult-trading match with either



Associated Press

A dark moment for Tribal President Michael Allen: members protest, and defeat, settlement he negotiated with state.

Maulson, of Wa-Swa-Gon, or Dean Crist, who heads a Minocqua-based anti-treaty rights group called Stop Treaty Abuse/Wisconsin.

Allen on Maulson: "Sometimes he is difficult to understand, but he believes what he believes. We will talk on the issues. I don't believe he is being dishonest. We still get along on a day-to-day basis."

Allen on Crist: "He is in this for the publicity. I just ignore him. He is not in my way and I am confused by people who think (Crist) is the spokesman for all non-Indians."

Allen hopes that non-Indians realize that Northern Wisconsin Indian issues do not all begin and end with Chippewa stalking walleye pike with a metal-tipped pole.

"It's not just spearfishing," he says.

"It's economic development, it's the health and welfare of the people. We still have to live our lives up here. We still have to keep that money flowing in. We still have to educate our children."

"I got a few gray hairs from (spearfishing), but you learn from this, too," he says.

In tribal government for 10 years, he has heard the criticism. This is a small town.

"This town is all blood-related. There is nothing, nothing that goes on that people miss here," he says.

As for the Lac du Flambeau's current financial problems, Allen says "it's not a new problem, but everyone needs someone to point a finger at."

"I'm the one responsible, and I'm doing my best to change it."

It was the first week of January and Mike Allen could not be found. Calls to the tribal office were not returned. Questioners were told "he's not in," or "he's on vacation."

Not only on the reservation, but in Minocqua and Woodruff the rumor was Allen was gone for good, that the pressure of the office had driven him away.

"We think he's taken a powder," confided a gleeful anti-treaty supporter.

That was Jan. 5.

"That's the kind of rumors that you get," he says, sitting on his desk Feb. 1.

"They all probably were just hoping I wouldn't come back. The truth is we had been promising to take the kids to Disney World. So we saved up our money and we went," he says.

Rumors are still swirling that he will not seek another term next fall as tribal chairman, that he will give up the job.

Asked if this term is his last, Allen says, "No, I'll keep people jumping for a little while more."

It all depends, the ex-fighter says, cracking a smile, on the timing.

Cultures clash in North

By Ron Seely

Wisconsin State Journal

MINOCQUA — Gus Nolan, the first permanent white settler here, arrived in May 1886 and the first people he met were Chippewa Indians living in a village called Nin-Oco-Qua.

Today, 104 years later, the people of Minocqua, which took its name from that Chippewa village, still haven't quite figured out how they feel about Indians.

Nor have many people in the rest of Wisconsin or, for that matter, the rest of America.

For years, Indians in Wisconsin were more or less invisible. But in the last five years, with federal court decisions backing them, the Chippewa have started hunting and fishing off their reservations. And two divergent cultures have come face to face in a way that hasn't happened since the first white people came into the area.

This cultural clash, some people believe, is one of the most important and least understood reasons for the strife that has so divided the North Woods.

"It really becomes a clash of cultures, not of race" says Chomingwen Pond, a white Methodist minister in Minocqua.

Some say this cultural clash has been heightened by the arrival, in recent years, of many whites not native to the area. People from Chicago and Milwaukee who have relocated or retired in the North Woods and who have brought with them cultural backgrounds strikingly at odds with Chippewa culture.

The Rev. Jeff Wartgow, pastor of Eagle River's Congregational Church, agrees that cultural differences are at the root of the clash. Indifference, he says, has worsened the gulf between Indians and whites.

"Prior to spearing," Wartgow says, "there was a general apathy on the part of people to even consider that there were Indian people up here. As a young boy, the only contact I had with Indians was a trip to Lac du Flambeau to see a powwow. That was one of the few things people did. Mostly, the relationship was predominately one of disinterest."

But, Wartgow says, if the issue of treaty rights has brought these unsettling sentiments into the light, it has done something else also. He believes that for the first time, whites and Indians in the North Woods are being forced to examine their attitudes toward each other, to redefine what too often has been a relationship built on myth and stereotype.

That, he says, is a good thing in the midst of a controversy that seems, at times, all bad.

Understanding history

To understand the relationships between these two cultures, one must understand its history.

When Nolan first came in 1886, he found an Indian village on the future site of Minocqua. But by the turn of the century, the Chippewa were living mostly on their reservations.

Stereotypes were already evident.

Consider this from the April 6, 1892, edition of the Minocqua Times:

"About 20 Indians voted yesterday. When dog and carrion-eaters are recog-



State Journal photo/JOSEPH W. JACKSON III

Face to face after years of indifference, two cultures conflict at a Madison rally in April 1989.

nized as the equals of the average white man, who cares whether he is disfranchised or not?"

Racist? Certainly. But Daniel D. Scrobell, from whose 1988 book "Early Times," this example was taken, wrote that his research showed this paragraph to be less an indication of how the general public felt at the time than typical of a particularly racist editor named H.C. Morrill.

Scrobell went on to write that his readings of the Minocqua newspaper between 1891 and 1930 show that "relations between the Indians of Lac du Flambeau and the whites in the area were quite good."

"Indians traded in Minocqua and either participated in or attended most Minocqua celebrations. Likewise, the Indian powwows, pageants, and fairs held in Lac du Flambeau during that period were widely attended by residents from Minocqua."

But a reading of Scrobell's compilation of newspaper clippings leaves one wondering how accurate a picture whites could have developed of the Indian. Most face-to-face meetings, it seems, involved whites watching Indians dancing.

This September 1915 article described one such encounter: "A large crowd of people from Minocqua, Woodruff and Rhineland attended the Indian war dance at Flambeau last Sunday. The dance was held in the regular Indian dance hall. Many of

the braves were decorated with bright feathers and garments, their faces being painted as in the days of old."

Today, how far have whites moved away from the stereotype of Indians in feathers and loin cloths?

Not very far, according to Chris Moore, a Lac du Flambeau tribal member who coordinates Chippewa cultural education at the reservation grade school.

"Just the other day," she says, "a white person I was talking to asked me, 'Do people still ride horses out there? Do they live in teepees?' And this person was so sincere . . . I couldn't believe it."

Challenging racism

Don Gauger is chairman of the town of Minocqua.

He won't be found at the boat landings wearing blaze orange and waving anti-treaty signs. Nor does he attend treaty support meetings.

But he can be found in his office reading about treaty rights and spearfishing, or on the reservation talking to people.

One of the first things Gauger did after his election to office last April was to go to the reservation and visit with Michael Allen, the Lac du Flambeau tribal president.

So Gauger is making a sincere effort to understand.

And one thing he says he has learned is that Indians have just as many misconceptions about whites as whites have about Indians.

Gauger worries, for example, about the tendency of some Indians to label all whites as racists.

"I don't call everybody out there on the reservation racist," says Gauger, "because I know they aren't. All you have to do is stop and talk to people to find that out."

"They have to understand that because you're white, you're not bad and because you have a difference of opinion, you're not

Please turn to Page 25

'Prior to spearing, there was a general apathy on the part of people to even consider that there were Indian people up here.'

Rev. Jeff Wartgow

Friendships can lead to understanding

Continued from Page 24

racist. . . . I think that calling people racist is a defensive mechanism."

Rich Vought is the assistant principal at the Lac du Flambeau Grade School. Vought, a white man who has worked on other reservations around the country, is sympathetic to the Indians. But he worries that Indian parents could be passing on what are sometimes ill-founded fears, and racism, to their children.

"Last year," Vought says, "there was a teacher from out here who took her class into Minocqua on a trip and they stopped at Hardee's for lunch. One little Indian boy wouldn't get out of the car. He said he was afraid because there were white people."

"Kids aren't naturally prejudiced. They pick it up from their parents. What about that little boy? That was fear. But it's not his fault; it was something he learned from his parents. Will that fear grow into hate?"

Cultural differences

Like many whites, if not most in northern Wisconsin, Chomingwen Pond, the Methodist minister, finds herself in an uncomfortable position on the issue of treaty rights — smack in the middle.

But she occupies that position more comfortably than some.

Pond's father, Alonzo Pond, was a respected anthropologist who brought his family to the area in the 1930s. Pond — a white woman whose first name is Ojibway for "The girl who smiles" — has gone on to a distinguished career in the clergy. She became the first woman in Wisconsin to be granted full clergy rights in the Methodist Church.

Pond is no stranger to minority cultures or racism. Her family was active in the south in the civil rights movement and she spent the summer of 1957 with her parents in Montgomery, Ala. She heard Martin Luther King Jr. speak there. She spent seven years in Milwaukee working with impoverished blacks in the inner city, and she has served as the pastor for churches on two Wisconsin Indian reservations, at Lac du Flambeau and at Bad River.

From these experiences, Pond has learned this about racism: "If you scratch a racist you'll find somebody who feels very threatened." Their sense of self can be threatened, Pond says, or their livelihood, or their sense of power.

All of these things are at play in northern Wisconsin, Pond says. But she believes the most fundamental cause of recent conflicts has been ignorance of cultural differences.

'They have to understand that because you're white, you're not bad and because you have a difference of opinion, you're not racist.'

Don Gauger,
Minocqua town chairman



A summertime mecca for tourists, downtown Minocqua takes on a more relaxed pace in winter.

State Journal photo/CAROLYN PFLASTERER

"I remember," Pond says, "talking to a woman who said the Indians just don't save their money. Well, I knew that that is characteristic of nomadic or hunter-gatherer cultures. And, after spending seven years in the inner city of Milwaukee, I also understood that that is characteristic, too, of the poor."

Whites, Pond says, also have difficulty dealing with the shy nature of the Chippewa people. The Chippewas' reticence is often wrongly interpreted as unfriendliness or anger or even lack of intelligence.

In reality, it might simply be the way many Chippewa people act in the presence of some whites.

She remembers a recent time when the Lac du Flambeau leader, Allen, a very soft-spoken man, was invited to speak before a meeting of the Ecumenical Council. Allen brought James Jannetta, the tribe's white attorney, with him. To the council members' dismay, Pond recalls, most of their questions were answered by Jannetta, even those questions directed specifically at Allen.

Such incidents, even though explanations for them might be found in cultural differences, often leave whites with mistaken impressions, Pond says. And she points out that, if it is true that Chippewa are less likely to speak out in their relationships with whites, then it is also true that they run the risk of missing opportunities to correct misconceptions.

This is frustrating, Pond says, for whites who long for a better understanding.

"Blacks will hide behind a torrent of words," Pond says. "But if you listen, you'll learn something. Most Chippewa people I have known have been silent."

Time shift

On the reservation, life is lived according to "Indian time." That may sound stereotypical, but even the Indians say this is so.

Indians and whites have different attitudes toward time. This is another difference that often gives rise to misunder-

standings.

In a 1983 report prepared for people who work with Indian alcoholics, Mervil Soulier, an alcoholism counselor from Lac Court Oreilles, had this to say about this particular cultural difference.

"In the white culture, time is of the essence. From infancy on, whites schedule their life around time — time to get up, time to eat, time to play, time for an appointment, and so on throughout the day until it is time for bed."

"Most Indian tribes do not even have a word for time. The Indian lives and deals with natural time — morning, days, months and seasons. For an Indian to stop and share a few minutes with friends is more important than a 2 p.m. appointment with a counselor. So when he arrives an hour or two late, it is no big catastrophe as far as he is concerned."

Friendship as a bridge

Some whites in northern Wisconsin have discovered that the best bridge between cultures and the best path to greater understanding is through Chippewa friends.

Phyllis Hapkie is the head librarian at the Minocqua Public Library. A few years ago, she helped train Mary Mann, a Lac du Flambeau tribal member. In the process, the two became friends.

They still enjoy regular lunches together, says Hapkie. It's a friendship she values. She hopes the spearfishing controversy does not come between them.

"We have a very good relationship and, I believe, a friendship. But this treaty stuff puts a strain on these friendships. We go out and have lunch and you feel like people are looking at you out of the corner of their eye. It's unfortunate."

Mann, who now runs the reservation library, says friendships between Indians and whites are important. They are a good way, she says, to overcome misconceptions in both communities.

Split world

The Indians have their own way of de-

scribing cultural conflicts. They call it "walking in the split world."

The phrase describes the frustration and often the pain for them of living simultaneously in two worlds — the Indian world and the white world — and trying to meld two cultures that are often at odds.

Over coffee at his kitchen table one morning, Lac du Flambeau's Ron Williams remembers learning about the split world early in life.

"When we were kids," Williams says, "we played cowboys and Indians, just like any other kids. But do you know how hard it was on this reservation to get somebody to be the Indian? We all knew the Indians always died! You'd turn on the TV and John Wayne would be kicking ass. Fifteen minutes and all the Indians were dead. The cowboys, they'd never lose their hats!"

As an Indian child grows older and contact with the white world increases, so does the pain of living in both worlds. The Rev. John Stremski, the priest at St. Anthony's Catholic Church at Lac du Flambeau, says he sees the pain all the time.

"A lot of the men out here have long hair," says Stremski. "And when they go into Minocqua-Woodruff, they lift up their coat or jacket and they put their braid into their coat. Now if that braid means something to you, why should you have to hide it? Is their wearing a ponytail a cultural thing? Sure it is. Yet when you go into town you cover it up because that's flaunting your Indianism."

For many Indians, the most treacherous cultural tightrope to walk is that strung between their traditional religion and the white church.

Many Chippewa on the reservation today are Catholic because their great-grandparents were converted when missionaries came into the country in the early 19th century. But today, they're feeling the tug of the old ways, especially of Chippewa religion.

Stremski tells how some Chippewa members of his parish have asked about incorporating drums into some services. But

Please turn to Page 26

Students crossing cultural barriers

Continued from Page 25

that hasn't happened yet. Stremski says he doesn't object, but some parishioners do.

"I know some of our white people would be quite upset by that," says Stremski. "And I know some of our Indians who left Indianism would be upset, too."

What's happening is that some Indians are leaving the white churches altogether.

"I was brought up in the Catholic Church," says Rita Stejskal, a Chippewa who works for the tribal government counseling reservation youth. "But that's changing for me. I'm torn between that way and the Indian way. I used to go to church every Sunday but after a while I didn't feel like I had to go anymore. I think what's happened is that I've found a better way to communicate between myself and my Creator. At home, I will go outside and burn my tobacco and I'll pray by myself and I feel a closer relationship with my Creator."

Imported attitudes

Sometimes cultures conflict over barriers at boat landings. Sometimes they conflict over dinner. Gary Kmiecik, a Sioux Indian who teaches at Lakeland High School in Minocqua, tells this story: He and his wife, a tribal member at Lac du Flambeau, were dining one evening at an area supper club. At the table next to them sat two elderly couples; Kmiecik could tell from their conversation that they were retired and from Chicago.

One of the men, Kmiecik says, told a joke about three races of people with a punchline that derided blacks. The couples laughed and then one of the men, according to Kmiecik, said: "You know you couldn't get away with telling that joke in Milwaukee or Chicago. It's a good thing we're up here where nobody will object to it."

Kmiecik says he would have simply ignored the whole thing if it hadn't been for the last comment.

"I put my fork down," Kmiecik recalls, "and I got up and I walked over to the table and I said 'I object to your joke.' And then I walked into the bar and asked for something to drink because my heart was beating so fast."

The experience, Kmiecik says, lends credence to his theory that at least some of the racist attitudes that do exist in the area

are brought in by people who relocate from Chicago or Milwaukee.

"These people bring their prejudices toward blacks up here and they simply apply them to another race of people," Kmiecik says.

Pond, the Methodist minister, makes a similar observation.

"The treaty controversy," she says, "has been a real strain on the people whose relationship with the area goes back more than 30 years. It's those people who are inclined to be saddened by all of this: they're the ones who are more likely to have Indian friends."

"Those who have come in the last 20 years are more likely to be the angry ones. And they're not as likely to have had contact with individuals out at Flambeau."

Social studies

In the halls of Minocqua's Lakeland High School, Chippewa and white students face each other every day.

And they all live through it.

Of the 650 students at the school, about 10 percent are Chippewa students who come from the grade school on the Lac du Flambeau reservation, where the majority of students are Chippewa.

Kmiecik, the school's only Indian teacher, is in charge of the school's alternative education program. The program is for students, Indians and whites, who are likely to drop out of school unless they receive special attention.

From his spot at the front of the room, Kmiecik has watched and learned this about the interplay between these children of two cultures:

"It's rough for the Indian kids," says Kmiecik. "They're coming from an area, a town, where they are a majority. And they're being thrust into a town where they are suddenly a minority."

"But, then, all of these kids, whether they are Indian or white, bring all of these things with them. They've already made up their minds what is good and what is bad, what is right and what is wrong. The Indian kids are coming here with just as many prejudices as the white kids."

"And then they all hang out together in their separate groups. Nobody makes any attempt to reach out. There's too much risk involved to open up and say 'Hey, who are you?' It's too easy to say 'Hey, you're a white kid,' or 'You're with PARR.'"

"I'd say, more than anything else, that instead of racism, there's ignorance."

But sometimes, Kmiecik says, something happens that gives him hope.

"I had a kid at the beginning of the year," Kmiecik says, "a young white man who wouldn't even sit near an Indian. If I put him on a team with an Indian, he'd just stand there with his arms crossed and refuse to play."

It was obvious, Kmiecik says, the student knew very little about Indians. But as time passed, and the youth spent more and more time with the Chippewa students in his class, his attitude started to change. For the first time in his life, he started cutting through the stereotypes.

"Today," Kmiecik says, "he's no longer seeing color as much. He's seeing people as human beings."

The students have 'already made up their minds what is good and what is bad, what is right and what is wrong. The Indian kids are coming here with just as many prejudices as the white kids.'

**Gary Kmiecik,
high school teacher**



State Journal photo: JOSEPH W. JACKSON II

Gathering at Capitol last April, anti-treaty rights groups protest Chippewa spearing.



State Journal photo: CAROLYN PFLASTERER

White culture: fur head gear is popular at January's Eagle River snowmobile derby.

Chippewa seek to regain culture

'Englishman! you wish to know who I am. You have never sought me or you should have found me.'

— Keesh-ke-mun, a Lac du Flambeau chief, speaking to a British general in 1812.

By Ron Seely

Wisconsin State Journal

Wednesday, Jan. 3

The Lac du Flambeau reservation spreads under the overcast January sky, 12 miles and a world away from Minocqua-Woodruff.

First impressions upon arriving for a month's sojourn on the reservation:

Downtown Lac du Flambeau: a wide and empty street, closed and shuttered shops. The A&M Cafe, built of peeled logs, a closed sign in the window. The Dream Catcher Shop, a closed sign in the window. A restaurant and gift shop, closed and boarded up.

Beyond, the lakes and gray, shaggy shoreline. A soft stillness. Dogs in doorways. Cars and trucks that make no sound as they pass on the snowpacked streets; faces staring from the windows, curious, impassive.



State Journal photo/CAROLYN PFLASTERER

Ted Burgess Jr. waits for school bus while his father tends shop selling dream catchers. Legend has it the weavings, when hung above a child's bed, allow only good dreams.

Thursday, Jan. 4

A quick, precise lesson in perspective this morning while sitting in the bright sunlight of Scott Smith's print shop on Lac du Flambeau's main street.

Nick Hockings, a traditional Chippewa who sits in the sweat lodges, attends the ceremonies. An "Oshkaabewis," an aide or assistant in the Midewiwin, the important religious fraternity known also as the Grand Medicine Society. An artist. A teacher. A recovering alcoholic. A member of the spearfishing society called Wa-Swa-Gon. A serious and gentle man with long black hair, streaked with gray, which he wears in a ponytail down his back.

"People here have always known they were Indians these many, many years," Hockings says. "But traditions ceased to be taught. Government policy did a lot to negate the feeling of being an Indian."

"Then people fell away from traditional Indian ways?"

"They haven't fallen away! Don't use that word. It's wrong! The traditional ways were taken away."

As the light of day deepens and fades, a small group of people gathers for a language class in a back room of the Indian Bowl, a long ramshackle building behind which the Chippewa stage their dances for tourists in the summer.

Three times a week they come to this room with its cracked, concrete floor and plain white walls to sit at tables pulled together in a circle and learn the traditional tribal language, Ojibway.

Their teacher is a Chippewa, Stan Nelson, a Mide or medicine man in the Midewiwin and a teacher. He is from the Roseau River reservation in Manitoba, Canada, just south of Winnipeg, and has lived in Lac du Flambeau for a year, working for the tribe, teaching the language and the traditional ways. He is a big, quiet man in his mid 60s, nearing the end of his stay. People speak about him with respect and affection. He wears a wool sweater and

corduroy Green Bay Packers cap and, during ceremonies at which burning tobacco is passed, Nelson uses the cap to scoop up the sacred smoke and pour it over his head.

Relearning the language is a slow, tedious job. It's done word by word by word; Nelson reads words in English from lists he has compiled. Then he asks the class for the Ojibway translation. Responses are slow, pronunciations halting. But the words come out with Nelson's gentle coaxing. No textbooks are used because none exist. No tapes or fancy techniques. Just the lists and Nelson and the people trying to learn.

Some estimate that only 1 percent of the 1,600 Chippewa on the reservation know how to speak Ojibway. The language rests almost entirely with a very few elders on the reservation, Nelson says. He's been working with them, too, encouraging them to use their native tongue and to teach others. The Chippewa history, like that of most Indian tribes, is largely oral and there are certain stories and ceremonies that cannot be passed on properly without the language.

"We figure we have maybe 20 years at the most," says Goldie Larson, a student who, at 40 returned to the reservation and to traditional Chippewa religion after several years away. "Then, all the elders will be gone. It's important for people to see this. . . . Once a culture loses its language, it loses its identity."

The Roundhouse is just that — a round house made of logs stacked round and round on a pine-covered hill near the Bear River. Inside is one big room with a dirt floor and four posts reaching to the ceiling's peak. The drum is placed in the middle under the peak.

Wooden benches around the walls. Coffee cans for tobacco chewers and smokers. Nails driven into the logs to hang coats on. A woodburning barrel stove and a stack of split oak. The smell of woodsmoke, raw

earth, raw wood.

Every Thursday evening in winter, people come to the Roundhouse to share meals, to hear a traditional teaching, and to listen to the drums and dance on the hard dirt floor.

Tonight is special. Alice Peltier and her son, Kory LaBarge, 12, are to be given Chippewa names in a traditional naming ceremony.

People begin arriving in the early evening. They bring big pans of food, ham and chicken, beans and corn mixed with hominy, boiled potatoes, cake and cookies. The pans are placed on top of the barrel stove to warm.

Nelson is to perform the ceremony. Several days earlier, Peltier had brought him a gift of tobacco, as is the tradition, and asked him for names for her and her son. The tobacco is important. The Chippewa believe tobacco is a gift from Gitchie Manito, the Great Spirit, and one of the most sacred objects; its smoke, they believe, carries their prayers. Giving tobacco also is customary when making a request of someone.

After receiving the tobacco, Nelson took it into the forest. He burned it, let its smoke rise and waited. Soon a west wind arose. And the names, the Chippewa names, came to him.

Now, in the Roundhouse, he carefully spreads blankets on the floor and lays out his pipe and tobacco as people arrive. Peltier comes and changes out of boots into a pair of soft, beaded moccasins. Kory is there, wearing jeans and a sweater and a pair of high-topped tennis shoes, the footwear of choice among kids on the reservation.

Peltier and her son take places on either side of Nelson along with friends and family chosen as sponsors. Michael Peltier, Alice's husband, carries a container of burning tobacco around the room, allowing each guest to wash smoke over their faces with their hands.

Nelson explains why Indian names, dream names he calls them, are important. About 50 people are there. All listen carefully.

"An Indian name is important," Nelson says, "because it identifies you as a traditional person. Your Indian name reminds you that you were given a life by the Creator and that to be worthy of that name and that life you have to look after yourself, you have to avoid alcohol and drugs and even overeating. You have to take care of yourself."

"Even after your time on the earth, that name is of great value. After your time on earth, you wander for four days before finally coming to the river. On the other side of the river is a spirit. The spirit asks, 'Who are you?' You say your Indian name. And the spirit says, 'We have been waiting for you. Don't look back and come across.' And that's how your Indian name is so valuable even after you leave the earth."

Nelson announces the names. Peltier will be Ni-ga-bi-a-nok-quay, West Wind Woman. Kory will be Ni-ga-nash, Head Wind. "You wouldn't believe," his mother, looking exasperated, says later, "how well that name fits him."

Tuesday, Jan. 16

The women of the Nakomis Club (Nakomis means "grandmother" in Ojibway) have gathered for their weekly meeting. They come together to visit, to do beadwork and finger weaving, and to share a meal.

Cecelia Defoe, like most women on the reservation, has led a hard life. But her face reflects more gentleness and understanding than bitterness. She speaks softly about life in the boarding schools.

"I remember one time," Defoe says, "it was in a little, dark hallway. And some of the girls from the Potawatomi tribe were hiding in there. And they were singing very softly. They were singing Indian songs. I was on my way to the bathroom and I heard them singing and it sounded so nice. So I knelt there against the wall in the dark and listened."

"Pretty soon the door flew open. And there was the matron. We were all spanked that time. But sometimes we had to march if they caught us speaking the language. And it wasn't just walking either; you had to march like in the military. The worst though was when they'd make (you) kneel on the floor and hold your arms above your head. Oh, I remember how hard that used to be."

Defoe tells another story, a story that she says might help explain something about why the Chippewa are fighting so hard for their off-reservation treaty rights.

One winter morning, Defoe remembers, when she was a girl about 12, her father Bill Catfish and two friends left early to go deer hunting. The hunting trip was important because the winter had been harsh and food was low.

After several hours, the men spotted a deer. The only problem was that it was off the reservation, just across the creek that forms the eastern boundary. Her father, knowing the family needed food, shot the deer anyway. The men gutted it and took it home.

Later in the day, Defoe says, wardens

Please turn to Page 28

Chippewa search

Continued from Page 27

came and arrested her father for violating state game laws by hunting off the reservation without a license. He spent six months in jail in Wausau.

"I was so mad!" Defoe remembers. "I was so mad I wrote the judge a letter. I told him, I said, 'Don't you know that that deer meant whether we would have enough food or not?'"

The family survived the winter with the help of relatives and neighbors who provided food. But Defoe remains bitter about her father being taken away for six months, especially when a clause in a treaty — a clause not recognized until all these years later — made what he had done legal.

Wednesday, Jan. 17

Jerry LaBarge is 42, a Chippewa Indian, an ex-convict, and a recovering alcoholic. He's gone eight years without a drink.

LaBarge, a tribal alcoholism counselor, believes the lives of 95 percent of the Chippewa on the reservation are touched by alcoholism. They are alcoholics or their lives are affected by someone who is alcoholic. At Lac du Flambeau, according to statistics from the tribal health center, five of the top 10 causes of death are related to alcohol.

LaBarge knows all the statistics because he lived them.

"I should have been dead a hundred times," says LaBarge, a short, solid man with a wide, friendly face and the long, black hair of the traditional Chippewa.

How does the alcoholic life start? LaBarge, who believes his life was saved by a return to Chippewa tradition, says it starts with a corruption of what people believe to be the Indian way.

"I started drinking young. My parents were divorced and they moved to Chicago. My father was in and out of prison. I had to grow up fast. I didn't have no home life, no home base. I felt adrift. I felt like nobody cared.

"We drank in the woods. Wine. Beer. Whatever we could get hold of. Generally we'd steal it. Or we'd get some older drunk, pool our money, and have him buy stuff at Club 47 or The Flame. We could get half-gallons of wine for \$2.25. That could get maybe six or eight of us good and drunk. That's the way it was supposed to be if you were an Indian. You had to be tough. And drunk."



Lac du Flambeau fourth-grader David Snow works with teacher Karen Carlson.



A Chippewa student carries textbook and tra



Promoting Indian culture: Elizabeth Vetterneck, right, fingerweaves bag as Rose Mary Rondeau watches.



Above: Nick Hockings fishes, jigging decoy in hole, with spear.

ch for identity



traditional breast-plate.



Culture coordinator Chris Moore uses puppets to teach traditional ways to students.



, right, in easy reach. Right: Hockings with Eagle River students.



LaBarge ended up in reformatory school, another thing he remembers being proud of at the time. He got out, came back to the reservation.

For years, his life was a blur of prison, drifting through cities, jobs, relationships. Always drinking. Eight years ago on the morning of March 15, he woke up, looked in the mirror and didn't recognize himself. And he remembered the Indian teachings he'd heard as a boy; that, when you drink, your Indian spirit leaves your body because it is afraid.

"I woke up that morning and I knew I was dead," LaBarge says.

So he stopped drinking. And he returned to Indian customs and religion. "I realized I had to go back to my Indian way of thinking. I had to have faith in the Great Spirit, in Gitchie Manito, a faith in something greater than me."

Today, LaBarge believes, the truest and best hope for Indian alcoholics rests not with white alcoholism programs but with the Indian way.

Return an Indian's pride, LaBarge says, and the Indian has a reason not to drink.

The back room of the Indian Bowl is packed tonight for Stan Nelson's going-away party. He is going back to Manitoba where he will work with Indian inmates in the province's prisons. There is a pipe ceremony, a feast, and gifts for Nelson.

And at the end, Nelson gets up, and says this:

"Our traditional ways are with our elders. Remember that you young people. Remember that they have the information you may be seeking. Go to them with tobacco and ask them. Ask them for a name, if that is what you are seeking.

"And you elders, remember you are in a position to give them a name. To perform the ceremony. You don't have to do it perfectly. Do it the best you know how. The Creator will set it straight for you."

"You may think I taught you a lot here. But you taught me. When I first came here, I was a little bit scared because I'd never done this before, never taught the Anishanabe (Chippewa) language. But all of you here now, who have learned, you are in a position to teach the language. Some of you may need a little polishing, but you can do it.

"This program is something that is

Please turn to Page 30

Chippewa search for identity

Continued from Page 29

envied in other Indian communities. You're setting an example for other communities. You're thinking already of your children and of the children who are not here yet. "As I leave here, I ask a blessing not only on all of us here, but for our whole community, for the whole Indian nation."

Friday, Jan. 19

Deep in the woods, off Old Indian Village Road, a towering fire burns in the night. Its sparks spiral up through the straight trunks of the pines and into the black, starry sky.

A man stands alone by the fire, tending it, adding oak logs when the flame burns low. Buried deep in the fire are the 24 round stones that will be used tonight in the sweat lodge. The firekeeper points to them with his staff. They have been in the fire all afternoon and they glow red.

The sweat lodge is an old and sacred tradition among the Chippewa. It was brought to them, according to the teachings, by a little boy whose spirit was taken, during his first vision quest "through the door-way of the crescent moon and out into the star world." He traveled to the lodge of the Seven Grandfathers, who had been given the responsibility by the Creator to watch over the Earth's people.

From the Grandfathers, the little boy learned about the sweat lodge, a place where the Chippewa people could pray and cleanse their bodies and minds. When he returned to the Earth from the quest, the lit-burns lower and lower as the firekeeper and the praying goes on. Outside, the fire Long into the evening, the drum passes are doused again with water, steam rises, and the prayers continue.

Twice, the drumming is stopped, the door is opened to bring in more rocks, and a smoky, orange beam of light pierces the dark interior of the lodge. More rocks are brought inside, the door is shut. The rocks are doused again with water, steam rises, and the prayers continue.

All around is the forest of the Bear River Cerebral Grounds where, so the firekeeper says, ancestors of the modern Chippewa built their spirit lodges and sent their prayers into the night sky.

Wednesday, Jan. 24

The children are everywhere, dancing in the Roundhouse beside their parents, playing in the snow-covered yards of homes. Their shouts and laughter are heard, drifting on the brittle winter air, as they play on the sledging hill at the grade school.

Nearly half of the residents on the reservation are younger than 16. If the teachings of the distant tribal past rest with the reservation's elders, then the hope for carrying those teachings into the future resides with the children. Everybody seems acutely aware of that. At the grade school, where 95 percent of the students are Indian, teachers work to incorporate Chippewa teachings into the regular curriculum. The project is difficult, says Chris Moore, the school's culture coordinator. Even some Chippewa parents are reluctant to hear the language spoken again, to hear the old teachings.

the importance of the lodge. He plays the water drum and sings four songs, one to each of the four doorways through which the spirits enter the lodge. Water is poured on the rocks and red clouds of steam roll out of the pit. The drum is passed around the circle. Each person beats the drum four times and offers prayers aloud. Some give thanks for another day of life and for the Chippewa teachings that have guided them. Others seek help. Help raising a wayward child. Help resisting the temptation to drink or take drugs.



The traditional ice fishing teepee is just big enough to cover the upper half of Nick Hockings' body as he fishes on January day.

"Some people are uncomfortable," she says. "Their reluctance comes from a long time ago, from the boarding schools and other places where these things were taken away. A part of them wants to go back to these things. But they were taught fear." Still, Moore says, the need is there. "These kids," she says, "are searching for legends and the old skills are coming into So, slowly, the Ojibway language and the legends and the old skills are coming into the classrooms."

Today in a second-grade class taught by Charlotte Hockings (Nick's wife), the lesson is about sharing, one of the most valued traits among the Chippewa. It stems from the days when, unless people shared the food they gathered, somebody would starve. The teaching is done with puppets representing a Chippewa family. Each child comes to the front of the room and puts on a puppet and has the puppet tell about sharing. One child tells about sharing her Barbie dolls with her sister. Another tells about sharing her dog, Bear, with her sister. Through other teachings on other days, the children will learn about respect for elders and about respect for the animals they rely on for food and clothing. They'll learn the stories about how the Chippewa people first came to the North Country. Eventually, the hope is, they'll learn to be proud of being Chippewa.

"We're teaching the kids about a way of life," says Moore. "A good way of life."

Nick Hockings is doing something this morning for which he would have been arrested five years ago. Hockings is ice-fishing off the reservation on Shisabogama lake. The lake is ringed by vacation cottages and split down the middle by a snowmobile trail.

Hockings fishes the way the Chippewa have fished for centuries. He lies flat on his stomach on the ice with his head beneath a small teepee, big enough for one or maybe two people to squeeze the top halves of their bodies into. The teepee frame is shaped from wooden branches and covered with several layers of blankets.

In the middle of the teepee is a hole cut in the ice. It's black inside the teepee except for the hole, which glows a luminous blue-green and is as mesmerizing as a hypnotist's pendant.

off the lake, back toward the reservation. blends with the distant shoreline as he heads figure grows smaller and smaller and bite trail where the going will be easier. His Hockings reaches the packed snow-mo-was taken away years ago.

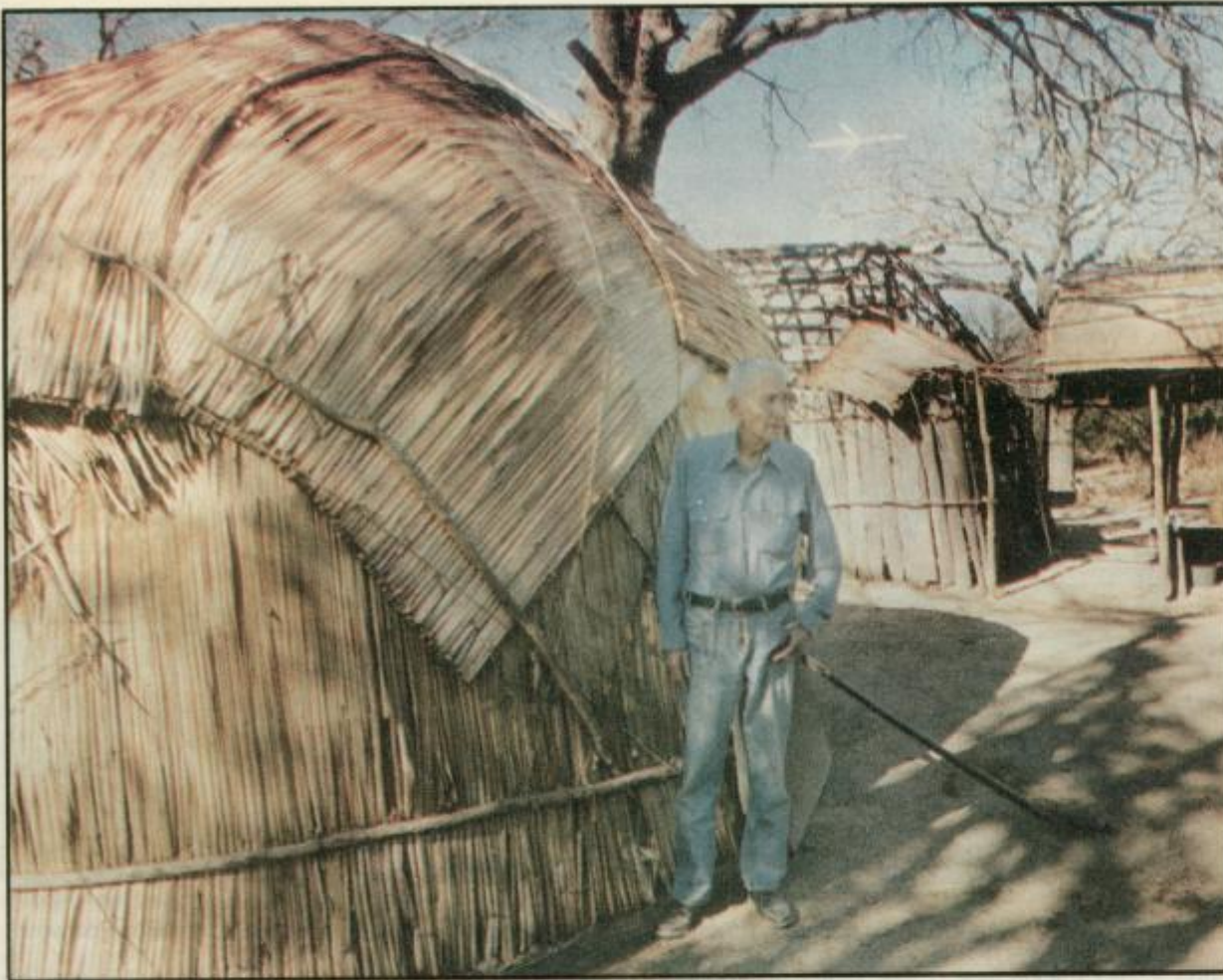
Here, his having reclaimed something that there, too, is the spoken feeling that Hockings knows the importance of his being up off the surface of the lake by the wind. the air, tangible as the snow and ice kicked off the reservation. But the fact has hung in ing has Hockings mentioned that the lake is Not once through the course of the morning has Hockings mentioned that the lake is in the distance.

Behind him, next to the snowmobile trail, is the cluster of three empty teepee frames, the wooden branches in stark outline against the snow. A snowmobile whines ward the snowmobile path he will follow off the lake.

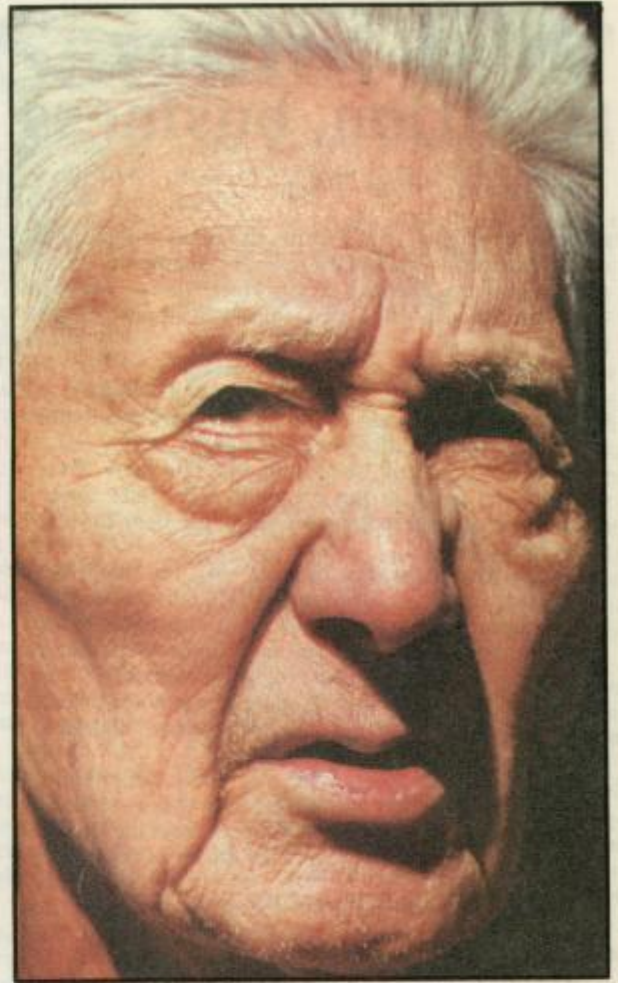
Hockings takes up the rope of the sled, heads at the waist against the load's weight and begins trudging through the snow toward the snowmobile path he will follow off the lake.

Hockings takes up the rope of the sled, heads at the waist against the load's weight and begins trudging through the snow toward the snowmobile path he will follow off the lake.

Hockings takes up the rope of the sled, heads at the waist against the load's weight and begins trudging through the snow toward the snowmobile path he will follow off the lake.



Oklahoma Kickapoo Indian Louis Cuppahe keeps cattail home, left, for winter ceremonies and summer bark home, right. Cuppahe's father was Sac and Fox, his mother Kickapoo.



State Journal photos/CAROLYN PFLASTERER
Bradley Sandoval, a 21-month-old Creek and Navajo Indian, joins warrior dance at January Sac and Fox Powwow.

Ex-Wisconsin tribes keep cultures alive

By Susan Lampert Smith
Wisconsin State Journal

SHAWNEE, Okla. — When U.S. Indian agents tried to force Louis Cuppahe to go to school, he got on a horse and "rode a long way" from Oklahoma to the Sonoran desert of Mexico, where he and other Kickapoo Indians stayed for what he remembers as 30 years.

The escape was part of a turn-of-the-century Kickapoo exodus, a symbol of that tribe's legendary resistance to white culture.

While other tribes have adapted more to the ways of white people, resistance has allowed Cuppahe and other Kickapoos to maintain their culture during the 170 years since white settlement pushed the tribe from its traditional home in the Great Lakes region.

Cuppahe, who believes he is more than 100 years old, is by heritage a child of the Great Lakes. His mother was a Kickapoo, his father, a member of the potato clan of the confederated Sacs and Foxes. When whites first arrived in Wisconsin, these tribes controlled large parts of the upper Midwest.

Today, all that remains in Wisconsin are their names: the Kickapoo River and valley, Prairie du Sac and Sauk City in Sauk County, Saukville in Ozaukee County and the Fox River, where powerful Fox Indians once collected tolls from French fur traders.

But despite the Black Hawk War of 1832, broken treaties and an odyssey west and south that rivals the Cherokee Trail of Tears, these tribes have not disappeared. Instead, a number of the former Wisconsin tribes, including a branch of the Potawatomi, have made new lives on the red dirt plains of Oklahoma's Canadian River Valley, where the U.S. cavalry delivered some of their ancestors in chains and shackles.

Some, like the Kickapoo, have fought to keep their culture alive and paid the price in poverty. Others, like their Oklahoma neighbors and historical allies, the Sacs and Foxes, are trying to hold on to tradition while moving full speed into the white world of business and government.

Callers to the tribal headquarters near Stroud, Okla., hear a cheerful voice with a friendly Oklahoma twang answer: "Good morning, Sackenfox Nation."

This southwestern pronunciation is one of the outward adaptations these Indians have made to the surrounding white culture. In their language, these people call themselves the Osakiwug, or people of the yellow earth, and the Meskwakie, or people of the red earth. Wisconsin's French and British fur traders corrupted the names into Sauk and Fox and then to Sac and Fox.

The tribes are adapting in other ways. In January, Sac and Fox Industries Ltd. received its first installment on a \$29.9-million military contract. Workers at four tribally owned plants are being trained to cut and sew a special charcoal fabric into uniforms designed to protect troops from chemical warfare.

"We thought it would be the safest business to get into," said principal chief Elmer Manatowa of the tribe's decision to compete for military contracts in the face of dwindling federal money for other programs. "That type of business is just about guaranteed."

John "Jack" Thorpe, chairman of the tribe's industrial branch and youngest son of famed Sac and Fox athlete Jim Thorpe, talks about the possibilities for doubling the initial contract.

"I'm looking at it as a tool to get health care and educa-

Tribes melding tradition, business

Continued from Page 31

tion for our people," said Thorpe, who plans to send 50 percent of the profits back to the tribe for community development projects. The four plants, which were or are about to be abandoned by other companies, will employ 1,200 people.

"I think we have a bright future."

That future contrasts with the depressed oil economy of Oklahoma. The Sac and Fox Nation has a new health and community center in Shawnee and a library and health clinic near Stroud built within the past few years. Five miles to the north in the predominately white town of Stroud, empty storefronts line Main Street along the historic Route 66.

Things haven't always been so rosy for the tribe.

William Hagan, a University of Oklahoma historian, wrote a history of the Sac and Fox that ends in the 1950s when the tribe had fallen on hard times in Oklahoma.

Now he sees the tribe undergoing a renaissance. "Compared with other Indians in Oklahoma, they seem to have done a better job of getting their act together," Hagan said.

The renaissance began in the mid-1980s. The tribe set up a constitution, court system and code of laws (which includes punishments such as banishment from the tribe and a convict's lifelong obligation to the family of the injured person).

"Suddenly we realized after looking at the treaties that we are a sovereign nation," Manatowa remembered. "It was like a light going on."

And like most governments, the tribe realized it had the right to tax. The tribe began issuing red and black license plates and insisting that oil companies drilling on tribal land pay severance taxes to the tribe, rather than the state. The tribe's tax policies raised more than \$250,000 last year and have led to continuing legal battles with the state of Oklahoma and the oil companies.

"We're having our own battle over treaty rights here in Oklahoma, but instead of fishing disputes we're having tax disputes," said Thorpe, who was principal chief during much of the groundbreaking 1980s.

From the busy four-lane traffic of Highway 177 outside Shawnee, the domed shapes of two primitive buildings are visible amid the scrub oak.

These are the ceremonial homes of Louis Cuppahe; 17th century explorers of Wisconsin would have recognized them as the "wickiups" of the Chippewa and their Woodland cousins, the Kickapoo and Sac and Fox.

Because it is winter, Cuppahe is tending the fire in a home made of sewn cattail mats. When the thunder returns — marking the beginning of spring and the religious season — he will conduct ceremonies to bless the move into the bark home.

Cuppahe, who speaks Kickapoo as his first language, has scraped the ground in his yard to deter evil spirits who travel across grass.

It is to this most traditional of tribes that Kickapoo Chairman John Kaskaske Jr. is trying to bring change.

Kaskaske and his business committee are working on a

The Sac and Fox have 'learned to become business-like and to make decisions, be they good, bad or indifferent. (Kickapoo) still do it the old way. We stand back and observe and meanwhile, the world goes by.'

**Frank Wahpepah,
Kickapoo Indian**



Georgia Tiger, left, shapes frybread dough as Beverly Boyd tends bread to feed dancers at the Sac and Fox Powwow.

tribal code of laws based on that of the Sac and Fox. The Kickapoo government has merged functions with the tax commission and court system of the Sac and Fox, but is looking forward to the day it will run its own operations. Kaskaske believes a more sophisticated government is needed to help bring economic opportunities to a people whose language and traditional lifestyle limits job opportunities to trades such as roofing and migrant labor.

"We have no choice, we have too many people unemployed," said Kaskaske, a Federal Aviation Administration computer expert working in Oklahoma City. "The older people have trouble accepting it, but we're doing it one spoon at a time."

Still, change has its price. Frank Wahpepah, along with his cousin Kaskaske, is one of a handful of Kickapoo who have college degrees. In the 20 years he was gone earning a master's degree at UCLA and working for the federal government, he missed learning some of the important Kickapoo ceremonies.

"It's a tradeoff," he said. "If you want to get educated, you have to give (up) something else."

But the Kickapoo have a cultural resource that other tribes don't. A group of Kickapoo Indians, now numbering about 650, has been living in Cohauila, Mexico, since 1839.

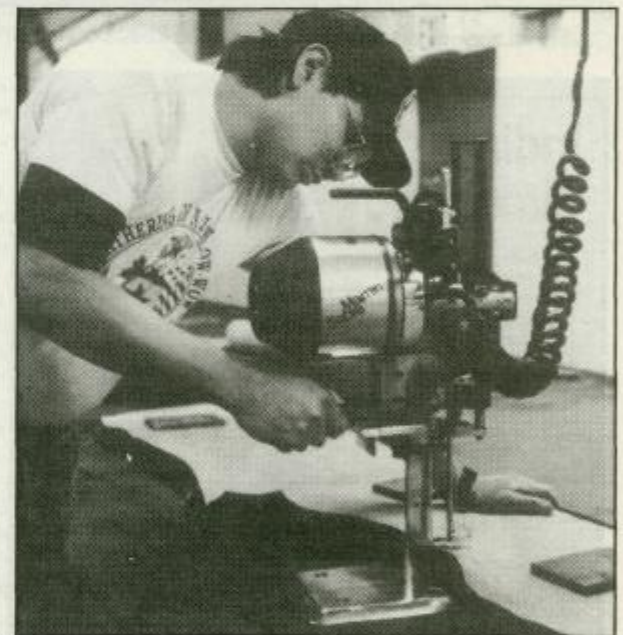
This group is strictly traditional. When the Mexican government built schools at Nacimientito in 1903 and the early 1930s, the tribe promptly burned them down.

Before being ejected by tribal elders, a Milwaukee Public Museum anthropologist who visited in the 1950s reported that the Kickapoo's Nacimientito village was "without a doubt the best preserved island of Woodland culture . . . the general effect is one of entering a Wisconsin Woodland Village of 200 years ago."

"In the years to come, we're going to depend on them (the Mexican Kickapoo) for some ceremonies," said Kaskaske, whose mother and Wahpepah's mother were born in Nacimientito. "There's not enough people here in Oklahoma who can do (the ceremonies) so we have them up here for a few weeks."

In exchange, the more politically astute Oklahoma band has campaigned successfully to get Mexican Kickapoo federal recognition and the right to become U.S. citizens.

The Oklahomans recently bought land near Eagle Pass, Texas, for the Mexicans to use as a campground and staging area for summer migrant work in the United States. The group had been camping in poverty under the Interna-



R.G. Harris cuts clothing pattern in tribe military contract.

tional Bridge between Eagle Pass and Mexico.

Along the same lines, the two Oklahoma tribes may help each other learn to live in the dual white and Indian worlds.

Wahpepah, of the Oklahoma Kickapoo, admires his Sac and Fox neighbors because "they've learned to become businesslike and to make decisions, be they good, bad or indifferent."

"We still do it the old way," said Wahpepah, who recently went to work for the Sac and Fox as a health planner for that tribe. "We stand back and observe and meanwhile, the world goes by."

But a day later, a group of Sac and Fox elders who gathered to talk about their traditions, spoke approvingly of the Kickapoo's success at holding on to their language and culture.

"Of those 50 and younger, I don't know anyone who is fluent in our language," said Oma Patrick, a Sac and Fox elder who teaches classes in her language. "I don't know anyone who knows the art of making a cattail house. We'll have to learn that from the Kickapoo."

Hard road for Kickapoo, Sac and Fox

By Susan Lampert Smith

Wisconsin State Journal

A bunch of guys went to town to get their buddy out of jail, got drunk and, although they couldn't quite remember the details, signed away the rich homeland of their people.

The story doesn't read quite like this in the history books, but that's how the Sac and Fox legally lost their cornfields and lead mines in Illinois, Wisconsin and Missouri.

In the fall of 1804, four tribal chiefs went to St. Louis to negotiate for the release of a Sac prisoner. There, Territorial Governor (and future President) William Henry Harrison's men plied the chiefs with alcohol and presented them with fine coats and medals. The chiefs, although not authorized to do so, were persuaded to sign away all the tribes' holdings in the three states.

"They had been drunk the greater part of the time they were in St. Louis," Sac war chief Black Hawk wrote, in his 1833 autobiography, about the men who signed away land in three states for \$1,000 a year. "I will leave it to the people of the United States to say whether our nation was properly represented in this treaty. . . . It has been the origin of all our difficulties."

The tribe spent the next two decades fu-

tily protesting. In 1832, the aging Black Hawk attempted to lead a band of 2,000 warriors, elders, women and children back across the Mississippi River to their homeland along the Rock River. Misled by reports that the British and other tribes would join the fight against the Americans, Black Hawk continued up the Rock River. Pursued by Gen. Henry Atkinson's army and a volunteer militia, Black Hawk's people fled through the present sites of Fort Atkinson, Madison and Sauk City, repeatedly attempting to surrender.

Following the massacre at Bad Axe on the Mississippi River, south of La Crosse, Black Hawk's band numbered fewer than 100.

As punishment for the war, the tribe was forced to cede its Iowa lands along the Mississippi and spent the next 13 years in central Iowa. By the time settlers wanted those lands, the change in lifestyle, disease and alcohol had reduced the tribe from 6,000 after the Black Hawk war to about 2,400. The tribe was relocated to a settlement along the Osage River in Kansas in 1846. When white settlement of Kansas forced the tribe to a reservation in Indian Territory in 1869, its population was fewer than 700.

Today there are about 2,200 Sac and Fox on the rolls in Stroud, Okla., most of them Sac. Another 750, mostly Fox, live near Tama, Iowa, where a group of dis-

gruntled Indians returned in the 1850s to buy land and maintain their traditional culture. In addition, there are about 190 Sac and Fox living in Kansas, remnants of a group that split from the main tribe following the signing of the 1804 treaty.

In his 1958 book, "The Sac and Fox Indians," University of Oklahoma historian William Hagan concluded, "There is little in the record of a century and a half of United States dealings with these Indians to inspire pride in an American."

The Kickapoo moved out of Wisconsin in the early 1700s when, allied with the Sac and Fox, they defeated the Illinois confederacy and took over lands in Illinois and Indiana. They ceded these lands to the U.S. government in 1819 and moved to Missouri. In 1832, two bands of Kickapoo exchanged these lands for lands beyond white settlements in present-day Kansas. A third band already had moved to the then-Mexican province of Texas. In 1839, that group crossed the Rio Grande and founded the current community of about 650 Mexican Kickapoo now living near Nacimiento, Coahuila, Mexico.

More disruptions followed, as the tribe lost most of its 618,000 acres of Kansas land in the treaty of 1854, a shady deal involving railroad interests. The next half

century saw much of the tribe migrating back and forth between Mexico and Oklahoma.

Today there are about 1,800 Kickapoo in Oklahoma and Mexico. Another group of about 800 live near their former reservation in northeastern Kansas.

For a short interlude, the Sac and Fox and Kickapoo had adjoining reservations in Indian Territory, land that was to belong to the more than 30 tribes and bands that were relocated there "as long as grass shall grow and rivers run." But Indian Territory became the state of Oklahoma after it was officially opened to white settlement in the 1880s. The Dawes Severalty Act of 1887 had broken up the Indians' commonly held land and allotted a small percentage to individual Indians.

The majority of Sac, Fox and Kickapoo opposed allotment, but their protests were ignored. The white view of the land runs is glorified in the musical, "Oklahoma!"

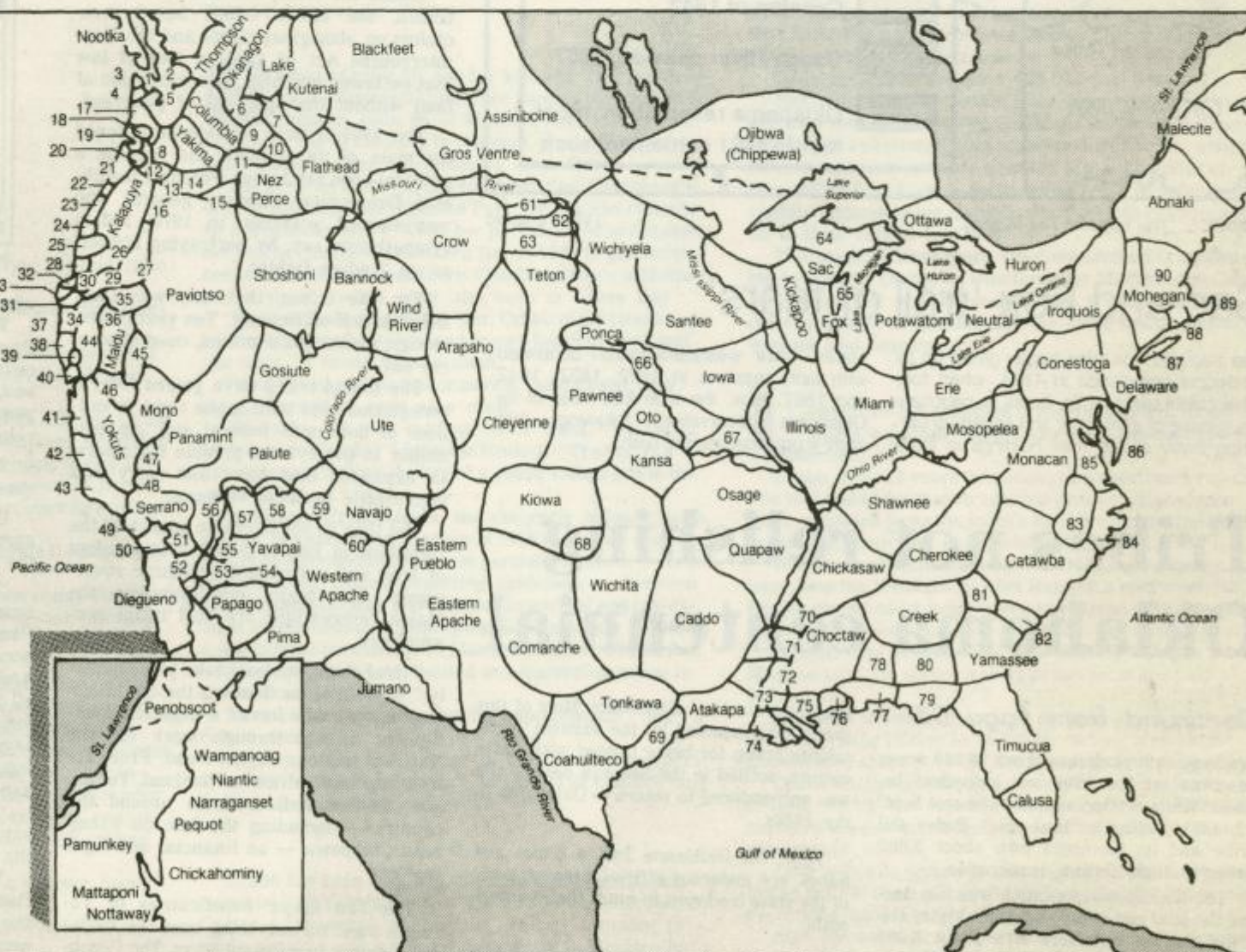
Nationwide, Indians lost nearly three-quarters of their allotted land — often because of steep taxes on improvements, a lack of capital to make a living from the land, and fractional ownership caused by inheritance.

The Sac and Fox saw their 479,668-acre

Please turn to Page 34

Indian tribes circa 1600

1. Klamath
2. Cowichan
3. Quileute
4. Quinault
5. Twana
6. Sanpoil
7. Kalispel
8. Kiklat
9. Spokane
10. Coeur d'Alene
11. Walla Walla
12. Wishram
13. Tenino
14. Umatilla
15. Cayuse
16. Molala
17. Chehalis
18. Kwahioqua
19. Chinook
20. Tlatskanai
21. Tillamook
22. Alsea
23. Siuslaw
24. Coos Bay
25. Chastacosta
26. Takelma
27. Klamath
28. Karok
29. Shasta
30. Tolowa
31. Hupa
32. Yurok
33. Wiyot
34. Waiaki
35. Achomawi
36. Yana
37. Yuki
38. Pomo
39. Wappo
40. Coast Miwok
41. Costano
42. Salina
43. Chumash
44. Wintun
45. Washoe
46. Miwok
47. Tubatulabal
48. Kawaiisu
49. Gabrielino
50. Luiseno
51. Cahulla
52. Kamia
53. Yuma (Quechan)
54. Maricopa
55. Halchidhoma
56. Mohave
57. Walapai
58. Havasupai
59. Hopi
60. Zuni
61. Hidatsa
62. Mandan
63. Arikara
64. Menominee
65. Winnebago
66. Omaha
67. Missouri
68. Kiowa-Apache
69. Karankawa
70. Chakchiuma
71. Tunica
72. Natchez
73. Houma
74. Chitimacha
75. Acapulissa
76. Biloxi
77. Mobile
78. Alabama
79. Apalachee
80. Hitchiti
81. Yuchi
82. Cusabo
83. Tuscarora
84. Pamlico
85. Powhatan
86. Nanticoke
87. Metoac
88. Mohegan
89. Massachusetts
90. Pennacook

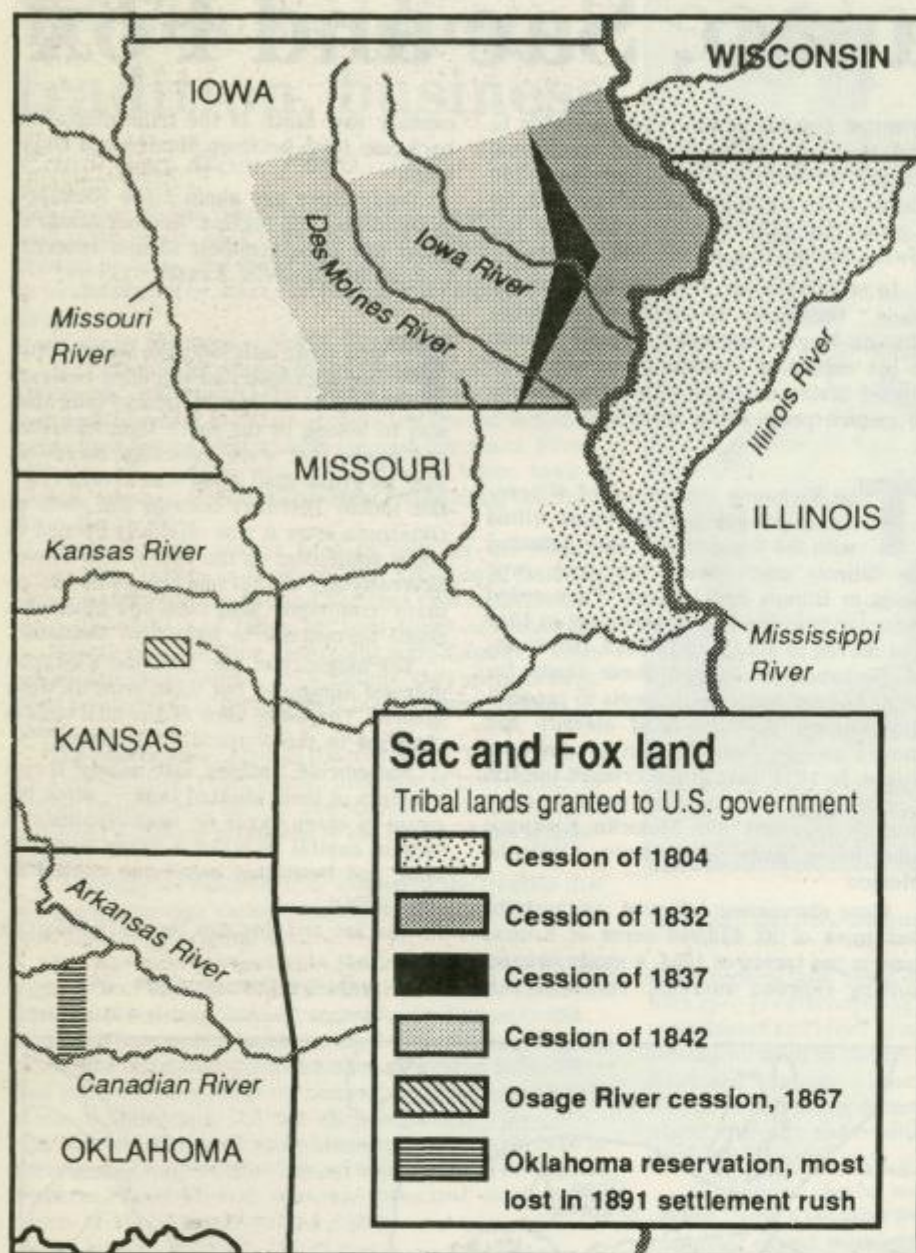


American Indians in 1600 did not draw a map of territories, but historians have traced approximate boundaries of lands

claimed by nearly 180 tribes in existence. Many place names come from these tribes — like Biloxi, Spokane,

Delaware and Omaha. While some were settled, others (like the Chippewa) were semi-nomadic hunters and fishermen.

SOURCE: "American Indian Policy and American Reform"



SOURCE: "The Sac and Fox Indians"

WSJ graphic

Sac and Fox 'trail of tears'

The Sac and Fox tribe began giving up its traditional homelands in 1804, when four tribal chiefs went to St. Louis to negotiate the release of a prisoner and ended up bartering away all the their holdings in three

states. Their westward march continued with land cessions in 1832, 1837, 1842 and 1867. Plus, the tribe lost most of its Oklahoma reservation following that state's great settlement rush.

Tribes not relishing Oklahoma centennial

Continued from Page 33

reservation broken into about 88,000 acres reserved for the tribe and individual Indians. White settlers claimed the rest Sept. 22, 1891, during a "land run." Today the tribe and its members own about 8,000 acres of their former reservation.

The Kickapoo reservation was lost during the land run of May 23, 1895. Today the tribe and its members own about 6,000 acres. A group known as the "Kicking Kickapoo" resisted allotment and eventually migrated to Mexico in about 1905. They were encouraged by an unscrupulous U.S. Indian agent who profited by selling

the migrants' land allotments. Most of this group was rejected by the existing Nacimiento group for being tainted with white culture, settled in the Sonoran desert, and was only induced to return to Oklahoma in the 1920s.

Now, the Oklahoma Indian tribes and bands are enduring official reenactments of the state land runs to mark their centennials.

"We were asked to join the celebration and declined," said Betty Wahpepah, a Nebraska Winnebago who works for the Sac and Fox tax commission. "We have nothing to celebrate."

Respectability stems from Maine suit

By Jeff Mayers

State government reporter

BANGOR, Maine — "If Indians got learning, they would keep their money."

That quote, from one of the principal characters in Thoreau's "Maine Woods," is an apt description of what happened to the tribes of Maine.

Before 1980, the Penobscots, the Passamaquoddies and the Maliseets had little but their rich heritage. After 1980, they had white people's riches — enough to become big players in a North Woods economy with parallels to Wisconsin.

Thoreau's character might say these Maine Indians "got learning."

They got it — and a lot more — through a legal struggle that began in 1964 when a white resort owner tried to expand his operation on Indian land. The struggle ended in 1980 when President Jimmy Carter signed an \$81.5 million federal agreement to settle a celebrated land claim by three of the state's four tribes.

From the white establishment's point of view, the land claim — to 12.5 million acres, nearly two-thirds of the state of Maine — had threatened the state's very being.

Unlike the treaty-based claim in Wisconsin, the Maine tribes based their claims on aboriginal rights and the Non-intercourse Act of 1790, a federal law that outlawed purchase or confiscation of land without the approval of Congress.

The 1980 federal settlement relieved the state of its problem and became a political boon for Joseph Brennan, the liberal Democratic attorney general who was elected governor in 1978, Indian sympathizers say, by portraying himself as an "Indian fighter."

For the tribes, the case was their ticket to self-sufficiency. Ten years later, though, the record is mixed, most observers say.

The Indian tribes have gained federal recognition (and with it the right to millions of dollars in federal aid), respectability in the eyes of private financiers, an expanded land base, and entry into high-profile business ventures.

But they've yet to create enough of the right kind of jobs to justify a declaration of true and permanent economic sovereignty. The major employers on the Maine reservations are still tribal governments.

"Real change doesn't take place quickly," says Thomas Tureen, the St. Louis-born lawyer who forced a negotiated settlement mostly through work for the Native American Rights Fund. From his well-appointed office in Portland, Tureen now advises Indians from around the country — including the Lac du Flambeau Chippewa — on financial and legal matters.

The two major beneficiaries of Tureen's legal maneuvering used the settlement money in different ways. The Penobscots quickly bought a lot of timber land and found themselves close to being "land poor." The Passamaquoddies concentrated on investments and found big profits didn't

1980 Indian population

(Includes Eskimo and Aleut)

Ala. - 7,583	Mo. - 12,321
Alaska - 64,103	Mont. - 37,715
Ariz. - 152,745	Neb. - 9,195
Ark. - 9,428	Nev. - 13,409
Calif. - 201,489	N.H. - 1,352
Colo. - 18,068	N.J. - 8,394
Conn. - 4,533	N.M. - 107,481
Del. - 1,328	N.Y. - 39,582
District of Columbia - 1,031	N.C. - 64,652
Fla. - 19,469	N.D. - 20,158
Ga. - 7,616	Ohio - 12,239
Hawaii - 2,768	Okl. - 169,459
Idaho - 10,521	Ore. - 27,314
Ill. - 16,283	Pa. - 9,465
Ind. - 7,836	R.I. - 2,898
Iowa - 5,455	S.C. - 5,757
Kan. - 15,373	S.D. - 44,968
Ky. - 3,610	Tenn. - 5,104
La. - 12,083	Texas - 40,440
Maine - 4,087	Utah - 19,256
Md. - 8,021	Vt. - 984
Mass. - 7,743	Va. - 9,454
Mich. - 40,070	Wash. - 60,804
Minn. - 35,016	W. Va. - 1,610
Miss. - 6,180	Wis. - 29,499
	Wyo. - 7,094

UNITED STATES - 1,423,043



Chief Black Hawk

Source: 1980 U.S. Census

wipe out unemployment.

There have been money makers: The Passamaquoddies bought and later sold a cement plant, netting \$60 million. The investment also earned them a potentially lucrative anti-pollution technology developed by a cement company employee.

There have been failures: A Passamaquoddy home-building venture is defunct.

Despite mixed success, most Indians agree they're better off. But critics lament the loss of a simpler existence.

"We were a pretty close-knit community," says Christopher Mitchell, a Penobscot who freely admits to his membership in the anti-treaty group Protect Americans' Rights and Resources. Mitchell acknowledges PARR has a reputation for stoking anti-Indian sentiment, but he says he's worried about Indians depending too much on federal government handouts.

"We're a real divided people now," says Mitchell, director of tribal trusts for the Penobscots.

Tureen, the legal mind behind the settlement, says the Maine story explodes the myth that Indians don't know business.

"It showed the rest of the world we can do it," Tureen says. Indians "can be real players. . . (and) can participate in business without getting raped."

White guide finds solace in Chippewa traditions

By Susan Lampert Smith

Wisconsin State Journal

EAGLE RIVER — Traditional Indian religion has led some northern Wisconsin whites across the cultural barrier.

From the cozy living room of the home he built in a cedar swamp, Nick Van Der Puy watches the snow fall. His young son, Jake, is napping near the warmth of the woodstove. His pregnant wife, Nan Andrews, is sipping tea with her feet up, taking it easy because their second baby, expected in late February, has been threatening to arrive early.

Van Der Puy is talking about killing, something he does for a living.

He runs the Lunker Guide Service and said he earned his first guiding fee as a 6-year-old. But it is only since Van Der Puy, a white man, began following the Mediwin teachings by taking part in Chippewa sweat lodge ceremonies that he has been able to reconcile his killing of fish and deer.

"Now I go into the lodge to ask forgiveness before killing," he says. "I've become more ceremonial. I offer tobacco before killing deer. It's become more meaningful."

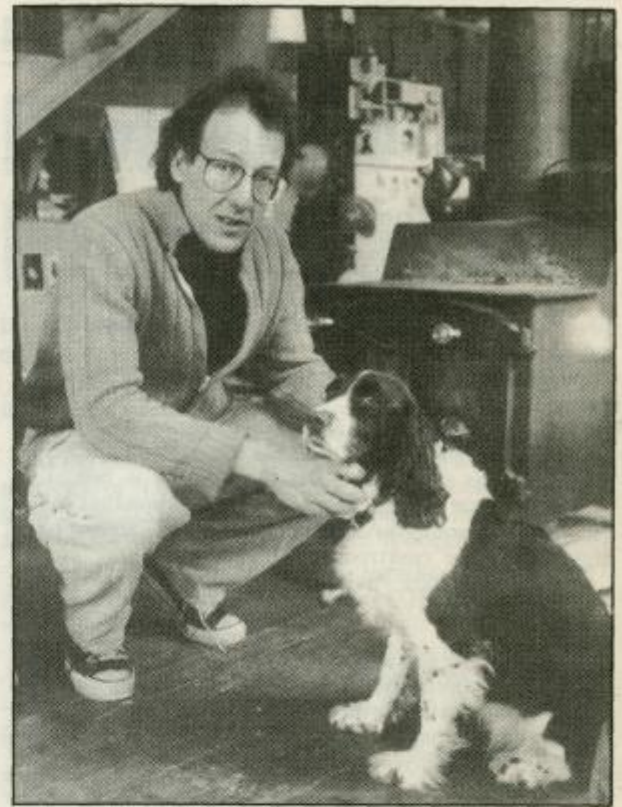
Van Der Puy says the Chippewa spiritual leaders have helped him control his drinking. They haven't helped him control his anger. This winter, Van Der Puy, who belongs to a treaty support group, wrote a letter to the Eagle River newspaper comparing treaty rights opponents to the fascist movement of the Nazi "brown-shirts."

These views have made him unpopular with some of his neighbors; he says he has been spat on. Still, Van Der Puy says he struggled with himself before writing the letter.

"What I'm struggling with is that when you speak passionately or write passionately, it tends to arouse the dark spirits and it gets away from you," he says. "That's why I don't go to the landings, I haven't found myself able to control my emotions."

Andrews, a librarian at Rhinelander High School, has gone to the boat landings to support the Indians as a "witness" and expects to return this spring. She remembers seeing people she knows on the other side of the snowfence, protesting the spearfishing.

"It was odd," she says, of the boat landing encounters. "There was no recognition. You didn't exchange glances much."



State Journal photo/CAROLYN PFLASTERER

Fishing guide Nick Van Der Puy supports tribal spearers.

PROFILE:

Barbara Crabb

By George Hesselberg

Wisconsin State Journal

Barbara Brandriff Crabb is having a great time being lonely at the top.

Yes, she was listening when a state official sarcastically called her "Mother Crabb."

"Some of my friends were offended, but to be honest, I laughed," said Crabb, the chief judge of the U.S. Western District Court in Madison.

The now-famous quip came from James Klauser, an adviser to Republican Gov. Tommy Thompson. Referring last spring to Crabb's denial of a state request to end a treaty-guaranteed Indian spearfishing season, Klauser noted that cold weather kept people from starting confrontations at fishing piers.

"Fortunately, Mother Nature cooperated better than Mother Crabb," he said.

Klauser, who took his lumps from several quarters for that quote, discovered it's not nice to try to make a fool of "Mother Crabb."

Crabb took it in stride.

"It comes with the job," she said of that comment and others critical of her decisions that have affected, or confirmed, treaty rights of American Indians in Wisconsin.

Her name has appeared on some of the more prominent signs carried by protesters of spearfishing and other Indian treaty-guaranteed harvesting practices. She has been charged with slaughtering walleyes, for example, and encouraging the demise — through approval of gill-netting practices — of the sacred Wisconsin loon.

One sign she remembers said: "Save a Walleye, Spear a Crabb."

"You feel it, the criticism, but not that much really," Crabb said.

"You can't please everyone, sometimes not even half of everyone. Those kinds of comments are to be expected. People have such intense feelings about cases. After all,

there is so much work, so much pain and so much money involved (in bringing a case to trial) that you would have to be super-human not to react or be angry.

"It is always easier to blame the judge or your lawyer than to say you are wrong."

Barbara Crabb, 50, and her husband, Ted, the director of Memorial Union, are parents of two grown children, Julia, 25, of Madison, and Philip, 23, of Colorado. The Crabbs live in Nakoma, a neighborhood of comfortable homes on Madison's West Side.

She grew up in the middle-to-upper class Chicago suburbs of Hinsdale and Highland Park, but she can claim to be a Wisconsin native. While her parents lived in Hinsdale, her mother journeyed to Green Bay in 1939 to give birth because her doctor lived there. Crabb's siblings, a brother and a sister (twins), were also born in Green Bay.

Trim, with short, graying hair, Crabb plays tennis and swims. She frequently brings her own lunch to work and, she says, "I never miss a meal."

"And I read novels, lots of novels," said Crabb, who taught herself to read as a child.

Recently, she was reading "Nice Work," by David Lodge, and "Tracks," by Louise Erdrich. "Tracks" is a haunting novel about the life of a young Indian girl in the early 1900s.

A former Presbyterian, she currently belongs to no church. She underwent surgery in 1986 for breast cancer.

Crabb's personal investment portfolio is worth — as described using federal reporting guidelines — between \$51,015 and \$185,000, and includes municipal and tax-exempt bonds, GE stock, IBM stock, Schlumberger Oil stock, and a limited partnership in Mansion Hill Inn, a luxurious bed-and-breakfast hotel located in a restored mansion in Downtown Madison.

Personal friends call Crabb "unpretentious" and "a regular person."

A lawyer who lost a case in her court called her "preachy," "school-marmish," "intolerant of conflict" and "somebody you don't mess with."

Crabb has been assigned more than 5,800 civil and criminal cases since she was named by President Jimmy Carter, a Democrat, to a job of a lifetime, literally, 10 years ago. She was a federal magistrate in Madison for eight years before that, tutored by longtime federal judge James E. Doyle Sr.

Crabb is one of two judges — the other is the Ronald

Reagan-appointee John Shabaz, a former Assembly Republican leader — who hear civil and criminal cases in the Madison-based federal court, housed in a new, blue building Crabb helped design. The building is distinctive by the blue color, and because it has a neon sculpture that looks like an upside down orange Christmas tree hanging above the entrance.

Federal judges are paid \$89,500 per year.

Her court is on the second floor, Room 250, a room of polished rolling oak-paneled ceilings, burgundy-red carpeting and upholstery, plus beige, textured walls, with no other adornment save for a United States flag. Her office, on the fifth floor, is spacious and cool with the only visible whimsy being a small colorful cloth crab tucked on a shelf behind her desk.

In a small waiting room, the dominant art is a painting by John L. Doyle, on loan from the Madison Art Center, courtesy of an anonymous donor. It is a striking, colorful profile of Quetzalcoatl, the Aztec Indian god of wisdom and learning.

Lawyers do not comment critically in public about judges, especially judges who have lifetime appointments.

Crabb, after 10 years, has acquired a courtroom reputation that would not discourage that practice. Her no-nonsense approach from the judge's stool is appreciated by many, but criticized as inflexible by others.

Her most celebrated case, prior to the Indian treaty issue, was the 1980 trial of Alex Raineri, a controversial Hurley circuit court judge who was charged with using interstate facilities to promote prostitution at a Hurley bar.

Raineri was convicted of five federal charges in a Madison trial. He served a short prison term and paid a \$15,000 fine.

Raineri's defense attempted to keep the trial from Madison, citing Hurley as "a unique society, a place unknowable by those . . . who live in southern Wisconsin."

Crabb bristled at that and adroitly turned the insult around, saying she rejected emphatically the idea that northern Wisconsin residents do not want or deserve fair, non-corrupt justice.

Attorneys who agreed to talk about Crabb without attribution say she "sometimes shoots from the hip, ad-hoc-ing everything until she gets in too deep."

Also, she was described as inflexible and likely to react negatively, to the point of favoritism, to shows of flamboy-

Judge Crabb feels anguish of rulings

Continued from Page 35

ance or "wrangling" by attorneys in her courtroom.

To this point, one lawyer claimed Crabb expects those practicing in her court, especially men, to "assume the submissive role."

"I wouldn't be so dumb as to be abrasive in her courtroom," said another.

The same critic who said she was "very result-oriented," however, added that Crabb has the intellect and skill to be able to catch up if she realizes she is behind.

Crabb would respond only to the observation that she "has a low tolerance to conflict or wrangling" among participants in her courtroom.

"That," she said, "is true."

Crabb worked as a lawyer for the Madison law firm of Roberts, Boardman, Suhr and Curry for two years, handling mostly probate, tax and real estate cases, after graduation from the UW-Madison Law School in 1962. While in private practice, she never tried a contested case.

After living in Milwaukee for four years, she was a researcher for law school professors, then for the American Bar Association until Doyle hired her as part-time magistrate in 1971. When she was appointed federal judge, fewer than 2 percent of the nation's federal district judges were women.

Now nearly 10 percent, or 50 out of 575, are women.

In 1981, after two years as judge, she told a Madison service group, "social isolation" and loneliness are among the most difficult of a judge's undocumented tasks.

At the time, she counted as a benefit the knowledge that "the poorest, most powerless person can obtain a court review of his custodian or a government official."

She returned to those themes in a recent interview.

"You realize (in this job) that this court may be the only way to get relief, remedy or change," she said.

"And you do cut yourself off from a lot. (Loneliness) can be something positive, too, if you have family and friends you have known from (before you were a judge), when you could be yourself," Crabb said.

"It's a frustrating, tedious job. When I ask myself how I would like to spend the rest of my life, the answer is I would like to be doing just what I am doing now. I love it."

A federal judge may be socially isolated, but not isolated from social ills.

Crabb almost daily, certainly weekly, sees and hears cases that might be as complex as Indian treaty rights or as simple as a bounced check.

As magistrate, she set the bail for the Sterling Hall bombers.

As judge, she decided that a local anti-religious group couldn't force the city of La Crosse to remove a park marker depicting the Ten Commandments.

It is part of her job to swear-in new United States citizens. "That's about the only thing we do here where everyone leaves happy."

More recently, drug cases, especially cocaine-related cases, have been taking almost a daily piece of Crabb's agenda. In sentencing cocaine-dealing criminals or criminals who blame their crimes on cocaine, Crabb has been consistently pointing out, especially to young offenders, that they are solely responsible for the spot they're in.

"If you use (drugs) as an excuse, as an explanation for things you don't want to take responsibility for, it will remain a problem for you," she told a young man, a cocaine dealer, at a recent hearing.

"All of us (in this court) wish we had some magic way to let people your age know what's at stake, what's at risk; because it's almost impossible for young people to understand the consequences of their actions until they are faced with them. . . . Now you're going to suffer the consequences of those decisions in a very real and probably often unpleasant way."



State Journal photo/SCOTT SEID

Judge Barbara Crabb says you can't please everyone.

Ask Barbara Crabb about James E. Doyle, then stand back.

Doyle was more than Crabb's mentor. The late federal judge appointed Crabb as a part-time magistrate in 1971, and her influence expanded with the job, under Doyle's authority. She still speaks of him in terms of awe.

"It is my belief that anyone who wanted to be a judge should have spent time with Judge Doyle," said Crabb.

"Just to be around him was an education. You learned about taking everything but yourself seriously, how people feel about things, how important the court is to individuals. I watched the way he treated everyone around him with patience," she said.

She called Doyle "the funniest person I have ever met," and said she hoped she had learned from him the importance of "imagination and freshness of point of view . . . the ability to come at things from a completely different way to find solutions."

To some, that might seem like an endorsement of subjectivity in what the public generally sees as, ideally, an arena of impartiality.

Said one attorney: "She views herself as carrying on the Doyle philosophy, as finishing his unfinished business. I don't know if applying a social agenda to such a job is a good thing."

Crabb was not hesitant to describe what goes into forming her views from the bench.

"It is important that judges be all kinds of people, with different backgrounds. No one can say to me that because I'm a woman something was decided (a certain) way, but it is true that we decide each case in our own context, and that context becomes part of the law."

"As a woman, I can sympathize with inequities, but that doesn't substitute for proof," she said.

Crabb said she was struck, during a recent conference of women judges from around the world, that in the American justice system, "justice" is a woman who is thought of as "cool, indifferent, dispassionate, aloof and removed from what's going on."

"But in some places in the world, justice is portrayed as a woman who is covered with knives stuck into her, she is feeling the anguish. How interesting to think of a judge in such a way, feeling the pain that people go through."

"Judges do feel that, you know. You can't sit in a courtroom and sentence someone the age of your father, or who looks like your son, or who reminds you of your aunt, and not feel the anguish."

PROFILE:

George Meyer

By George Hesselberg

Wisconsin State Journal

When off-reservation spearfishing broke as an issue in 1983, George Meyer was not just another unknown and unknowing bureaucrat plunked into the turmoil of Indian rights in Northern Wisconsin.

In time, both sides found he was someone who not only knew what was going on, but why.

So when he says, "I am from the Department of Natural Resources, and I'm here to help you," it's not a joke.

Meyer, 42, has been the state's chief negotiator in setting "interim" agreements with Indians since 1980, when he helped hammer out an agreement about Lake Superior fishing with the Red Cliff band of Chippewa.

When the federal court's Voigt decision in 1983 put all Chippewa property rights up for re-interpretation, Meyer was primed for duty. The problem was that there had to be rules in force while the final decisions await court action.

"My experience, along with the two northern directors for the DNR, kept us managing resources day to day," said Meyer, interviewed in his Madison office.

Since then, Meyer has been the man in the middle, the fellow representing the entire state in negotiations with Indians about the use of resources. When there was yelling at the boat landings, where Indians set off to spear fish and where non-Indians gathered to protest the practice, Meyer was among those targeted by both sides.

"The anti-treaty rights people say a compromise is a violation of our responsibilities, and the tribal members can be just as vocal when they think their treaty rights are broader than what the court says," said Meyer.

"I'm in the middle. If I'm an advocate for moderation, for fairness. Shouting and signs never solved anything," he said.

Meyer is the person to whom participants, spectators, the media and politicians go for answers. He has been interpreting and enforcing DNR rules his entire adult life, starting as a UW-Madison Law School student, when he got a job as a law clerk for the DNR.

George Meyer grew up on a farm in rural New Holstein, the only son and the youngest of four children.

He was not an avid hunter or fisher, a fact he finds "serendipitous," considering his current free-time devotion to camping with his family.

"Growing up on a small farm, there were not a lot of chances to hunt and fish. There was just too much work to do," he said.

Coming from a strict Catholic family, he went to the private Catholic St. Norbert's College in DePere, then in 1969 moved to Madison to go to law school. A law school friend, Tom Fox, was leaving the law clerk job at the DNR to run for secretary of state, and Meyer took his place, becoming staff attorney when he graduated in 1972.

He met and married his wife, Jayne in Madison. They have a son, Andrew, 11, and a daughter, Jocelyn, 3.

Meyer is about 5-feet-7, with a head-full of thick, graying hair. He wears thick glasses and carries a slight paunch. He works out of an almost anti-stylish office on the fifth floor of the GEF II state office building. A painting of an Alaskan wilderness park fills one wall (he is planning a family camping trip to Alaska). A child's drawing is taped to a file cabinet and, leaning against a wall, on a bookshelf, is a small framed exhibit of three arrowheads and two pieces of wampum, a gift from a friend.

His regulation state bureaucrat dark blue sportcoat hangs from a file cabinet drawer handle.

Meyer is a member of the Society of Friends (Quakers) in Madison, a religion he says influences the way he treats

Middleman Meyer blends job, religion

Continued from Page 36

his duties for the DNR.

"I am a Quaker because of the non-judgmental view of the world, because of the openness and the support for peace, and because of the feelings toward the environment. For me this is a good blending of job and religion," he said.

In nine years of filling out statements of economic interests for the State Ethics Board, Meyer has logged only one pay-for-services mention: from the Province of Ontario which provided him with air travel and two nights' lodging worth \$300 for a speech at an Indian treaty rights conference. (In his statement for 1980, Meyer noted in parentheses on the last page "Boring, isn't it?")

In the past five years, Meyer's job time has been eaten up by spearfishing and other Indian-related topics (he estimates 50 percent to 75 percent of his time during the first part of the year). But as administrator of the Enforcement Division of the DNR — serving as DNR Secretary C.D. "Buzz" Besadny's appointee in a job that pays \$60,259 annually — his authority expands to such areas as water pollution control, shoreline protection and dams, control over conservation wardens, solid waste control and developing environmental impact statements. Most recently, the department is focused on re-licensing 46 hydroelectric dams in Wisconsin.

And though Meyer has been, literally, in a sink-or-swim situation during spearfishing protests, those have not been his most dangerous assignments.

"The anti-treaty rights people are nothing compared with the Posse," said Meyer, who was involved in citing the right-wing Posse Comitatus for illegal water regulation.

At one time, the arch-rightist group, using one of its favorite harassment tactics, filed \$7.3 million in lawsuits against Meyer. All were dismissed.

"These are not the same type of people (as the anti-treaty protesters). These were more radical. At least the anti-treaty rights people seem to have a more solid base for their philosophies. The Posse was violence. I was threatened personally, there were bomb threats.

"I have never really felt personally in danger at the boat landings, except by accident," he said.

"People spoke harshly, sure, but you could always talk with them," he said.

Meyer's thoughts on the spearfishing issue emerge when asked about the most difficult part of mediating spearfishing quarrels.

"The most difficult issue is the issue of equality. We have all been brought up to strongly support the idea of equal protection under the law. John D. Rockefeller has to buy a fishing license and he has the same bag limit as the trucker who lives next door. There is all this talk about racism, but the most deeply-rooted question is related to the almost visceral feeling that it's not fair, that some people do not have to comply with the law equally."

But, Meyer quickly adds, treaty rights area also the law and "the rights are clear, and are essentially property rights."

Meyer describes a similar feeling of unfairness that DNR wardens had to overcome when treaty rights became an issue.

"You have to remember that spearfishing was once one of the worst violations. A spearfishing arrest was a major case. (Because of the change allowing spearfishing off-



State Journal photo

George Meyer is the DNR's advocate for moderation.

reservation) wardens had to make some serious mental adjustments and changes," he said.

"The wardens have been stretched by this issue, stretched into physical peacekeeping, and in many cases they are facing people they know personally. They would rather not be there (at the landings), and they know the position I am in, and they have been there when I needed them," Meyer said.

If the DNR is doing such a terrific job of enforcement, why are scenes at the landings such a mess?

"Well, the protesters are still there, that is correct, but when there have been arrests the penalties have been reduced substantially or the charges have been dismissed. That is part of the problem."

He said "leniency" in prosecution and adjudication in "some" northern counties has contributed to enforcement problems at the landings.

"In the counties that have been doing a good job in the courts, there have been fewer problems at landings," Meyer said, mentioning Iron and Oneida counties as having a good track record and adding that Vilas County "needs improvement."

Meyer will make fewer appearances at the landings this year because he is "phasing out" his personal involvement in the spearfishing and other Indian issues.

Most of the interim agreement negotiations with Indians are finished, said Meyer, so his services are not needed. The most recent agreement came last fall, over deer hunting. The current federal lawsuit is, "as far as the DNR is concerned, about over," he said.

"A lot of the functions I was involved in have passed by, though I will still be involved as head of law enforcement, in a peacekeeping role," he said.

Meyer is one of the few players in the Northern Wisconsin drama not prone to hyperbole.

He notes, for example, that tourism appears to be doing well in most of Northern Wisconsin.

"But you have to understand the situation that might exist on a small, 100-acre or 200-acre Vilas county lake where there is just one resort, and that lake may have a one-fish bag limit," said Meyer.

For situations like that, if they can be proven, Meyer said, a state economic bailout plan is necessary.

Meyer is also a negotiator who likes to stick to the issues, not an easy path in the emotional heat of Indian treaty rights discussions.

"Personalities have often created problems with this issue. At times egos have gotten in the way of trying to resolve the issue, and that has damaged negotiations," he said.

Pro- and anti-treaty rights supporters have charged there are "hidden agendas" that dictate the activities of sides not represented by the state.

Meyer doesn't dispute that.

"My gut reaction is that there have always been secret agendas, but I've never been able to illustrate it. I've never found the smoking gun to prove something is driven by an outside agenda, though I've always suspected it," he said.

"As for the anti-treaty people, they may be more in a position of setting the agenda nationally than in taking an agenda from someplace else," said Meyer.

PROFILE:

Douglas Morrisette

By Jeff Mayers

State government reporter

Douglas Morrisette has landed in a job where there's little choice but to hit the ground running.

Especially when you're a staff of one.

At the end of February, Morrisette, 55, a veteran Department of Natural Resources executive, moved from head of the DNR's fisheries unit to chief of the agency's new Office of Tribal Cooperative Management.

"At this point, it's me and Buzz together," said Morrisette, referring to DNR Secretary C.D. "Buzz" Besadny. "There's no staff."

Morrisette's job description says he is to serve as the chief contact for Wisconsin's 11 Indian tribes while fostering continued cooperation with Indians on a wide-ranging set of resource problems.

"He's got his work cut out for him," Besadny told the Natural Resources Board.

George Meyer, DNR law enforcement chief who has served as chief agency contact with the Indians, will remain involved in peacekeeping at northern boat landings this spring. Other duties will shift to Morrisette.

Morrisette declared that being the DNR's Indian liaison is "not strictly a Chippewa issue." He also said that creation of the office was not just a direct reaction to the treaty controversy but had been "a long time in coming."

But in a year when spearfishing and other Chippewa treaty rights have received unprecedented attention, Morrisette finds himself in the middle of a sensitive political and social controversy that at times seems unmanageable. And with the Chippewas' spring spearing season upon him, Morrisette couldn't deny the "Chippewa issue" may loom large in his early tenure in the \$55,000-a-year job.

"I want to personally meet with each tribal chairman," he said on his first day on the job.

"I'd like to just sit down and talk about general problems and general concerns," he said. "The only time you see us is when there's a problem. I want to be there when there's nothing. But it's going to be tough with the advent of spearing."

But Morrisette appeared intent on broadening his agenda sufficiently to avoid becoming shackled by the spearfishing controversy.

"I don't perceive me as being a lightning rod for spring spearing," said Morrisette, a former Oshkosh area field biologist who directed operations at DNR's Southern District office before serving two years as fisheries chief.

A DNR press release announcing Morrisette's appointment, in fact, didn't specifically mention the Chippewas or the spearfishing controversy.

The announcement said the new office occupied by Morrisette will be responsible for coordinating all department activities relating to Wisconsin Indian tribes. "This office also will be involved in developing other new cooperative resource management projects with tribes, providing a direct contact point for local units of government and the private sector and coordinating negotiation activities with the Department of Justice and the governor's office," Besadny said in the statement.

"I'm not going to be looking over the Indians' shoulder," Morrisette said.

Morrisette clearly addressed the touchy internal topic of co-management. Co-management is the concept that Indian tribes share legally in state management of fish, deer, timber and other natural resources.

His emphatic message was that cooperation — not co-management — will guide the department's dealings with Indians.



Morrisette

When he says, 'I am from the Department of Natural Resources, and I'm here to help you,' it's not a joke.

Lake scenes likened to Selma battle

By Richard W. Jaeger
Regional reporter

The boat landings in northern Wisconsin could become the Selma, Ala., of the 1990s as Chippewa tribes once again take to the waters to spear fish, state lawmen fear.

The civil rights movement of the 1960s in Selma and Montgomery, Ala., found blacks bullied, threatened, and beaten as they tried to exercise voting rights.

While many northerners don't equate those events with Chippewa treaty rights, some do. Some see them as the same — as an exercise of congressional guarantees that are being interfered with by others.

And to many people, the two events are beginning to look more alike as violence at the landings increases. State emergency government officials even have a detailed "war plan" with a provision to activate the National Guard should violence in the North escalate beyond the control of local law enforcement.

On March 7, 1965, some 500 black marchers set out from Selma for Montgomery to protest barriers raised to their voting rights. They were stopped and turned away. Many were injured.

That incident aroused hundreds of supporters around the nation, many of them white religious and community leaders who went to Selma to make a second march with the blacks.

Wisconsin law enforcement officials are gearing up for that second march, so to speak, with the opening of spear-fishing season.

Like the march to Montgomery, they expect many outsiders — as many as two dozen citizen groups, or some 2,000 non-Indians — to join the Chippewa on the boat landings to lend their support to the Indians' exercise of their rights.

A comparable number of anti-treaty protesters are expected to be there to oppose the spearfishing.

During the past two years, anti-treaty protesters outnumbered the Chippewa and the situation has been pretty much one-sided with knots of anti-treaty people shouting racial slurs and taunting the spearfishers.

But, as the numbers grow on both sides, the likelihood of trouble also grows, authorities feel.

"Our real concern is that the two groups, the protesters and supporters, will come to a confrontation and we will have a real war on our hands," said Alan Shanks, director of the state emergency government's bureau of field services and disaster resources.

Because of that concern, the state has been searching for solutions and working to avoid or control such confrontation or outbreak at the landings.

"The real solution would be for everyone to stay home and let the spearfishers do their thing," Shanks said. "The governor has urged that, and most people in law enforcement would agree."

Another solution, Shanks said, would be to have the federal government handle the protests as they did in Selma and Montgomery.

FBI spokesman Jack Frazer quickly dampens that idea. "The FBI does not enforce state laws in the ceded areas," Frazer said, referring to the territory (covering roughly the northern third of the state) that was sold to the U.S. government through 19th-century Indian treaties.

The FBI had agents assigned to investigate violations of civil rights of the spearfishers, he pointed out. Agents, however, are not assigned to enforcement duties at the landings.

The only other federal agency involved has been the Department of Revenue, through its alcohol, tobacco and firearms division, which became involved in a case where a pipebomb was found at one of the landings.



State Journal photo/CHRIS CORSMER

Boat landings are the scenes of ugly confrontations, like when this woman waded into the water to harass spearfishers.

Shanks said the closest thing to federal intervention has been the work of U.S. Sen. Daniel Inouye, D-Hawaii, chairman of the Senate Indian Affairs Committee, who has joined Gov. Tommy Thompson in urging protesters and supporters to stay away from the landings. Inouye also has agreed to serve as a mediator in Wisconsin to resolve differences over treaty rights.

But, in light of all the recent activity on both sides of the treaty issue, that request is not expected to be obeyed.

Pro-treaty supporters have been holding training sessions in Milwaukee and Madison on how to demonstrate their support at the landings and gather evidence of civil rights violations against the Chippewa.

The emphasis of the meetings has been to promote non-violent support for the Chippewa. The witnesses have also been shown how to document alleged criminal offenses against spearfishers. Such information would be provided to law enforcement agencies.

There have been complaints from some support groups and spearfishers of unfair law enforcement. Some have demanded that protesters be arrested for shouting racial slurs and waving anti-treaty banners at the landings.

One of the most active non-Indian pro-treaty groups, Witnesses for Non-Violence and Treaty Rights, a Milwaukee-based group, has called for legislation to make it illegal for protesters to "incite confrontation" with their slurs.

Some questioned the constitutionality of such a law. One Northern sheriff asked if it would give them authority to arrest "agitators calling us pigs?"

State lawmakers took one step by approving legislation that would ban harassment of spearfishers and reimburse law enforcement through mutual aid laws. Legislators also passed a formal resolution requesting federal intervention to resolve the dispute.

State law enforcement officers are preparing for the worst.

"I now know how (Gen. Douglas) MacArthur and (Gen. Dwight D.) Eisenhower must have felt as they prepared to dispatch troops," said Vilas County Sheriff James Williquette. "The advantage they had, however, was that they had the federal government supporting them."

As he spoke, Williquette dropped a sheaf of papers on his desk. The papers were the state's "war plans" for handling problems at the boat landings, the veteran lawman

said.

These documents cover virtually all contingencies with detailed plans for activating and deploying law enforcement personnel in the northern counties — plans for housing them and transporting them, as well as inventories of such items as helicopters, ambulances and personnel.

There are plans for handling arrests, transporting and jailing prisoners, handling injuries, and even for dealing with the news media.

Also included is an outline for the deployment of the National Guard, which would be called only if the governor declares a state of emergency. The plans call for the Guardsmen to be used in a support role and not at the landings because they have no arrest powers.

Williquette believes this will be the worst of the four years he has been at the landings.

"Having all those outsiders is going to make for some real confrontation," the veteran sheriff said.

Williquette said 90 percent of his constituency is opposed to the Chippewa exercising their treaty rights. He denies the protests are racist.

"If they were Polish, German, Irish or French out there doing that, the people here would be against it," he said.

"This is probably the most beautiful, peaceful part of the state, but for the past four years that all has changed. I can now say that four months out of the year are sheer hell up here," he said.

"If I had my way, we would only respond to the protests when called and wouldn't go through all this advanced preparation — putting 100 lawmen out there each time," Williquette said.

That action, the sheriff admits, would probably land him in front of U.S. District Judge Barbara Crabb in Madison for misconduct in office.

However, Williquette said he and other sheriffs in the North Woods have considered taking such drastic steps.

"We have talked about it seriously," he said. "What would they do? Put 32 northern Wisconsin sheriffs in jail? Maybe we could get the federal government to do their job since these are federal treaties."

While lawmen in the North cringe at what is ahead of them, others in the southern part of the state are going through crowd-control training preparing themselves for the long season ahead.

Richard Risler, the state's new director of police ser-

Activists watch for peace at landings

It's Minocqua, not Managua

By Susan Lampert Smith

Wisconsin State Journal

On a rainy March Sunday, two dozen Indian treaty supporters gathered at the Friends Meeting House in Madison to discuss the secret weapon they will bring to the boat landings of Northern Wisconsin.

They had already compiled a packing list befitting the world's worst camping trip: garbage bags to repel the late-winter rain, Vaseline to protect skin from tear gas and video cameras to record acts of violence by anti-treaty protesters.

But most important, said Linda Derrickson, who led the witness-training session and others like it, is to bring enough food and hot beverages to share with the anti-treaty protesters.

"These people were shouting," she said, recalling encounters at boat landings last year, "but when they had muffins in their mouths they felt a little differently."

"Food," added Derrickson, who is co-owner of Madison's two Sunprint Gallery restaurants, "is great for bonding."

Police have labeled these witnesses as outside agitators. U.S. Sen. Daniel Inouye and Gov. Tommy Thompson have begged them to stay away from the landings, saying that their presence will inflame an already dangerous situation.

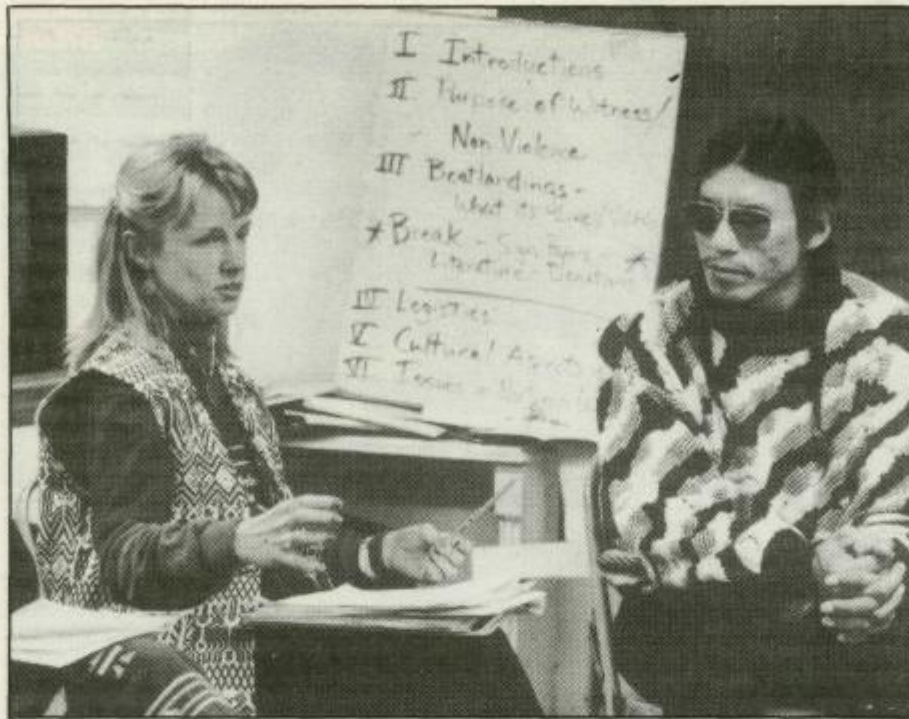
But as the witnesses share tips on "staying centered" while protesters chant obscenities at the Chippewa Indian spearfishers, it's hard to imagine a more peaceable bunch. This group ranges in age from about 30 to 75, about half of them Quakers and most veterans of other peace groups.

A decade ago, some of them might have gone to support the revolution in Managua. This spring they, and hundreds like them, are going to Minocqua.

"We're growing like flowers in the spring," said Sarah Backus at a Madison press conference following the mid-March meeting of the Midwest Treaty Support Network. Backus said about 2,500 witnesses will come to the landings from as far as Milwaukee and Chicago and as near as Minneapolis and Superior. About 30 groups belong to the network.

"Four years ago, three women were the only ones. Two years ago the number who stood in witness was 40," Backus said.

Besides the higher numbers, she said, Indian support groups are coming this year from cities such as Beaver Dam and



State Journal photo/JOSEPH W. JACKSON III

Restaurateur Linda Derrickson, left, and Art Shegonnee teach non-violent treaty support.

Eau Claire, and from smaller communities in northern Wisconsin.

Also new this year, the witness groups will be paired with the different Chippewa bands. Carroll Edgerton, of the Madison Treaty Rights Support Group, said because her group is the largest, its members will support the Wa-Swa-Gon spearfishers of the Lac du Flambeau, the most active spearfishing group and the one most likely to attract the largest protests.

Backus said witnesses will include law students trained to observe civil rights violations and a group of retired nuns from Milwaukee. When she made similar predictions at a January meeting in Lac du Flambeau, it was reported in the local newspaper under the headline "Nuns and lawyers are coming."

No matter how the local community or elected officials feel about the witnesses, Chippewa spearfishers said the witnesses are needed to protect the spearfishers and their families.

"The governor should support what these people are doing," said Tom Maulson, of the Wa-Swa-Gon treaty association. Maulson, who refers to Vilas County as "Violence County," said the protesters' presence at the landings make the witnesses necessary.

"If there weren't acts of violence, there wouldn't be a need for a witness program to observe," agreed Andrew

Gokee, a Red Cliff Chippewa who said protesters shot at him as he fished a Douglas County lake last year.

"It really upsets me that (Thompson) lumps us in with the protesters," Derrickson said. "If he could just get behind this large group of non-violent people. We're doing a large part of the work of law enforcement."

But people charged with keeping peace at the landings see the witnesses as part of the problem.

Alan Shanks, who is coordinating police efforts for the state Division of Emergency Government, expects the boat landings to be "more volatile than the campus protests of the 1960s because of the increase in the number of outsiders."

"In the past," he said, "all we had to contend with were anti-treaty protesters and a handful of Chippewa spearfishers and their supporters, mostly relatives and friends. Now we will have hundreds of outside supporters. Mix them with the protesters and you face the chance of direct confrontation that will get out of control."

Treaty supporters will wear white armbands to identify themselves at the landings. They will also have signed a "pledge of peace" and undergone three hours of non-violence training, Edgerton said.

At the mid-March training session,

Derrickson urged people who can't keep their emotions in check to find other ways of showing support, such as cooking at a soup kitchen or caring for the children of the spearfishers.

Art Shegonnee, a Potawatomi and Menominee Indian, gave the group a short lesson in cultural sensitivity. Explaining the type of prayers witnesses are likely to see as the Chippewa bless the waters before fishing, he noted that Indian religion requires menstruating women to remain separate from the ceremonies.

"We are not excluding you, we are respecting you for your power," Shegonnee told the women in the group.

The training also ranged from the practical (wear two pairs of socks and take the leftist bumper stickers off your cars to avoid vandalism) to the whimsical (talk to protesters about neutral subjects and don't forget last year's display of garbage-bag raincoats).

"It amused a lot of people," she recalled of the impromptu style show. "After a while they started shaking their heads and getting in their cars and leaving."

Like last year, witnesses were told not to carry placards and urged not to cause trouble.

"It was weird not to be the protester," said Edgerton, a veteran of both the boat landings and anti-Vietnam War protests.

A certain culture seems to be growing up around the witness movement. T-shirts proclaim: "I survived the 1989 Chippewa Spearfishing Season." And as 1960s civil rights workers talk of having been at Selma or Montgomery, boat landing veterans talk about having been at Butternut, North Twin or the Big Eau Pleine.

So when the last of the lake ice melts, an army of mostly middle-aged witnesses will leave behind children and jobs to stand for a few frigid nights on boat landings of northern Wisconsin. If the hopes of their leaders are fulfilled, they will stand in peace.

"Our non-violence comes from the Indian people, they have decided to comport themselves non-violently and we take our direction from them," Derrickson told the witnesses she trained.

Behind her, a television displayed video footage of a boat-landing protester throwing rocks and screaming: "Go home you red nigger!" and "Where's your welfare check?"

"Remember," Derrickson added, her voice soft. "We go home. They confront this day after day, from the time they're old enough to understand."

Continued from Page 38

vices and a former Dunn County sheriff, is working with police agencies around the state to provide officers under a mutual aid plan.

During last spring's spearfishing confrontations, up to 527 local law enforcement officers from throughout the state helped patrol the landings.

Shanks said that number could double this year to match the rising number of people expected at the landings.

District attorneys in northern counties also are gearing up.

"My theory is that if there is going to be a confrontation, it is our duty to prosecute any and all of those people arrested, if the facts are there to support the charges," said Patrick O'Melia, Oneida County district attorney.

"Our biggest problem is that you have lawmen from all over the state as your witnesses. Trying to coordinate time to get them to appear and to get their statements is a major problem," O'Melia said.

His counterpart in Vilas County, David Penn, points to the problem of jail space and court calendar time for volumes of cases that match those handled by courts in big-city counties.

Law enforcement could be doubled

Churches caught in treaty conflict

"The church must be reminded that it is not the master or the servant of the state, but rather the conscience of the state."

Martin Luther King Jr.

By Elizabeth Brixey

Lifestyles reporter

The story is nearly 2,000 years old. A man in his early 30s, a Jew, rides into Jerusalem amid throngs of admirers. The crowd spreads clothes and tree branches in the road, creating a red carpet of sorts for Jesus of Nazareth.

Although he rode toward death that day, now commemorated as Palm Sunday, Christian scriptures say Jesus maintained his message of peace and reconciliation.

For some Wisconsin clergy, that message bears added meaning this year: Congregational tempers are still hot over Indian treaty rights; no spring of peace is certain.

"It's risky to talk about the Gospel in situations of great anger," said the Rev. John Tyler, "but what Jesus says to the church is clear cut: Be reconciled to your neighbor."

Tyler and his wife, the Rev. Jeanne Tyler, lead the First Congregational United Church of Christ in Park Falls, about 240 miles north of Madison, in the heart of the North Woods and the debate over treaty rights.

John Tyler has worked through state and local groups, such as the Park Falls Clergy Association, to promote education about Indians and to counter the frustration, even hatred, that persists among townspeople, including some members of the Tylers' congregation.

"As a representative of the Gospel, I'm caught in the middle, and it's an uncomfortable place to be in this particular issue," John Tyler said. "There really is no middle."

"Do not covet your neighbor's household: You must not covet your neighbor's wife, his slave, his slave girl, his ox, his donkey, or anything that belongs to him."

Exodus 20:17

Tyler and other ministers in the North Woods say anger over treaty rights is morally draining their parishioners.

"There's a gut sense of anger among people in this community," Tyler said. "Lack of economic opportunities . . . the feeling that government makes arbitrary rules. People feel angry over their powerlessness."

He added that PARR and STA — Protect Americans' Rights and Resources and Stop Treaty Abuse, both anti-treaty rights groups — focus that anger to attack Indians.

The Rev. William Wantland, Episcopal archbishop of the Diocese of Eau Claire, has long spoken out about injustices he sees throughout the state.

"Of all the states I've lived in in this Union, Wisconsin is the most racist," he said in the January/February issue of *Masinaigan*, published by the Great Lakes Indian Fish & Wildlife Commission.

Wantland went on to recognize the national problem of prejudice, which he blames on ignorance. "That ignorance," the article read, "frequently involves an 'ignorance of ignorance,' pointing to individuals' failure to understand their own



State Journal photo/JOSEPH W. JACKSON III

Stan Webster speaks about his Oneida heritage to area church groups.

misconceptions, which breed racist sentiments."

But teaching and preaching don't do much good when few are listening. Said a Price County minister who, because of pressure from his parishioners, asked not to be named:

"When you talk about the church (in the North Woods) working for education and reconciliation, you're talking about the clergy and a small group (of people who care). It can be very discouraging."

"... And you must love the Lord your God with all your heart, with all your soul, with all your mind, and with all your strength . . . You must love your neighbor as yourself."

Mark 12:30-31

"You, too, must show love toward the alien for you once lived as aliens in Egypt."

Deuteronomy 10:19

It's ironic, said the Rev. Ted Steege of the Madison-based Lutheran Office for Public Policy in Wisconsin, that Indians are treated as outsiders.

"They were the hosts when Europeans arrived in this country," Steege said. "Now they are, in a sense, the guests."

"We have the power to do whatever we want to them," he added, "and that's where God's call comes in."

Interpretations of what "God's call" is have changed over the few hundred years since Europeans and Scandinavians arrived in the New World. Land was taken, children were removed from families, Indian religions were gutted — all in the name of God and Christ.

But most denominations embrace a new mission. Steege said the Lutheran church is in another phase of long-term involvement.

"In a quiet way," he said, "our church has been working on behalf of Indians for years and years."

As is evident in issues from abortion to child care to music censorship, church groups have adopted political forms to get what they want from government.

Several church groups, including Steege's office and the Wisconsin Conference of Churches, are members of HONOR — Honor Our Neighbors' Origins and Resources.

John Fischer is executive director of Wisconsin Conference of Churches, which is associated with more than 3,000 churches statewide.

He said the constitutional separation of church and state is too often used as an excuse to tell the church to shut up.

But each needs to do its appropriate job, he said. Turning around Martin Luther King Jr.'s belief that the church must be the conscience of the state, Fischer said that sometimes the state must serve as the conscience of the church.

"God works through the state, too," Fischer said.

"Let us then pursue the things that make for peace and build up the common life."

Romans 14:19

"There is no middle" on treaty rights and Indian sovereignty, said Tyler, of Park Falls. But increasingly, people are speaking out for peaceful activism.

In early April, several ministers gathered in Park Falls for a news conference, at which they asked for peace during the spearfishing season. Lutheran Bishop Harry Anderson delivered the sermon, in which he reminded the church of its role of conciliator.

Building a relationship between Wisconsin tribes and churches has taken many of the usual forms: panels, forums, news conferences, educational programs, meetings and more meetings.

But it's worth it, said Stan Webster, executive director of the Stevens-Point based Wisconsin Indian Resource Council, a mostly church-funded agency for education on Indian issues.

"Understanding will lead to compassion. Compassion will lead to resolution," said Webster, who in his Resource Council role often acts as liaison between tribes and churches.

During the last week in March, an "ecumenical exchange" took place in Eagle River for pastors in the area; an earlier one was in Rice Lake.

A mid-February conference in Wausau marked the first time church and tribal leaders met face-to-face to discuss Indian sovereignty and jurisdictional issues.

One result of the conference was a pastoral letter, signed by 18 religious leaders, that recognized the Chippewa bands as sovereign nations and said they have the right to hunt, fish and gather in territory Indians ceded to the U.S. in treaties signed during the mid-1800s.

"We're looking for churches to do what politicians won't," said Webster, whose

group organized the event. "Their focus on reconciliation means that they care about the welfare of all people, not about who gets the upper hand in some political game."

"Reconciliation doesn't just occur," Tyler said. "There must be willingness to work together and to take risks."

"The Bible doesn't tell us who owns the fish, but it does tell us how to love our neighbor."

"How shall we picture the kingdom of God . . . ?

"It is like a mustard seed; when sown in the ground it is smaller than any other seed. . . . But once sown, it springs up and grows taller than any other plant, and forms branches so large that birds can roost in its shade."

Mark 4:30-32

The Rev. Julie Chai, of Bryn Mawr Presbyterian Church in Cottage Grove on the eastern edge of Dane County, said the future is in the hands of the young.

"But we have hold of the present," she said, "and it's up to us to show them the way."

Chai is leading a group of communicants, or youth who are studying to join the church, on a mid-April trip to the Oneida reservation, near Green Bay.

Webster, of the Indian Resource Council, spoke to the youths from Bryn Mawr and other Presbyterian churches in the area about Oneida spirituality.

Chai said that if they expected to hear about faith as a Sunday morning event, they got a big surprise: He told them about life.

The Oneida believe daily living — from the words one chooses to the rearing of children to the care of one's feet — is spirituality.

"Everything in life is connected," Webster told the communicants. "Everything in life is spiritual. . . . Spirituality is our government."

True democracy, Webster said, involves how a person behaves and how he or she treats others. "It's the same with governments as it is with people."

Such comments, which call to mind the so-called Golden Rule of "do unto others and you would have them do unto you," make Indian spirituality and Christianity sound quite compatible.

"They are," Chai said, "and it is absolutely vital for us to understand how Christ is working in other people and cultures." Indians "teach us about partnership, community and respect for Mother Earth."

"This is something that, as Christians, we've lost. We've become economically, not spiritually, driven," she said.

Some pastors, like Chai, are trained on the long-term vision by trying to bring about cultural communion through the youth of the church.

Others, like Tyler of Park Falls, must keep a closer watch on daily events. He is still deciding what to do when spearfishing opens.

"Some tribes have asked for witnesses (at the landings); others don't want us there," he said. "We wait, hope and pray."

Biblical passages used throughout this story were cited by clergy as particularly inspirational as they try to do the work of the church. All were drawn from the Revised English Bible, published in 1989.

State, tribes at odds on gambling

By Jeff Mayers

State government reporter

LAC DU FLAMBEAU — When even 23 people are laid off in a 2,400-person community, it creates real economic pain.

The pain goes deeper on this northern Wisconsin Indian reservation, where double-digit unemployment is an economic fact of life. The Lac du Flambeau band of Chippewa definitely are feeling the effects of a legally complex state-tribal dispute over state gambling policy.

"We're feeling the pinch of it right now," Lac du Flambeau Tribal Chairman Michael Allen said recently.

Until a February opinion from Attorney General Don Hanaway, the Lac du Flambeau band of Chippewa operated a fledgling Las Vegas-style casino on the reservation. Indians and non-Indians played blackjack, video poker and other games; tribal members ran the tables and took care of customers.

Tribal leaders said it and other reservation casinos were an important step toward economic self-sufficiency.

But after Hanaway ruled casino gambling was illegal in Wisconsin — on and off the reservation — the Vilas County district attorney said he would be forced to shut the casino. Rather than risk seizure of its casino equipment, the tribal council decided to stop all but the bingo-related gambling at the Lake of the Torches Casino.

Tribal Gaming Manager Jerry Maulson said that meant 29 layoffs. Six were recalled to work the other games, he said.

The situation is bad enough that Allen's band has vowed to challenge Hanaway's ruling in the courts. In an early-April interview, Allen said the tribe would be filing suit very soon. Spokesmen for the Mole Lake band of Chippewa also have said they would challenge Hanaway's ruling.

Administration Secretary James Klauser, the point man on Indian issues for GOP Gov. Tommy Thompson, said he always thought someone would take the issue to court, whether it be tribes or anti-gambling groups.

"The only way to resolve it definitively is in the courts," Klauser said. "I'm comfortable with that, but it's too bad it has to be litigated. . . . It just complicates our treaty issue."

Allen said the tribes have little choice. "The state's putting us in a bad situation. They're backing us into a corner," Allen said. "We have to do something."

Hanaway, a first-term Republican attorney general expected to seek re-election this year, is sensitive to the Indians' economic problems. In his opinion, Hanaway said: "I am not unsympathetic to the importance of gaming activities. . . . However it is not my responsibility to establish the public policy on gambling in Wisconsin."



State Journal photos/CAROLYN PFLASTERER

On a winter night in January, blackjack players at the Lac du Flambeau Lake of the Torches Casino try to beat dealer John Whitney.

Hanaway's commentary points to the dispute's political and legal complications.

Indian tribes are allowed to operate any game of chance allowed in the state — bingo or lotteries, for instance. But under federal law, the tribes are free to run those games without state regulation. So, while charitable groups are subject to certain state rules on bingo games, Indians can offer bingo without any limits at all.

The door was opened to possible casino gambling when the Legislature, and voters, approved a state-run lottery. Some interpreted the 2½-year-old state law as defining lottery so broadly as to include most forms of gambling, including casino gambling.

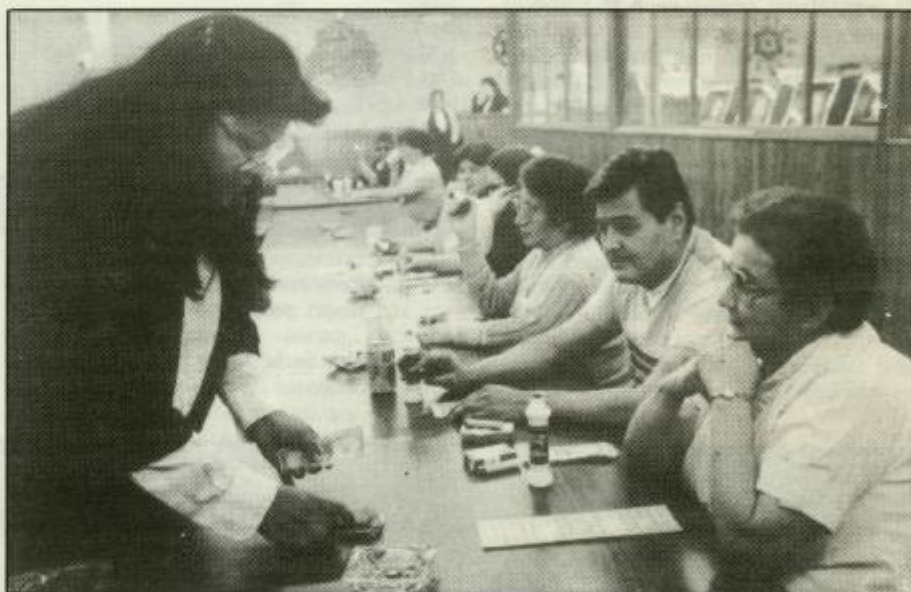
Several tribes, including the Lac du Flambeau and Lac Courte Oreilles, took the opening. "If it isn't really illegal, I think the tribes are saying: 'Go for it,'" said Paul DeMain, publisher of the Hayward-based Indian Country News and The Gaming Guide.

"Casinos are where the action is," said DeMain, who counseled former Democratic Gov. Anthony Earl on Indian matters. "People like the cards."

While it was hardly Las Vegas, the Lake of the Torches Casino drew plenty of folks to the sleepy reservation town of Lac du Flambeau.

Then Hanaway issued his opinion, which was forced when the federal government ordered all states to negotiate gambling compacts with tribes by October 1989.

But Wisconsin's negotiated compacts,



Though revenue is down, bingo remains a popular draw to the reservation.

which would have allowed casino gambling, never were ratified. Neither Thompson nor Democratic legislative leaders seemed enthusiastic about expanding gambling in the state.

Come February, Hanaway found himself in an awkward position because he essentially ruled against the compacts his office had helped negotiate in cooperation with the governor's office. Hanaway came under intense criticism and in turn blamed the Democratic Legislature for failing to join in the negotiations and establish a clear state gambling policy.

Democrats have maintained that negotiating lawful compacts is a problem for the executive branch — not the Legislature.

Since February, little has changed except for the lives of those laid off. The Legislature passed a bill, expected to be signed by Thompson, that would grant the

governor sole authority to negotiate and sign gambling compacts with Wisconsin Indian tribes as long as the compacts conform with state or federal law. But lawmakers didn't clarify exactly which kind of games they want in Wisconsin.

In the meantime, a proposed federal extension of the ratification deadline for the compacts was stalled in Congress, an aide to U.S. Sen. Herb Kohl, D-Wis., said in early April. The Thompson administration favors the extension until the end of 1990.

Raymond Taffora, the governor's legal adviser, said the Thompson administration had begun no formal renegotiation of the compacts but that there had been informal discussions between the state and the tribes.

Thompson has said he sides with Hanaway's opinion but expects the matter to ultimately be decided in the courts.

'Casinos are where the action is. People like the cards.'

Paul DeMain,
former governor's aide

Hayward is calm amid dispute

By Steve Hopkins

Wisconsin State Journal

HAYWARD — In the midst of conflict and confrontation over off-reservation spearfishing rights for Wisconsin Chippewa Indians, the Hayward area has remained an oasis of apparent calm.

The relationship between the Lac Courte Oreilles (pronounced La-COOT-o-ray) Chippewa and Hayward area business and resort owners has been cited as a model solution, particularly for the Minocqua area where confrontations between Lac du Flambeau Indians and the community have led to verbal and physical violence.

Ironically, the court decisions upholding Chippewa off-reservation spearfishing — and other treaty rights — stemmed from an incident at Lac Courte Oreilles here in 1974 when brothers Fred and Mike Tribble were arrested by wardens for spearing off the reservation.

"If I had the secret to our success, I'd bottle it and change the name to Lac Courte Oreilles and make a million," Lac Courte Oreilles tribal chairman Gaiashkibos (pronounced GOSH-ki-bos) said in a speech at UW-Madison last fall.

Mutual respect

If you talk to people up here you will find there is no big secret. The Chippewa and the whites have been sharing a common piece of the world for a long time. It hasn't always been easy, but they have learned to work out their differences. There is, in most instances, a mutual respect.

There are personal friends among them. You often will see them talking and eating together in restaurants in Hayward or at the restaurant in the shopping center at Reserve on the 70,000-acre Lac Courte Oreilles (LCO) reservation. There are mixed marriages. Men from both races have worked together; they have hunted



Chippewa Billie Jean Smith clasps hands with Hayward teammate Joanne Grindle.

and fished together.

Many whites have been taught the ways of the woods and the waters by the late Hank Smith and other Indian guides. Some of them have guided for resort owners. Hank Smith used to guide Jimmy Stewart when he came up here to fish. That made Hank Smith a local celebrity, in both camps.

Communication is a word often used by LCO members and by Hayward area business and resort people who share another common interest — tourism — which brings money to both the community and the reservation.

Hayward Chamber of Commerce executive director Kitty Monson used to vacation in the area with her family and moved here from Milwaukee nine years ago. She lives on the reservation, at Timberlake Lodge, which she owns, on the Chippewa Flowage.

"It's always seemed easy for us to work as a community," she said. "We have worked hard at communicating with each other."

Solving problems

The whites and Indians share common

problems, too, including unemployment and lack of opportunity for their young. About a year ago, they began organizing a joint development corporation (Hayward/LCO Progress), with one-half of the directors and officers coming from each community. The group will work to try to bring jobs to the area.

Monson said the corporation plans to develop sites on the reservation and in Hayward.

"We don't want industry that is harmful to our natural resources," she added. "Both groups are committed to that."

The two communities opened more formal talks about 5½ years ago, after a federal court decision upheld treaty rights.

It began with a sit-down, Christmas dinner attended by Indian and non-Indian couples. The result was a line of communication that would see cool and level heads prevail in both camps, that would see Indians and non-Indians agreeing to keep their radicals in line.

The level heads have included Gaiashkibos and other tribal leaders. They have included Tom Sweeney, owner of the Shady Nook Resort on the Chippewa Flowage and president of the Hayward Lakes Association, and Richard (Moose) Speros, owner of the Tiger Musky Resort on the flowage and president of the Lake Chippewa Flowage Resort Association.

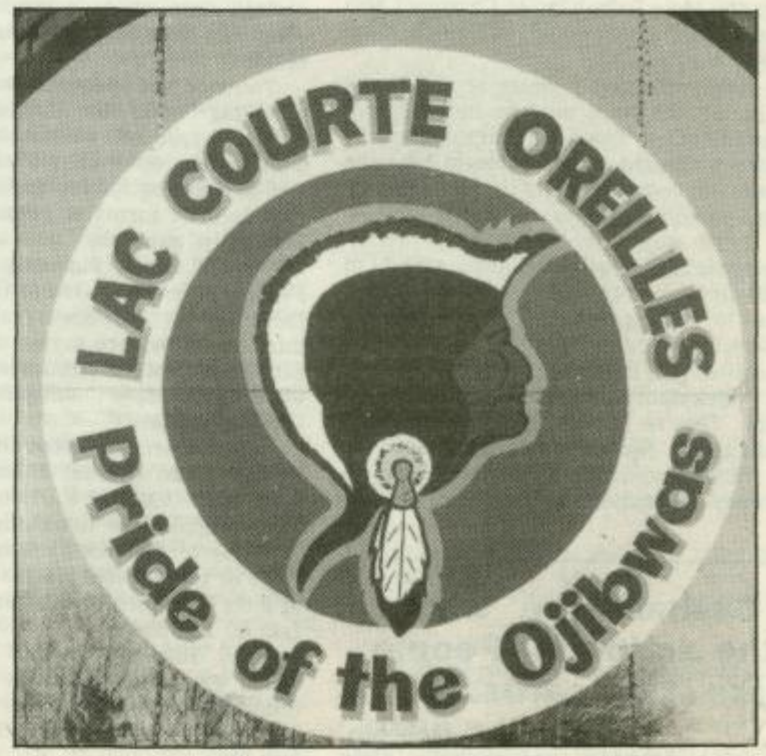
Gaiashkibos has cited Sweeney and Speros as friends in the community. "Tom has been in that (resort) business almost 30 years," Gaiashkibos said. "He is respected in the (reservation) village of New Post. He's one of those people who wasn't frightened and he got to know a lot of the oldtimers and some of the young people who were growing up back in those days."

"Back around 1983," Gaiashkibos recalled, "there was a group formed in the Hayward area called ERFE (Equal Rights for Everyone). It was the first racist organization that existed, but you know what we

Please turn to Page 43



Fern Diamond, an Oneida Indian, is one of several Indians teaching in Hayward schools.



State Journal photos/L. ROGER TURNER

Colorful sign greets visitors to the Lac Courte Oreilles reservation.

Talk eases Lac Courte Oreilles tensions

Continued from Page 42

did in this local community? We cut them off in the very beginning. We portrayed those folks for what they were and for their racist intentions. I credit guys like Moose Speros for that."

Facing conflict

Speros is no stranger to conflict. An F-100 fighter pilot with 23 years in the Air Force, he flew 232 combat missions over Vietnam. A native of Pennsylvania, he used to come here to fish with his father. He has run the Tiger Musky resort on the south end of the Chippewa Flowage for 14 years, which makes him an oldtimer here by some standards.

In talking about the struggle to open lines between whites and Indians, Speros cited POWs during the Vietnam war who lived alone in 10-by-10-foot cells and learned to communicate by tapping the letters of a 25-letter alphabet they developed through the walls.

"The point," he said, "is that communication isn't always easy, but it's possible. If they could do it there, I knew we could do it here. We talk about issues we wouldn't have talked about five years ago. I don't think there's an Indian side and a white side here anymore. That's how you get things done."

Sweeney and his late wife came here 30 years ago from Chicago, where he ran a print shop. They had vacationed in the area and made the move for a change of lifestyle.

"From the time I moved here, I had Indian neighbors," Sweeney said. "They were good neighbors, friendly, and they would help you if they could. I've had many close friends among them and I've hunted and fished with them. I've known Gosh (Gaiashkibos) since he was in high school."

"The tribe has been a responsible part of the community for years," Sweeney said, "and when they do something they think of the impact on the community."

"Basically, what has happened here is that the white community has accepted the treaty as the law of the land," Sweeney said. "The tribe has exercised its rights, but in a way that has not created undue hardships or problems."

Gaiashkibos explained it this way: "There's something real important that the white community overlooks," he said. "The traditions of our people tell us that you only go out and take what you need. According to the courts, we can take all the fish that are available to us — 100 percent of the safe harvest level. We don't do that."

Last year, Gaiashkibos said, the LCOs limited their take to 54 percent of the safe harvest level (about 4,800 fish) on the 12 off-reservation lakes on which they speared. Of those, he said, they took less than 1,500. "That meant there were about 3,300 fish we had the opportunity to take and didn't," he said. The LCOs have not asked for extra law enforcement protection at spearing sites.

Cultural overlap

Physical proximity is one of the keys to the relationship between cultures here, with the reservation occupying much of the territory from Hayward southeast to the Chippewa Flowage.



State Journal photo/L. ROGER TURNER

Chippewa Jerry Diamond, a silversmith, runs the only Indian business in Hayward.

There are whites living on the reservation; many of the white-owned resorts in the area are on the reservation. Of the 70,000 reservation acres granted by treaty in 1854, some 21,484 acres now are owned by whites. There are Indians living in the Hayward community. Members of both frequent the LCO-run bingo and gambling casino on the reservation. Some say the casino is a good cultural mixer: "Losing makes friends of us all."

Signs outside the tribal gas station at Reserve advertise many white-owned businesses in the region. There are signs along the roads, welcoming people to the reservation. "We did that primarily to let people know we are not hostile," Gaiashkibos said.

Jerry Diamond, a Lac Courte Oreilles silversmith, runs the only Indian-owned tourist shop (the American Indian Gift Store) on Main Street in Hayward.

Diamond was born on the reservation and returned home after 20 years in the Army. He earned a business degree from Mount Senario College in nearby Ladysmith and was director of the teacher training for the tribe before taking up silversmithing. He opened the store three years ago. He is a member of the Hayward Chamber of Commerce.

Diamond's wife, Fern, an Oneida Indian from Green Bay, holds a master's degree in special education from Penn State University and teaches in the Hayward

schools.

She is among several Indian teachers in the Hayward public school system, which is shared by the LCOs and whites. About 24 percent (397) of the students in the Hayward schools are Indian. You will see Indian and white students walking together in the halls, you will see them working and playing together on sports teams and other school activities.

There are federally funded Indian education programs in the school system. Of elementary students studying the Chippewa language, 19 percent are white. Last year, the district put on an in-service program to explain treaty rights and to talk about other issues with teachers in the Hayward and other area districts.

School conflicts

Relationships, even in the school system, have not been without conflict. In 1975, LCO students walked out of the Hayward schools. Gaiashkibos cited racism and problems encountered by young Indians in the system. "All our kids came home," he said.

The LCOs started their own elementary and high school system on the reservation. The student population there now is 180. Most students have gradually returned to the Hayward schools. There are 600 to 700

students to draw from on the reservation. About 100 of them attend the St. Francis Mission School there. Others attend schools in nearby Winter.

Gaiashkibos is a product of the Hayward schools and graduated from high school there in 1968. His daughters, 5 and 8, attend the LCO school. "There are more class offerings in the public school system," he said, "but ours is culturally oriented and culturally based. Those are our strengths."

Art Tainter, a member of the tribal governing board, is the tribe's home school coordinator, the liaison with schools, parents, students and the community. He has been with the system for 14 years, beginning soon after the LCO walkout. "Each of us on the board," Tainter said, "tries to get involved outside of tribal government, in the community and in Sawyer County. My big interest is Indian education."

"Things have changed since 1975," Gaiashkibos said, "to where our students feel comfortable going back to that environment."

Distrusting government

The model relationship developed in the community does not always extend to government. The Indian does not trust government. There are precedents for this. They trust the federal government barely at all and the state government even less. "The bottom line (of the state and federal government) has always been to get at the resources of the Indian people," Gaiashkibos said. "I hope to hell there are no agreements made in the state of Wisconsin with the tribes because, to me, that would be a diminishment of our treaty rights."

The LCOs have cut their off-reservation spearing lakes for this spring from 12 to 11. Their anticipated take of walleyes is 3,025. The Lac du Flambeau tribe has named 112 off-reservation spearing lakes for this spring. They say they will take 25,173 walleyes.

If the Lac Courte Oreilles aren't spearing as aggressively as their Lac du Flambeau neighbors, it is not out of indifference to treaty rights, it is because of their traditions and because of their respect for the rest of the community. The LCOs want to be good neighbors but not, Gaiashkibos said, at the expense of being the ones to always give in. The LCOs reluctance to spear more aggressively has led to conflict between the tribes.

Nobody here will say there are no problems or that they have been solved. They are saying that they are working together to keep the peace. Indians and non-Indians admit that there is racism in the community, but agree that it has been kept in check. Still, it's not unusual to overhear anti-Indian conversations in bars and supperclubs here: "There's no such thing as a sovereign nation within a sovereign nation... the Constitution guarantees equal rights for all; how come the Indians have more rights than we do?"

Gaiashkibos knows this, and admits that confrontations at Lac Courte Oreilles spearing sites always are a possibility. He knocks on wood (his desk). "But I hope if something like that happens," he said, "that the white community will stand up with the tribe and say we don't want your racism here."

So far, it has.

Minocqua peace slower to gel

By Ron Seely

Wisconsin State Journal

Every spring for five years now, the people of Minocqua and Woodruff have cringed in the glare of a spotlight that casts them in what they say is an ugly and unfair light.

The controversy surrounding Chippewa spearfishing has heated up every year as the ice begins breaking up and news stories — invariably datelined Minocqua or Woodruff — begin breaking in newspapers and on television screens across the state.

All the fear and hate and uncertainty that have come to be associated with the issue center on these two communities. And as if that isn't burden enough, the communities are often depicted as lagging far behind their western neighbor, Hayward, which is usually held up as the perfect example of a community that has successfully dealt with the problems that surround spearfishing.

Community leaders agree that Minocqua and Woodruff have been slow compared to Hayward in tempering the ugliness. But they say that simply labeling the area as more racist is unfair and an oversimplification.

In interviews, local officials and residents identified several reasons why Minocqua-Woodruff seems the focus of the controversy and why the communities have had difficulty resolving the con-



Evelyn Hartlep

flicts. They say that:

■ Minocqua is headquarters for Stop Treaty Abuse, an anti-treaty organization led by the outspoken Dean Crist.

■ The Lac du Flambeau Chippewa reservation is home to the most aggressive tribal spearfishermen, who take more walleye from more off-reservation lakes than any other spearers. Also, Tom

Maulson, leader of the spearfishing group Wa-Swa-Gon, lives at Lac du Flambeau.

■ The area business community has been slow to organize. Area chambers have traditionally operated independently of one another. Minocqua and Woodruff — communities whose borders are blurred by a chain of restaurants, shops and motels — have separate chambers. And area resorts have never formed a resort association like the one in Hayward that has played a key role in establishing closer ties between the white and Indian communities.

All of these things have made it more difficult in the Minocqua-Woodruff area to find solutions, local leaders say.

The most crucial difference, many say, may be the presence of the leading proponents on both sides of the issue. Maulson, the leader of Lac du Flambeau's spearfishers, and Crist, the Stop Treaty Abuse leader who operates a Minocqua pizza restaurant, live and work just 12 miles from each other. Their verbal sparring — often marked by charges and counter-charges of racism and reverse-racism — ends up in far-flung news reports.

Evelyn Hartlep, director of the Minocqua Chamber of Commerce, says Hayward didn't have to cope with two such outspoken people — leaders of groups that represent what some consider ex-

tremist views.

"Within one area," Hartlep says, "you have these two very strong personalities, people who have assumed leadership roles . . . They did not have this in the Hayward area and that to me is one of the most significant differences."

Don Gauger, chairman of the town of Minocqua, agrees with Hartlep. He adds that Minocqua and Woodruff are also in the heart of the most heavily speared portion of the ceded territory. This year, for example, the Lac du Flambeau band plans to spear 25,173 walleye on 112 off-reservation lakes in Vilas, Oneida, Iron, Marathon, and Lincoln counties. In contrast, the Lac Court Oreilles Chippewa plan to spear 3,025 walleye on 11 off-reservation lakes in Sawyer County.

Ken Carlson, director of the Lac du Flambeau Chamber of Commerce, praises recent cooperation between area chambers and the Lac du Flambeau Chippewa. It was a statement from 11 area chambers denouncing landing protests that prompted the Lac du Flambeau to reduce their fishing quotas this year.

Such organization and cooperation, Carlson says, is new to the area. Its absence, he adds, probably accounts for the delay in a coordinated search for solutions.

"It's never been done before," Carlson says.

Better economy may lessen conflicts

By Jennifer Riddle

Assistant business editor

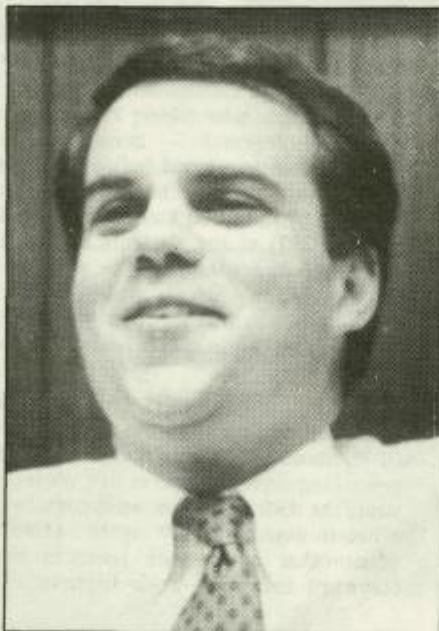
While reduced Chippewa spearing may improve the situation at northern boat landings this spring, longstanding animosity between Indians and whites likely won't end until a strengthened North Woods economy provides new opportunities for both groups, experts say.

Although many say the spearing controversy is a resource issue or the result of racial bias, a growing number of business and community leaders believe the conflict stems from economic fears and frustrations that have been building for years.

During the past decade, for example, the region's per capita income has lagged the state's by as much as 20 percent and unemployment continues to be nearly double the statewide average during some months. Things are even worse on reservations like Lac du Flambeau, where unemployment is nearly 50 percent and some 40 percent of the residents are living in poverty, according to statistics from the Great Lakes Inter-Tribal Council.

"The reason we're having problems up there is because of the fact that the north is economically much less well off than the rest of the state," said Thomas Heberlein, a UW-Madison professor of rural sociology. "People who are employed and active are not going to be as interested in the kind of conflict" seen at the boat landings.

But improving the region's economy



Robert Trunzo

won't be easy, experts say. A relative lack of manufacturing jobs and fundamental changes in the tourism industry are among the major development hurdles, they say.

"The overall strategy is to work for a fully diversified economy," said Robert Trunzo, deputy secretary of the state Department of Development. "And it's not just money that will be required. It's going to take education, training, private sector cooperation and technical assist-

ance."

Trunzo said the development department is eager to lure additional manufacturers to northern Wisconsin and is working to help existing firms grow. Moreover, the department's tourism division last fall launched a \$1.1 million effort to promote winter tourism — an initiative aimed at making the tourism industry a bigger year-round employer.

In addition to more aggressive marketing, North Woods hospitality businesses must work to expand their offerings and update their amenities, said Jack Gray, a marketing specialist with UW-Extension's Recreation Resources Center. People are taking shorter family trips, and resort owners need to cater to their tastes by providing better accommodations and recreational alternatives to fishing.

"The business is there for any operator that goes after it," Gray said. "People pick an area to do something where there's something to do."

Unfortunately, adapting to changing tourist demands is difficult for smaller operators, many of whom lack the resources to make major capital improvements or launch aggressive individual marketing campaigns, Gray said. However, a state economic aid package for the North Woods, including aid for small business development, will help small resort owners improve their operations, he said.

The aid package, proposed by Gov. Tommy Thompson and approved (with modifications) by the Legislature, totals

more than \$9 million and includes money for economic development, planning and technical assistance grants in 18 northern counties; \$750,000 for joint tourism promotion efforts by Indian reservations and surrounding communities; and \$1.2 million for economic development loans and grants to aid Indian-owned businesses operating on reservations.

In addition to such aid, lasting improvements in the North Woods economy will require cooperative development initiatives, Heberlein said.

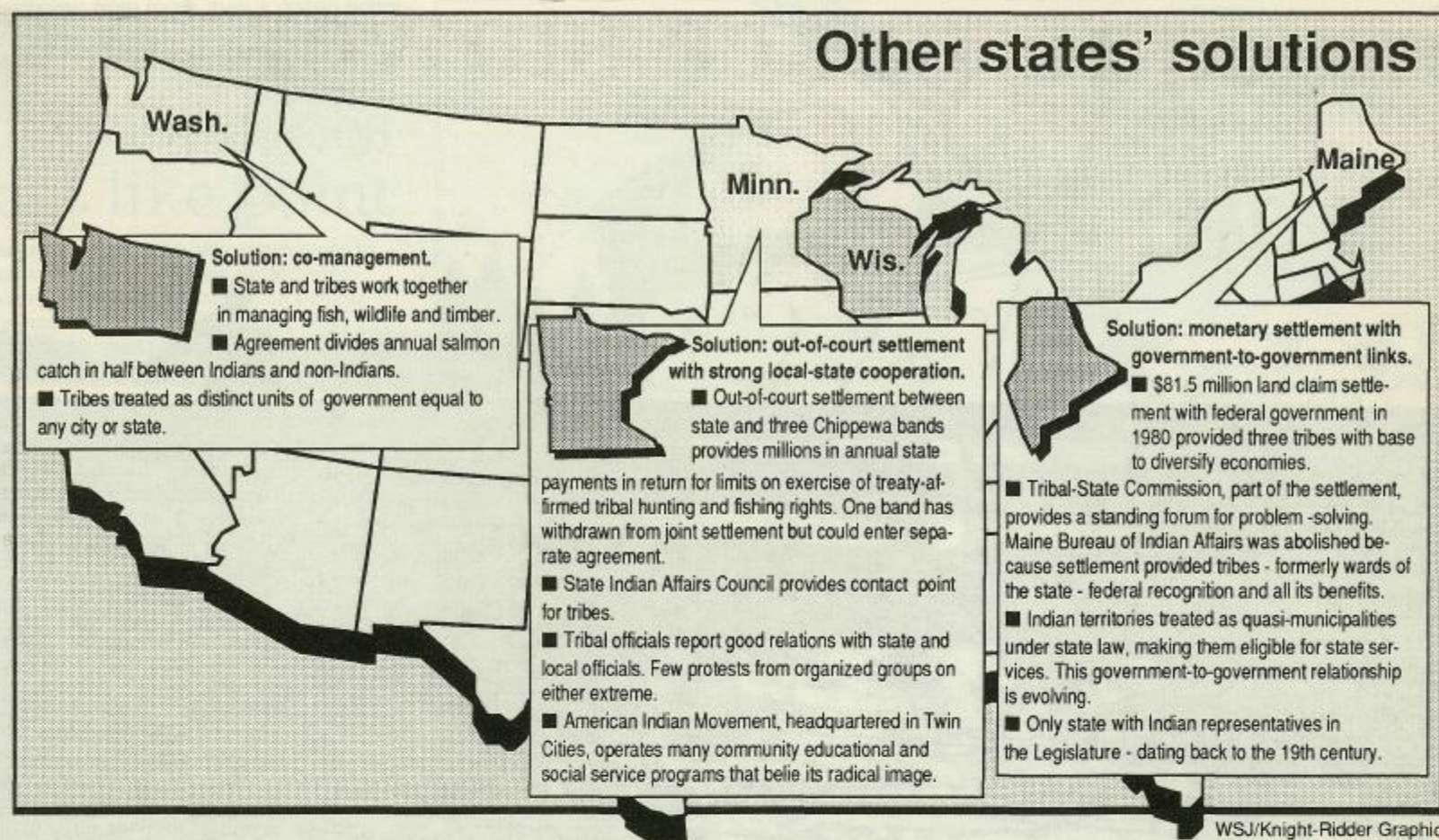
"I think we ought to put the best people in government, the private sector and the university together to work out a plan that will give some semblance of economic equality to the north," he said. "We also have to make some long-term strides in multi-cultural understanding."

Ken Carlson, president of the Lac du Flambeau Chamber of Commerce, said a group of business and civic leaders in a number of North Woods communities is having an impact.

"I think what's forced the anti-treaty people to back off is the stand by the chambers and the community leaders," Carlson said. "The business community has said, 'You don't speak for us.'"

But perhaps even more important, Carlson said, are the group's ongoing efforts to explore ways to promote the region's tourism offerings and bolster the economy.

"I truly believe that if this is ever going to be solved, we're going to have to solve it ourselves," he said.



Groups tout abolition of treaties

By Ron Seely

Wisconsin State Journal

The logic goes like this:

The problem is with the treaties; they give some people rights that others do not have. The answer, then, is to get rid of or change the treaties.

So argue members of anti-treaty groups like Stop Treaty Abuse. The technical word for abolishing a treaty is "abrogation."

It's the only way, say some treaty opponents, to eliminate those rights — like spearfishing or hunting off-reservation without a state license — that they say the Indians unfairly hold.

"Indians," says a recent publication from Stop Treaty Abuse, "are given rights denied to other American citizens. How can the federal government make treaties with one group of citizens and deny other citizens the same rights guaranteed by the Constitution?"

Fred Hatch, a Chippewa Indian and attorney for Stop Treaty Abuse, said that while outright abrogation is not a politically popular notion today, altering or changing the treaties is still an option. It's been done before, Hatch said.

A recent publication from the anti-treaty organization Protect Americans' Rights and Resources, it is suggested that one solution might be to change the treaties.

"One thing which might be done," the publication reads, "is to secure a Senate Resolution declaring that . . . (the treaty's) intention in 1854 was to provide for the assimilation of the Chippewa into the mainstream of Wisconsin's communities, not to preserve them forever in a politically separate status. That clearly was not the intention at the time, whether many today are comfortable with it or



Eddie Brown

not."

Despite such calls for change, state and federal officials have stated clearly that it's not an option.

Republican Gov. Tommy Thompson has eliminated abrogation as a solution.

U.S. Sen. Daniel Inouye, D-Hawaii, said during a recent visit to Wisconsin that the Senate Indian Affairs Committee, which he heads, will not consider abolishing or changing the treaties.

In an interview with The Wisconsin State Journal, Eddie Brown, who heads the federal Bureau of Indian Affairs, left little room for doubt about where he stands on abrogation:

Any discussion of solutions to Wisconsin's treaty issue "has to start from the fundamental fact there will be no abrogation of treaty rights," Brown said.

Still, the notion dies hard.

At a recent and controversial national meeting of county associations in Salt Lake City, a central issue was the "modernization" of Indian treaties. Indian activists argued that the word "modernization" was simply another way to say abrogation.

Assimilation, often viewed as the end result of abrogation, is a popular solution among anti-treaty groups.

And Don Gauger, chairman of the town of Minocqua, said that eventually, getting the Indians off the reservation and into the general society may be the best long-term solution.

"I think it would be better," Gauger said. "I don't know that you could just abolish it right away. You'd have to have them (the Chippewa) want to be assimilated into the American way of things. but you can't just throw them in there now."

Until recent years, assimilation was the foundation for much of the federal government's Indian policy. But forcing Indians into the mainstream of American life often proved disastrous.

Nancy Oestreich Lurie, an anthropologist with the Milwaukee Public Museum, writes in "Wisconsin Indians" of two failed policies adopted in the 1950s, both aimed at assimilation. One was termination, which would have abolished Indian reservations and the other was relocation, which was meant to disperse the Indian population from rural to urban areas.

Termination was tried in only one place in Wisconsin — on the Menominee Reservation. The reservation was "terminated" in 1961 and made a county. Individual Menominee were encouraged to purchase parcels of land within the coun-

ty. But because of high unemployment and little interest in the foreign idea of "owning" land, many Menominee lost their property when they defaulted on their taxes.

By the time the experiment ended in 1973 and tribal status was restored, the tribe had lost several thousand acres of its reservation to non-Indian landowners.

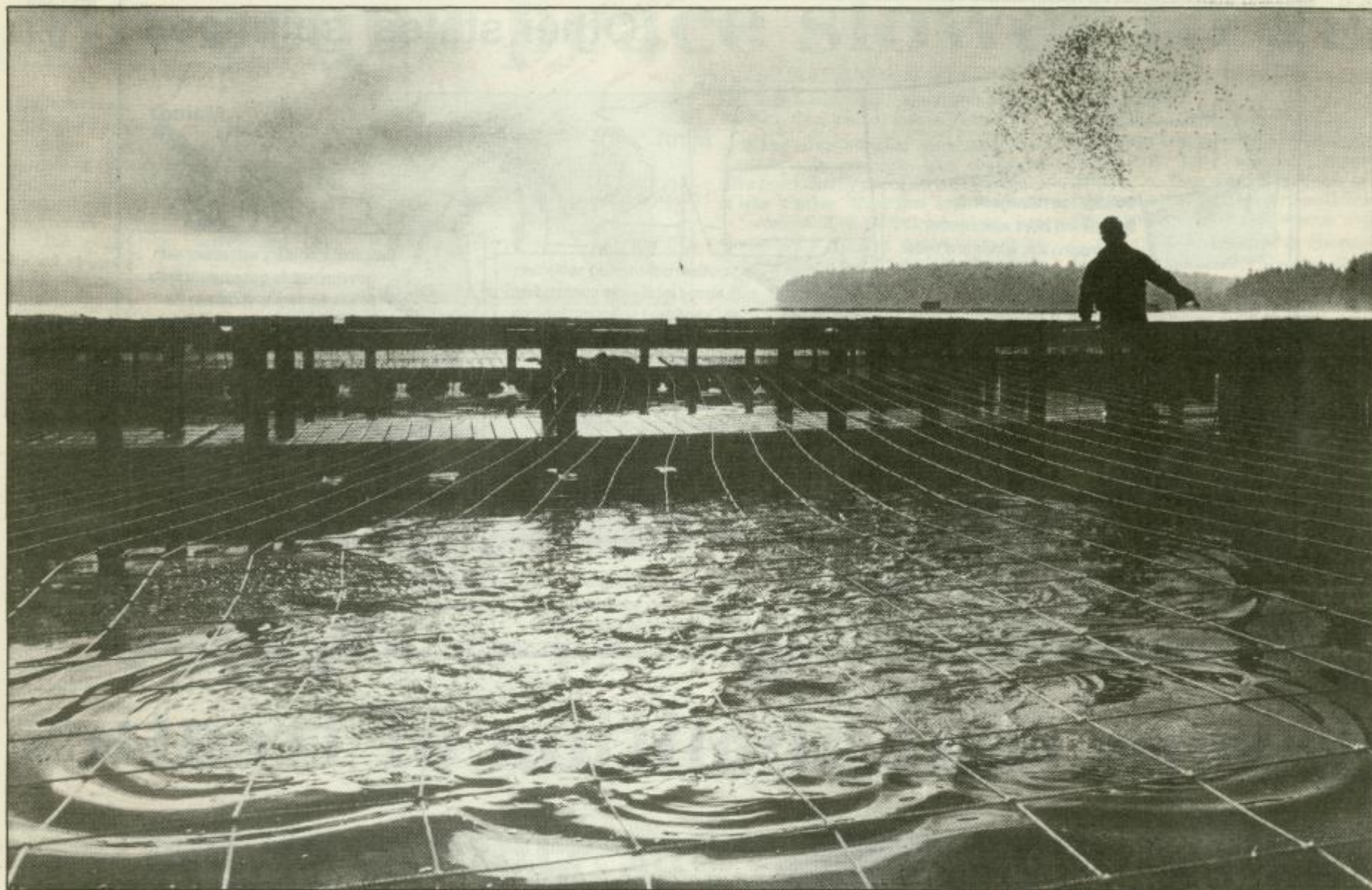
The policy of relocation fared no better. Under this plan, Lurie explains, the government provided travel money to cities as far removed as possible from the Indians' reservations. But she wrote that the Indians who participated in the program were poorly screened for marketable skills, command of English, and knowledge of city life.

"Many Indian families were left destitute by the slight recession of the mid-1950s," Lurie writes. "They were unable to get back home and were shy about seeking public assistance; indeed, many did not even qualify for welfare because they did not meet residency requirements."

Despite these failures, anti-treaty groups argue that the treaties and the reservation system fostered by federal Indian policies have kept Indians segregated and at a disadvantage compared with the rest of American society.

"The reservation system was solely designed to separate American Indians from society," says an STA pamphlet titled "Wisconsin's Treaty Problems."

"Federal Indian policy fosters poverty, racism and massive graft and corruption. America's strong point has always been her ability to form one nation, undivided, with liberty and justice for all. Federal Indian policy is a direct reversal of our nation's policy of racial assimilation."



State Journal photo/SCOTT SEID

Indian-run fish hatcheries in Washington state have led to dramatically increased stocking. Here, John Walker throws feed to pens holding 75,000 to 100,000 salmon.

DNR says stocking not the answer

By Jeff Mayers

State government reporter

One solution to treaty conflicts offered during last spring's tense spearfishing season was for the state to buy thousands of legal-sized walleyed pike and dump them in northern Wisconsin waters.

Enough fish for Indian and non-Indian, right?

Wrong, say officials with the state Department of Natural Resources, which is responsible for managing the state's vast walleye fishery.

Simply put, plans to solve the state's continuing spearfishing controversy solely through increased stocking fail on two counts: prohibitive cost and the consequences of messing with something best done by nature.

"There's no way we could build enough hatcheries to duplicate what nature is doing for us right now," says Michael Hansen, a DNR fish specialist who says two-thirds of the state's walleye lakes are naturally reproducing.

The DNR, though it stocks more than 4 million walleye a year in the territory Chippewa ceded to the federal government in the 1800s, doesn't put hatchery fish into self-supporting waters such as

the Chippewa Flowage and the Turtle Flambeau Flowage, says Douglas Morrisette, the former head of the DNR's fish management division. He now works as the department's chief liaison with Wisconsin's Indian tribes.

The DNR does stock lakes that have no or little reproduction.

"It's a depressant (on the fish population)," Morrisette says. "There's potential for disrupting the genetics. Some of these have been selected over hundreds of years. Biologically, it's a very, very bad business."

Then there's the cost.

The now-shelved fish-buying scheme would have cost a bundle — \$3.50 per pound to buy catch-able walleye from a commercial Lake Erie hatchery, Morrisette recalls. The statewide legal size limit for a walleye is a minimum of 15 inches.

"It doesn't solve the problem," Morrisette says. "If it were just a one-time happening, it'd be one thing. But it isn't."

Besides, says David Ives, a coordinator of DNR fish hatchery operations, even if the state did start a massive stocking program to offset spearing, it probably wouldn't do any good because the Chip-

pewa allowable catch would rise in accordance with the increase in fish numbers.

Still, the DNR's fish-stocking program is an important part of the agency's management program.

Last year, Ives says, about 4.7 million walleye were stocked in the DNR's north-central and northwest districts (which include the ceded territory). Last year also was the first year of a new program to increase the number of larger, stocked walleye — a program in direct response to spearfishing.

Stocking those "extended growth" walleye (fish 6 inches and longer, compared to smaller fingerlings) cost about \$1.20 each last year for 45,000 fish, Ives says. This year, the cost figures to be about \$1 per fish for about 50,000 fish, he adds.

Ives says DNR also is going ahead with a \$1.6 million expansion of the Lake Mills hatchery, an expansion in planning before spearfishing became a controversy. Production at the hatchery will go from 150,000 to 600,000 fish a year. Those fish, Ives says, will be stocked primarily in south-central Wisconsin to help take

pressure off the northern fishery.

The Chippewa Indians also operate several hatcheries in the state. The largest is at Lac du Flambeau where, last year, 13.1 million walleye fry and 714,000 walleye fingerlings were stocked in the reservation and border lakes.

State officials are eyeing those hatcheries as a potential source for stocking off-reservation lakes. The DNR is considering a plan to pay the Lac du Flambeau to raise 150,000 walleye fingerling to be planted this July in off-reservation lakes.

Gary Allen, assistant director of Lac du Flambeau's fish and game department, says that although the reservation hatchery currently doesn't stock off-reservation lakes, the stocking of the reservation lakes is important. Those lakes, he says, are used mostly by non-Indians from off the reservation.

Last year, he says, a creel survey showed that 95 percent of the people who fished the reservation lakes were non-Indians. About 48 percent were Wisconsin residents and 42 percent were from out of state.

Ron Seely contributed to this report.

This is a sampling from more than a dozen editorials on treaty rights formulated by the editorial board and appearing on The State Journal's Opinion Page.

Treaty opposites attract like point

Tom Maulson and Dean Crist have much more in common than a talent for coining unflattering nicknames (Maulson calls Crist "the Grand Dragon"; Crist calls Maulson "the Ayatollah") for the other guy. So much so, that you begin to wonder what the North Woods might be like if these two ever found a way to work together.

Maulson and Crist may be the most audible figures in northern Wisconsin's debate over Indian treaty rights. Maulson is a local spearfisher who represents an offshoot Lac du Flambeau Chippewa group called Wa-Swa-Gon. Crist is a self-taught public-relations man for Stop Treaty Abuse, a group that insists the 19th century treaties are outdated and unfair.

Profiled by State Journal reporter George Hesselberg as part of the "Cultures in Conflict" series, Maulson and Crist came across as sharing as many similarities as they do differences. Both are businessmen, although Maulson is far more successful. Both are skilled at turning a phrase or a gimmick to their advantage. Both see what is going on at the landings in northern Wisconsin is more than a heated debate over spearfishing.

The most important similarity, however, comes in how they view the historical process that has led to today's conditions in northern Wisconsin.

After a stint in the Army in the early 1960s, Maulson returned to the Lac du Flambeau reservation and realized "the tribe had a lot of problems," not the least of which was an inability to work together for a common good. He came to question the culture of dependency. "... We have to be able to do it all without crutches, without the governments 'gimmee' programs. We have to draft our own role models, put away our knives and pat our people on the back once in a while."

Chicago transplant Crist says treaty opponents aren't racist, but separate-but-equal federal policies toward Indians bring out the worst in both sides. "It's frustrating to see (Indians) wholly rely on (welfare) when they have the abilities. A lot of what is wrong is how the system is abused out there. The Indians are the most heavily subsidized minority in the country, but they are still in the worst economic position."

So why aren't Maulson and Crist allies instead of enemies? Perhaps because they prefer it that way and always will. Perhaps, too, because the government's benign "apartheid" policies won't allow white and red to mix for the betterment of both while maintaining the cultural pride of both.

When next we hear of Maulson and Crist, they may be yelling at each other on a radio talk show or across a boat landing. Somehow, we can't help but wonder if they both ought to be yelling at everyone else.

Treaty solutions have precedents

After Wisconsin's Chippewa bands rejected a proposed 10-year, \$50-million buyout of fishing rights last October, many non-Indian observers on both sides of the issue found themselves asking, with varying degrees of exasperation, "Just what do the Indians want?"

Why do they seem willing to forgo the benefits of economic growth to hang on to an anachronistic ritual? Must preserving Indian culture doom its adherents to lives of poverty, unemployment and isolation? Is there any way to bridge the gap between red and white, a gap that sometimes seems centuries wide?



As The Wisconsin State Journal's continuing "Cultures in Conflict" series shows, there are multiple answers to those questions. Indian culture is not a monolith; different tribes have faced similar issues and come up with very different solutions.

In Oklahoma, for instance, there are two tribes with roots in Wisconsin, the Kickapoo and the Sac and Fox, who have chosen very different paths. The 1,800 Oklahoma Kickapoo have concentrated on preserving their culture by isolating themselves and have paid the price in poverty. The 2,200 Sac and Fox Indians have capitalized on resources granted them under treaty rights and are sitting on a \$30-million defense contract that eventually will employ 1,200.

In Maine, three tribes — the Passamaquoddies, Penobscots and Maliseets — agreed 10 years ago to an \$81.5 million federal settlement over aboriginal rights. A decade later, however, progress toward self-sufficiency is mixed: The Penobscots are rich in land, strong on jobs, but short on cash, while the Passamaquoddies have solid investments but a staggering 50-percent unemployment rate.

In Washington state, the stakes were much the same as in Wisconsin — Indian fishing rights — and may offer instructive parallels for state and tribal officials here. After a 1974 federal court decision upheld the treaty rights of multiple Washington-based tribes, the state wasted almost 10 years on costly appeals and countersuits before embarking on the smoother path of co-management. Washington's Indians are partners with the state in the management of Washington's timber, wildlife and fish. State and tribal officials believe partnership is more effective than trying to persuade the Indians to give up their rights.

Wisconsin is not Washington, Maine or Oklahoma, and the Chippewa are not the Yakima, Penobscot or Sac and Fox. Both sides need to find a path around their differences, but that doesn't have to mean starting from scratch to reinvent the wheel.

Options exist, and it's important they receive careful study between now and the start of spearfishing season if last year's ugly confrontations are to be avoided. Just as the federal court decision affirming Chippewa treaty rights in Wisconsin was based in part on the 1974 Washington state decision, those who seek a respectable solution to the North Woods treaty crisis can speed the process by looking at precedents set by other tribes in other states, by comparing goals and outcomes, by learning from the successes and failures of those who have traveled these paths before.

For peace, let's spear stereotypes

If anything good can be said to come from the Indian spearfishing controversy, it is this: The ugliness at the boat landings has forced many Wisconsin residents to re-examine their feelings and beliefs about Native Americans.

As The Wisconsin State Journal's continuing series "Cultures in Conflict" has shown, these attitudes are shaped primarily by fear and ignorance, neither of which are new to the Indian issue.

It was fear and ignorance 150 years ago that prevented white settlers from learning to live side by side with Wisconsin's Indians, and led to slaughter and bloodshed on both sides. It was fear and ignorance that propelled a century's worth of disastrous federal Indian policies, which drove the Indians onto reservations and attempted to stamp out what remained of their language and culture.

More recently, it was fear and ignorance that drove angry North Woods residents to the boat landings. The fear that Indian spearfishing would harm the fish population and hurt the fragile northern economy blinded its sufferers to the perpetual North Woods poverty.

It is fear and ignorance that prompt some whites to lash out at Indians as freeloaders living off government handouts, a favorite topic of treaty rights foes. The printed blather from Stop Treaty Abuse that details supposed government handouts to Indians is a pack of lies.

As the myths and stereotypes melt in the light of reality, hope grows for a peaceful spring on the boat landings this year. One sign of the decreasing tension is a joint statement issued last month by the chambers of commerce in 11 North Woods cities and towns. The statement was a positive affirmation of Indian rights, and said continued interference by treaty-rights opponents threatened the social and economic balance of the North Woods. This is the kind of civic leadership the times demand.

It is fear and ignorance that has kept the North Woods' whites and Indians from sharing and appreciating each other's cultures. It is learning and leadership that can help replace the ugliness of past confrontations with peaceful cooperation in the future.

Gresham: 'No lasting scars'

By Jeff Mayers
and Richard W. Jaeger
Wisconsin State Journal

GRESHAM — A sprawling stone building, once a meditative spot for members of a Roman Catholic brotherhood, stands abandoned, a symbol of federal Indian policy gone awry.

Fifteen years ago, early on New Year's Day, the Alexian Brothers novitiate near this Shawano County village was the staging ground for a tense 34-day siege by a band of about 45 Menominee tribal members. The called themselves the Menominee Warrior Society. The group's stated goal was to have the buildings converted into an Indian hospital.

The complex events preoccupied a governor's office, attracted national media attention, brought into the open internal feuding on the nearby Menominee reservation, inspired outbreaks of local anti-Indian sentiment and came close to getting somebody killed.

"It was a very dangerous situation," remembers Bob Dunn, chief of staff to then-Gov. Patrick Lucey. The worry: another disaster like the one at Attica, N.Y., where a federal prison takeover left 43 dead.

"All the ingredients were there. All it would have taken was one spark," said Dunn, now an executive with Levi Strauss & Co. in San Francisco. "We were aware it was a powderkeg and could explode."

Similarities are apparent to today's Chippewa treaty-rights conflict, which has resulted in tense faceoffs between Indian spearfishers and white protesters on northern Wisconsin boat landings.

At Gresham, for example, there was the potential for loss of life, just as there is on northern boat landings. There were also racial and political overtones to the takeover. Just as with the still simmering treaty crisis, resolution of the 1975 confrontation fell to state and local governments, even though federal policies and treaties were at the root of the situation.

Still, some point out crucial differences. They note that the event near Gresham had nothing to do with the spearing of walleyed pike off Chippewa reservations and little to do with Menominee treaty rights.

"At Gresham, you're talking Indian and Indian," said Jeffrey Smoller, Lucey's press secretary at the time of the takeover



State Journal photos/J.D. PATRICK

AIM leader Russell Means, center, was among Indian activists drawing national media to 1975 takeover of Alexian Brothers novitiate.

and now an official with the state Department of Natural Resources. "That was really an Indian political situation that spilled over. What you have here now in northern Wisconsin is completely different."

If you look at Gresham in terms of crisis management, the Lucey administration succeeded, helped by a record of friendly relations with Indians.

A negotiated settlement provided that the Warriors leave on condition the novitiate go to the tribe. No deaths resulted from what a Wisconsin National Guard report

called "a civil disturbance emergency with racial overtones."

But scars remain.

"We're still in the aftermath," says Robert Deer, the brother of Ada Deer. (Ada led the interim tribal government at the time and opposed the takeover.)

Today, a nine-member Menominee tribal legislature serves as a forum for balancing the factionalism that once threatened to bring chaos to the 228,000-acre reservation about 40 miles northwest of Green Bay.

Ironically, the current tribal chairman, Apesanahkwat (pronounced Ap-a- SAHN-a-kwot), is a former leader of the Warriors. He said some of the disputes that led to the takeover have come full circle and were the focus of debate in recent tribal legislative elections.

Although he and other Warriors don't apologize for their actions of 15 years ago, they admit their acts were something of a loose-cannon tactic.

"It accomplished what we set out to do," the chairman said. "It got us national press attention and focused that national attention on the inequities we said existed."

Ada Deer saw it differently.

The militancy disrupted "individual lives and the community," said Deer, who then led the Menominee Restoration Committee.

"It's taken a long time to rebuild," she said, noting that lives are just now returning to normal.

The white community, meanwhile, has learned about cooperation with American Indians.

Although he doesn't view the takeover as positive, John Lavine, former publisher of the Shawano Evening Leader, said, "There was a lot of cooperation and working together during and after" the takeover.

Despite the vocal extremes, a consensus developed among those whose goal was, "We're going to go forward with this together," said Lavine, a former University of Wisconsin regent and now director of Northwestern University's Newspaper Management Center.

"There was some anger — no, a lot of anger — about the whole situation," recalled Gary Ehman, news director at Shawano radio stations WTCH and WOWN and a former newspaper reporter. "We learned a lot of lessons. You've got to work at cooperation. I think the community is better for it."

Today, he said, the event has faded. "Nobody even talks about it," he says.

Menominees mix easily in Shawano, shopping and eating at restaurants. Whites, who once were afraid to drive through the reservation, flock to the Menominee gambling halls to play bingo or gamble.

"There are no lasting scars," says Reuben Johnson, who operates Stier Hardware in Gresham. "Indians and whites shop and work here and on the reservation without problems."

That peaceful coexistence is symbolized in a large mural on the side of Johnson's store. It depicts a white settler and Indian brave exchanging peace offerings. The mural, by a local artist, was painted in



A fire claimed the house occupied by AIM members during the Gresham takeover.

No scars? Depends on view

Continued from Page 48

1976, one year after the takeover.

Explanations for the abbey takeover are complex, but those who lived it say it has to be placed in the context of Menominee history.

The internal struggles that resulted in the militant action by the Warriors had their roots in the Menominee Termination Act.

The federal policy of termination was intended to wipe out reservation boundaries and remove from federal protection those tribes with enough resources to make it their own. About 2.5 million acres of Indian land were removed from protected status from 1945-65, according to the U.S. Commission on Civil Rights.

The Menominees delayed and delayed the implementation of termination. But in the end, they went along.

In 1961, their reservation became one of the state's 72 counties. The tribe established a profitable lumber operation (run by Indian and non-Indian trustees) that paid the bills for a government without a property tax base. "The supposedly 'freed' Menominee people ended up with less control over their affairs than had been the case before termination," wrote Indian anthropologist Nancy Lurie of the Milwaukee Public Museum.

"The state of Wisconsin and white business interests simply took over management from the (federal) Indian Bureau," Lurie wrote. "The board of directors of Menominee Enterprises (the new business arm of the tribe), comprised of both white and Menominee members, was well-intentioned, but it faced an impossible situation: a worn-out mill, a practically empty treasury and a staggering tax burden."

The old, conservative guard of Menominees cooperated with white business leaders and tried its best to make things work. Then they tried to diversify and create a tax base of privately-owned land by selling homelots around an artificial lake.

The development project, Legend Lake, became a rallying point for a more liberal group of Menominees caught up in the national Indian movement and the anti-institutional fervor of the 1960s and '70s.

That group — some of the old guard labeled their supporters "commies" — gathered under the banner of DRUMS, which stood for Determination of Rights and Unity for Menominee Shareholders.

The populist rhetoric of DRUMS said the old guard was selling reservation land and making decisions for the people and not by the people.

'They were coming out of the time of Kent State where guardsmen had gunned down students and (the National Guard) could not afford any repeat bloodshed.'

Gordon Dickie, tribal elder

After successful protests and court rulings, DRUMS members seized voting control of Menominee Enterprises. The Legend Lake developer pulled the plug on the controversial five-year project in 1972. All of the unsold property was purchased and placed in trust for tribal members.

DRUMS went on to win a return to federal tribal reservation status under the revised federal policy of "self-determination," which was intended to let Indians decide their own fate with the help of money and federal protection from Washington.

Capitalizing on support from Menominees in Milwaukee and Chicago, and liberals inside state government, DRUMS-sponsored candidates in March 1974 took control of the Restoration Committee.

Ada Deer, who had Democratic political connections, took over as chairwoman of the committee. The leading DRUMS candidates making it onto the Restoration Committee also were women — Sylvia Wilbur and Shirley Daly.

On the outs were a group of disenfranchised men — Apesanahkwat (then known as Melvin Chevalier Jr.) and Kenneth "Bum Bum" Fish — defeated by DRUMS candidates. They and eight other young men from the tribe, most of them Vietnam veterans, were the Warriors' nucleus.

They aligned against the Restoration Committee and its DRUMS members, charging them with being "self-serving tyrants" who were ignoring the people of the tribe by taking away the members' individual involvement in their own governance.

According to the Deers, the disenfranchisement grew to frustration and then to anger.

The anger exploded on Jan. 1, 1975, when the armed Warriors, led by Michael Sturdevant, took over the novitiate and its 20-room mansion and 64-room addition.

They targeted the monastery, Warrior Society spokesmen said at the time, because the Catholic Church had been responsible for the "cultural genocide" of Indians. They also said the tribe needed a hospital.

The takeover quickly became a crisis. Lucey called up the Wisconsin National Guard on Jan. 6, putting Col. Hugh Simonson in command.

Leaders of the American Indian Movement arrived the next day. Celebrity Indian sympathizer Marlon Brando and Milwaukee activist and priest James Groppi would later join the protest.

Top Lucey aides often camped overnight in the East Wing of the Capitol, making sure they were available in case of emergency.

"You have weapons involved, property taken," Smoller, the former Lucey aide, said recently. "If that doesn't fit the definition of a crisis, I don't know what is."

Of Simonson, now dead, Smoller said, "When he was in control, you were confident no one was going to be blown away needlessly. That's why Pat Lucey had confidence in him."

Gordon Dickie, 78, one of the elders of the tribe who formed a Warrior support group of older Menominees known as the People's Committee, also credits the National Guard and Simonson.

"They were coming out of the time of Kent State where guardsmen had gunned down students and they could not afford

any repeat bloodshed," Dickie said.

It wasn't the first time the Lucey administration had been embroiled in an Indian takeover of property.

In 1971, members of the Lac Courte Oreilles (pronounced La-COOT-o-ray) band of Chippewa seized a power dam near Winter in Sawyer County to protest extreme fluctuations in Chippewa Flowage water levels. That protest also ended peacefully.

Lucey was helped in both cases, aides say, by a good relationship with Indians. He didn't have to be educated about Indian issues or Indian problems, they add.

But in this case, the Lucey administration had little sympathy for the Warriors. The administration sided with Deer and the restoration committee, which denounced the takeover as militant and counterproductive.

Months of turmoil followed the takeover as Menominees struggled with how to govern themselves.

Some eight months after the takeover ended, the abbey was severely damaged by fire of undetermined origin.

A bomb — it's unclear whether it was connected to reservation matters, Lavine said — blew out a wall at the Shawano Evening Leader.

Two Menominee Warrior Society members — John Waubanasum and Arlin Pamanet — died in 1976, shot by Menominee County Sheriff Kenneth Fish, an uncle to the former Warrior. A state Department of Justice investigation later showed there wasn't evidence to justify removing Fish from office.

Critics charged that rule under the Restoration Committee was corrupt and autocratic, and propped up by patronage jobs. They sought elections that would bring a true representative government.

Mary Kay Baum, now a Madison School Board member, directed a team of lawyers that worked for some of the critics. She said her group — the Menominee Legal Defense-Offense Committee, eventually won court rulings forcing movement toward a new tribal constitution and elections.

The constitution was adopted by tribal members in November 1976, elections were set and Ada Deer resigned her position as chairwoman of the Restoration Committee.

Only two of the Warriors went to prison on burglary charges related to the takeover.

Although Baum was married to Warrior leader Sturdevant for a couple of years after the takeover, she won't condone the action. But it did "speed up full restoration of self-government," she said.

Today, Ada and Robert Deer still cast the event as mostly negative. In a little over a month, they said, it eroded a mountain of good will built over years. It called into question the credibility of the DRUMS-led government. It stirred local anti-Indian sentiment. It spurred violence on the reservation.

But the event brought national publicity to pressing Indian problems and energized lethargic tribal members to get involved, Robert Deer said.

"I think you see some of those things in the Chippewa issue," he said. "It's hard to find the positives."



Ada Deer

Deer's fight now national

By Jeff Mayers

Wisconsin State Journal

Ada Deer still gets a little riled when the subject of the Menominee Warrior Society comes up.

For good reason.

The Warriors' action 15 years ago threatened the project that brought Ada Deer to national prominence — the fight to restore the Menominee Indian nation to federal tribal status.

Deer, 54, hasn't given up fighting for what she thinks is right.

Now a senior lecturer at UW-Madison's School of Social Work and the Native American Studies Program, the overcommitted Deer has been elected to lead a prominent Indian legal rights organization. The board of the Native American Rights Fund elected Deer the organization's chair in November.

Deer has been involved with the organization for years, a relationship that began with her fight to restore the tribe's federal status, which was terminated by Congress in the 1950s.

Her position with NARF continues Deer's leadership role in the Indian rights movement.

These days, she is outspoken in her support of the Chippewa Indians' rights to natural resources in northern Wisconsin.

A two-time Democratic candidate for secretary of state, she is critical of Republican Gov. Tommy Thompson's handling of the Chippewa treaty rights confrontation that threatens the peace of northern Wisconsin.

"He has not exerted the moral and legislative leadership needed to resolve this issue in a positive way," she said.

Deer said Thompson's attempt in spring 1989 to get the federal courts to stop Indian spearfishing sent a bad signal to Indians because it suggested that state government was "pandering to racists" — a reference to the anti-treaty groups.

"From what I see . . . I feel he (Thompson) has misinformation. Maybe he lacks information," she said.

From 'thug' to tribal leader

By Richard W. Jaeger
Wisconsin State Journal

KESHENA — There is something ominous about the presence of the man called Apesanahkwat.

Some say it's the way he dresses. His long white canvas coat drapes down to his ankles, reminiscent of those worn by gun-fighters in the Old West. His long, black leather gloves pull up over the cuffs of his coat sleeves, their wide tops jutting out like feathers on an arrow as he strides down the hall, head and shoulders held high.

His high-crowned, black western hat with a tall feather pointing skyward, and his gray leather western boots, make him stand even taller than his 6-foot-plus height.

Others say it is his soft, strong voice. It is spellbinding as he describes his people's heritage and suffering. It stirs with emotion as he talks about their future.

This image may come from the experience of acting in five motion pictures (among them the updated "Annie Oakley") and two TV shows ("Hunter" and "Punky Brewster") or it may spring from a deep inner philosophy inherent in his heritage.

His Christian name is Melvin Chevalier Jr. His Marine name, in the foxholes of Vietnam, was Buddy. He is part French, and claims to be a descendant of Marie Antoinette.

But, most of all, Apesanahkwat (pronounced Ap-a-SON-a-kwot) is a Menominee Indian Warrior, a hereditary chief. He holds the title of chairman of the Menominee tribal legislature, a post he was elected to three years in a row.

However, 15 years ago, he was considered a renegade and, by some, a thug.

Early on New Year's Day 1975, Apesanahkwat and four of his brothers joined six other young Menominee warriors to make up the nucleus of a movement that would shock the state and go down in the history books of Wisconsin and the Menominee Indian tribe. They called themselves the Menominee Warrior Society.

Those young men, all in their mid- to late 20s, were joined by other members of the tribe — men, women and children — in the takeover of the vacant Alexian Brothers novitiate outside the village of Gresham in Shawano County and a mile from the Menominee Indian Reservation.

Their protest was against the government structure proposed in a new constitution for the tribe, which was on the verge of returning to tribal status. They wanted to return to the historic general council type of government in which all tribal members decide issues.

The group opposed the female leadership of the committee drafting that constitution. The Warriors wanted to put themselves into office under the new tribal government. They claimed the deserted novitiate and mansion for use as an Indian hospital and drug and alcohol treatment center.

But the protest, they say, was never against whites.

It was an armed takeover with many of the 250 Menominee who eventually occupied the abbey carrying shotguns and deer rifles.



State Journal photo/JOSEPH W. JACKSON II

Current Menominee leader Apesanahkwat, left, and Kenneth Fish were among leaders of 1975 novitiate takeover.

During the opening days of the takeover, gunfire was exchanged with area law officers called to roust them from the sprawling 230-acre complex with its massive stone buildings.

The Wisconsin National Guard was called to keep the peace and work toward resolving the siege.

After 34 days behind the walls of the abbey, often without food and heat during subzero weather, most of the Warriors surrendered.

Not Apesanahkwat and a friend, Kenneth "Bum-Bum" Fish. Both Vietnam veterans, they used their Marine training to slip out the back door and fade into the woods.

Fifteen years later, Apesanahkwat and Fish are back on the scene and in leadership roles in the government they had protested.

They look back on the takeover as a "bit of overreaction to something that might have been handled internally. We were young and quick to the trigger back then," Apesanahkwat said, flashing one of his ever-present smiles.

"We achieved what we set out to do — get national attention to the plight of our people — and it worked. Instead of \$400,000 for a clinic, we got \$1.2 million."

Fish, who built a grenade launcher in the basement of the abbey while it was under siege, is creating amendments to the tribe's constitution as director of a tribal constitution and bylaws committee. He also has served in the tribal legislature.

There is a bit of irony in their new roles. They are raising some of the same issues they did in 1975. The role of women in

tribal government, for example, is still hotly debated. Silvia Wilbur and Shirley Daly, two female tribal leaders who were targeted in the takeover protest, remain bitter.

In 1975, both women had leadership roles on a special Menominee Restoration Committee. Some observers of the 1975 takeover felt it was aimed at Wilbur, Daly and another woman, Ada Deer, who headed the Restoration Committee. They felt it was a sexist action because the young Warriors disapproved of the government being run by women.

"It was strictly a chauvinistic thing," Wilbur said. "It also was stupid and a mistake, a mistake that set the Menominee people back many years."

Apesanahkwat, while saying there were many reasons for the takeover action, emphatically says women should not be in government. He also says that in 1975 the three women were "intoxicated with liberation."

The chairman doesn't mince words in explaining his dislike for Wilbur. Although he says he can and has worked with Daly and Deer, he calls Wilbur an "antagonist, tyrant and racist." He claims she has opposed every positive program he has proposed "without reason."

Explaining his stance on women's involvement in the tribe, Apesanahkwat points to tribal heritage, which he says makes women "the keepers of wisdom and the teachings of the tribe."

"That includes keeping the chiefs of the tribe in line whenever they make mistakes or misspeak. If they (the three women) were really aware of our heritage, they

would have known there is no inequity in their roles as Menominee women," Apesanahkwat said.

Sylvia Wilbur disagrees.

She claims that if Menominee women are equal, then that includes leadership and a role in the tribal government. She called the novitiate takeover "sexist, unfortunate and misguided."

"I served in tribal office, not as a woman, but as a Menominee wanting the best for my people and not for self-glory as some people," the short, graying mother of 10, said curtly.

Wilbur also disagrees with the way Apesanahkwat and the other members of the tribal legislature operate. She charges that Apesanahkwat has put himself in the role of an executive branch of the tribal government — "a self-appointed tribal chairman when he is really only chairman of the legislature."

Wilbur also accuses the legislators of administering various operations of the tribe, including its business entities, which she said are operated by separate committees.

Apesanahkwat, Fish, and tribal vice chairman Gordon Dickie argue that the constitution needs to be amended to allow the tribe to become involved in business dealings with non-Indians.

Ironically, that was one of the things they opposed back when the tribe's business arm, Menominee Enterprises Inc., was selling off tribal land in a huge development project on Legend Lake.

This time, the tribe will ensure that the Menominee will maintain control, says Dickie, 78, one of the tribal elders who sup-

Apesanahkwat looking ahead

Continued from Page 50

ported the Warriors in 1975.

Apesanahkwat endorses the outside involvement, citing it as the only way to get help in overcoming the tribe's economic problems.

"We are exploring expanding our lumber sales out of the area and probably out of the country," he said. He envisions establishing trade with Japan, including setting up a port in Green Bay that would allow the Indians to do so.

But his larger vision is to put the tribe in the foreign car business.

Because the Menominee are recognized as a sovereign nation, a country within a country, they are exempt from import, export and excise taxes.

"We would be able to establish distribution warehouses on tribal land and make cars available to distributors, dealers and consumers much cheaper than they now can buy them," Apesanahkwat said.

Apesanahkwat also points back to some of the tribe's accomplishments since the novitiate takeover.

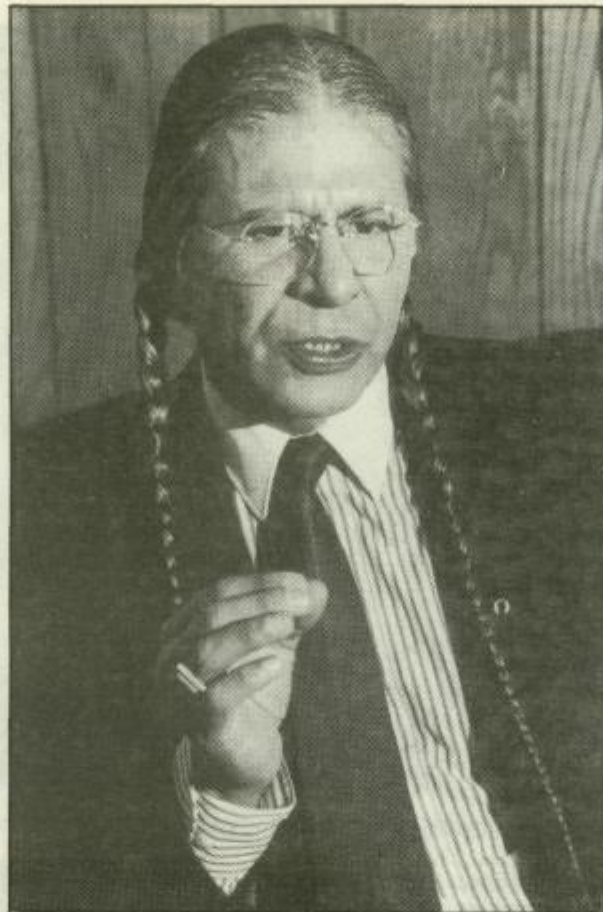
"As a former drug user and abuser, I am deeply concerned about alcohol and drug abuse among our people. During my tenure I have instituted a random, mandatory drug testing of our people," he said.

The chairman also noted that the Menominee are the only tribe with a "totally comprehensive code on the environment and with strict rules to protect our natural resources."

Recently, Apesanahkwat has faced a challenge of a different sort due to an FBI investigation surrounding the death of a young man outside his home last year.

Jeffery Cloud, 20, was found Nov. 22 in a pickup truck owned by Apesanahkwat. Cloud died of a pistol shot to the head. The pistol was taken from the Menominee leader's home.

Apesanahkwat denied any involvement in the death. He said his daughter, Wauponah, had been on a date with



State Journal photo/JOSEPH W. JACKSON III

Apesanahkwat: Once a rebel, now his tribe's leader.

Cloud. They returned home and Cloud came in the house, got the pistol and went outside. A short time later, Wauponah returned to say Cloud had shot himself.

The death certificate called it a suicide, but the FBI has refused to turn over its records of the case. The FBI said its investigation was continuing, but refused to say why.

Menominee, whites met in 1634

1634 — Menominees first contacted by Europeans. Wisconsin's longest continuously resident people, the Menominees now number more than 4,000.

1783 — Present-day Wisconsin becomes part of United States under Second Treaty of Paris.

1821 — Menominee and Winnebago Indians agree to let landless Oneida and Stockbridge Indians from New York state settle on land they share in eastern Wisconsin.

1836 — Territory of Wisconsin created.

1830s and 1840s — Menominees, in a series of treaties with the United States, cede about 9.5 million acres, an area north and east of Milwaukee that extended along Lake Michigan into Michigan's Upper Peninsula. The U.S. government wants to move Menominees to Minnesota, but Chief Oshkosh argues it won't suit Menominees' needs.

1848 — Wisconsin becomes a state.

1854 — Menominees win approval of a reservation in their homeland, about 275,000 acres of isolated wilderness.

1856 — U.S. government forces Menominee to cede strip of land along southern border of reservation to create a new reservation for Stockbridge Indians. Menominee reservation reduced to about 235,000 acres.

1887 — Menominees insist on retaining reservation as undivided tribal land rather than permitting it to be parceled out as private property. This would later allow Menominees to nurture a profitable lumber operation, historians say.

1934 — Menominees sue U.S. government in the Court of Claims, alleging Indian Bureau mismanagement of their timber resources.

1951 — U.S. Court of Claims upholds Menominees' position and awards them a net \$7.65 million.

1954 — Congress approves Menominee Termination

Act.

1961 — Reservation termination plan approved by federal government. Menominee reservation becomes state's 72nd county. Menominee Enterprises created to administer tribal assets, including land, forest and sawmill at Neopit. MEI managed by a trust than includes Indians and non-Indians.

1967 — Legend Lake development authorized.

1968 — Sale of Legend Lake property begins.

1969-70 — DRUMS (Determination of the Rights and Unity of Menominee Shareholders) formed to change MEI policies.

1970 — President Nixon repudiates federal termination policy.

1971 — DRUMS candidates gain control of MEI, and Ada Deer elected chairwoman of trust. Restoration movement begins.

1972 — Restoration bill introduced in Congress. Legend Lake project stopped.

1973 — President Nixon signs Menominee Restoration Act, repealing termination and restoring federal recognition, protection and financial aid to tribe.

1974 — Menominee Restoration Committee, the interim tribal government, formed. Ada Deer elected chairwoman.

1975 — Menominee Warrior Society seizes Alexian Brothers novitiate near Gresham. Siege, which lasts 34 days under watch of Wisconsin National Guard, ends peacefully. But the event provokes violence and internal struggles on the reservation.

1976 — Ada Deer resigns as chairwoman of restoration committee. Shirley Daly succeeds her.

1977 — New tribal constitution adopted.

1987 — Tribal Legislature elects Apesanahkwat, a former Menominee Warrior, as tribal chairman.

PROFILE:

Gaiashkibos

By Steve Hopkins

Wisconsin State Journal

RESERVE — The Lac Courte Oreilles Indian Reservation sprawls across 70,000 acres of North Woods cutover and lake country, following somewhat irregular boundaries between Hayward, on the west, and the Chippewa Flowage, on the east.

The Lac Courte Oreilles are a band of the Lake Superior Chippewa, one of six occupying reservations in the northern third of Wisconsin. The other bands are the Lac du Flambeau, the Mole Lake, the Bad River, the Red Cliff and the St. Croix.

In theory, you could stuff two cities the size of Madison onto the Lac Courte Oreilles reservation.

In fact, the reservation is sparsely populated, with an estimated 2,229 of the tribe's 5,217 members living there. There are some scattered residential areas. The seat of tribal government and the center of social activity are here, at Reserve.

Gaiashkibos (pronounced GOSH-ki-bos) is a name you will hear spoken here, often.

Gaiashkibos, 39, is tribal chairman, and occupies the most visible seat of tribal government. He was elected to the tribal governing board in 1983 and was elected chairman in 1986. He is into his second non-consecutive two-year term as chairman.

Known to many simply as "Gosh," he basically is the tribe's chief spokesman, its chief negotiator. It is a job he embraces and relishes.

"The pressures that I'm under, I sort of thrive on that kind of pressure," he said.

Much of the pressure now stems from his trying to keep the peace while the controversy over Chippewa treaty rights and off-reservation spearfishing rages. This and the continuing struggle to raise the standard of living of his people keep him on the telephone and on the road. There always is another meeting — somewhere, always another problem to solve.

There have been no violent confrontations at Lac Courte Oreilles spearfishing sites because Indian and white leaders are dedicated to keeping their radicals under control. Gaiashkibos has played a major role in this effort. He works at being a good neighbor, but not at the expense of always being the one to give in. He expects non-Indians to put something on the line, too. He does not want to be categorized as a "good Indian."

A poster outside his office reads: "We shall learn these devices the white man has . . . We shall master his machinery, his inventions, his skills, his medicine, his planning. But we will retain our beauty and still be Indian."

Such is the dilemma of the late-20th-century Native American. Gaiashkibos appears to be a man for the times.

"I describe myself to people," he said during a recent interview in his office, "as having a foot in both cultures. I'm educated in the white man's world. I've got their degrees and, if it gives me any credibility, they put little letters behind my name."

"In the Indian community, I embrace the traditions of our people — the offering of tobacco, the help of the drum and the help of the Spirit. These things fulfill my life, which, without them, would be empty."

To understand his goals, his aims, his perspective, first understanding the man would help.

His office in the Lac Courte Oreilles tribal headquarters building here is large and cluttered. He often wears a blue dress shirt, jeans, western boots. He might be a Dallas businessman, a Denver lawyer. He is a not-quite full-blooded Chippewa.

"We (Indians) are the only race of people locked into a pedigree," he said. He admits to having some French blood and adds, "but I don't go around braggin' about it."

Gaiashkibos was born on the reservation, in the village of New Post on the southern end of the Chippewa Flowage in 1950. He eventually would become a middle child in a family of eight.

His was a traditional Indian family. His mother and fa-

Please turn to Page 52

Gaiashkibos bridges two worlds

Continued from Page 51

ther (both still living) were fluent in the Ojibwa (Chippewa) language. Gaiashkibos, in Ojibwa, means one who cuts of shaves, and has been translated loosely as barber.

"My upbringing was kind of a mixture," he said. "My mother knows and believes in the Indian way of life, yet she was baptized Catholic. My father is not a Christian, believes in the Indian way of life and practices the Indian religion. That was the strongest influence."

He grew up, he said, when the reservation was going through change. "To me," he said, "it was a golden age."

He remembers when there were mostly older log homes. "There were some stick homes (wood-frame houses) that were built in the WPA (Works Progress Administration) days. There were still people who lived in what I call tarpaper shacks."

He remembers when there was no electricity, no indoor plumbing, when there was a common well. It was not until the late 1960s, more than 40 years after the Chippewa Flowage was flooded to produce electricity, that electricity finally came to the reservation on its shoreline. Gaiashkibos was 12 then. He was 14, maybe 16, when the family got its first television set.

Gaiashkibos remembers working hard as a youngster. When he was 9, he started working in a resort, cleaning out boats and raking the yard for \$4 a day. When he was 10 or 11, he went to work in a pulp camp in Glidden, in Ashland County, peeling pulp for 3 cents a stick. Often, he, with the rest of his family, would work on area farms, picking beans and cucumbers, topping rutabagas.

"I felt pretty proud of my accomplishments," he said. "I was proud that I could tell my folks they didn't have to buy my school clothes. I saved my money. I could buy my own."

He contributed to the family in other ways, early in life. He would bring home stringers of fish so the family could eat. He learned spearing from his father and would spear with him and with friends. "Spearing is not something that is new to me. It's something I grew up with. It was natural."

Now, he sees tourists overfishing, overharvesting the resource.

"Back then, the fishing was good, I mean real good," he said, "In many ways, I think that was a better time."

His education was in the public school system — through seventh grade at New Post, eighth grade through high school in Hayward. He played basketball. He graduated in 1968, joined the Marine Corps and served in 1969 and 1970 in Vietnam. He made sergeant E-5 in 19 months, which he said was almost unprecedented in the Marine Corps.

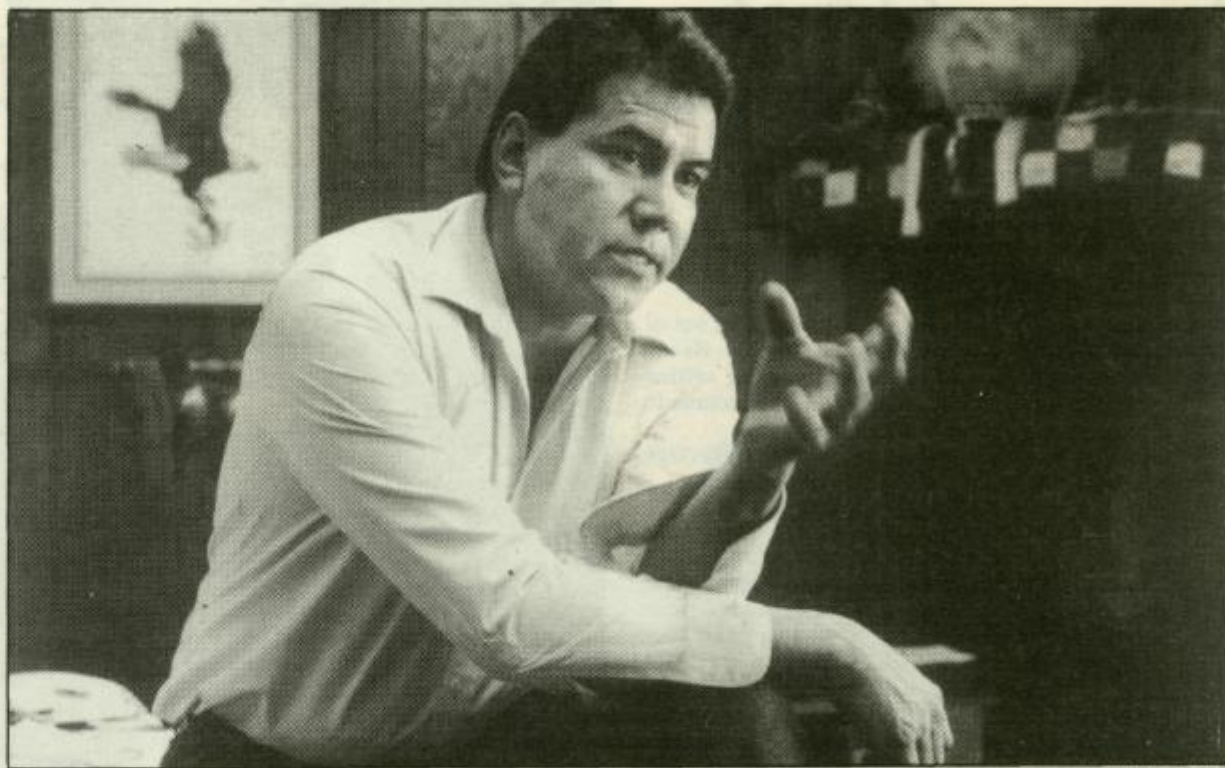
"Indians were looked up to as being the best in point positions, the point man," he said. "All Indians lived under the stereotype that they were good scouts, good trackers. They had to live up to the idea that all Indians were in the same mode as Ira Hayes." Ira Hayes, a Pima Indian from Arizona, was one of the six World War II soldiers who raised the American Flag on Iwo Jima after the defeat of the Japanese in 1945.

"I remember my drill instructor telling me that in boot camp," Gaiashkibos said. His drill instructor called him Indian. "He called me a hell of a lot of other names, too."

Back in the States, stationed at Camp Pendleton and living, with his wife, Rita, in Los Angeles, he passed up a chance to re-enlist and took one quarter at UCLA-Extension instead. That whetted his appetite for school. "It really sparked my interest. I thought, 'Hey, I can make it in college.'"

He enrolled in the University of Minnesota-Morris on the western border of Minnesota, and transferred to California State University-Fullerton. He was graduated from there with a bachelor of science degree in 1978, and earned a master's degree in counseling psychology from there in 1980.

He returned to the Lac Courte Oreilles Reservation, he said, because there were no Indian counselors or role models in the public school system. "There was very little opportunity for Indian children in the public school system." He said he felt he could better understand problems



State Journal photo/L. ROGER TURNER

Lac Courte Oreilles leader Gaiashkibos keeps "foot in both cultures" — white man's education, but embraces tradition.

Indian students would encounter.

"I came back home and I didn't work right into the school system. I worked hard, manual labor for a local cranberry producer for two years. We have an Indian preference system (at the LCO school system on the reservation, an alternative to the Hayward school system), but I didn't want to displace anyone by coming in as an outsider and saying, 'Well, I want this job because I'm more qualified than you are.' I didn't do that." When he got on, he worked as a guidance counselor for one year in the LCO schools.

In 1983, he was elected into tribal government. "I felt that there was a need for me to speak out on issues and problems I had seen in the community."

He sees young people leaving the reservation because there is no work, no future.

"The young men and the young women, too, are joining the services because that's sort of like a ticket out of here. We're seeing a great number going into colleges and vocational training. The sad thing is, they're getting educated but we don't have anything to offer them when they come back."

"That's one of the downfalls as a (tribal) government. We have to attract industry and business that's safe for the environment — I want to stress that — that doesn't pollute and harm our resources."

"We have people trained in construction. We need plumbers, electricians, doctors, lawyers, dentists. We need the experience of our members to come back and help raise the living standard of our people."

"We are telling the state and federal governments that our treaty rights are not for sale. We feel we can keep our rights intact and yet go out and bring in economic development for the reservation. We feel we can accomplish both things."

"I just want you to know something inside of me," he said. "There's something inside of me that comes from way back, whether it's from my grandparents or beyond that, from the Spirits themselves — but when I get up and talk there's something inside of me that moves and motivates me to speak out against the injustices committed against the Indian people and the people of the Lac Courte Oreilles in particular."

"If I describe myself as anything, I describe myself as a spokesman for the Lac Courte Oreilles because there's that inner motivation to speak the truth and educate the non-Indian people about who we are."

"I know there's a master, long-range plan that eventually, they (the state and federal governments) say, 'Oh, well, we've got to settle this (treaty rights) issue.' Well, in whose favor? What does settlement mean? In my opinion, it means the rights would be respected and upheld, and that the treaty is the supreme law of the land."

"Settlement means keeping these vocal, racist people off our backs. It doesn't mean we're going to give up some-

thing so we can get the same thing we were promised back in the 1800s."

There is a definite culture conflict. It crops up often in Gaiashkibos's conversation:

■ "The white man almost worships technology as a god, and that's not the way we're taught." He believes non-Indians understand little about Indian culture and traditions, about their respect for the land and the resources.

■ "The LCO got 13 muskies (spearing) last year and every one of those muskies was eaten; they weren't stuffed and put on a wall for display."

■ "You people put your elders away. You put them in Sun City. Society does that because young people run over the old people. They'll rob them and do all these things to the old people, they'll rip them off — and so they almost have to isolate themselves."

"For us, the old people have so much talent and so much knowledge of life and worldly experiences. To us, they are a walking repository or knowledge."

■ "The bottom line has always been to get at the resources of the Indian people. I still see that as a policy of the federal government and definitely with the state government."

Gaiashkibos came back to the reservation, too, because it was his home. He lives with his wife and two daughters, 5 and 8, in New Post. His daughters attend LCO schools. His wife is earning an accounting degree from Mount Senario College in nearby Ladysmith.

"This is our homeland," Gaiashkibos said. "This is where I was brought up and this is where I want my children to be brought up. I see so much violence in the cities. I want my children brought up in the country where then can know the freedoms I knew, where they can perpetuate our culture and our traditions. I could live somewhere else but I don't want to. This is my home and I intend to die here."

"I am very proud to be Indian," he said. "I am blessed in many ways. I've been bestowed with many gifts. In the mornings, I give thanksgivings just to see another day. I do that through the spiritual offering of tobacco. I either smoke my pipe or just put a little tobacco down as an offering to the Spirit."

"We are told stories that each day the Creator sends an eagle out, and he looks down and sees if the Indian people are still practicing the teachings. One day, when he doesn't see the smoke from the Indian people, then he will destroy the Earth."

"We were put here on this Earth, and we're going through all these hardships. It's a test for us. We're just keepers. We're not here to destroy and abuse. Some day, I am told, the Indian people are to inherit all this once again. It will be ours."

State Journal treaty coverage staff



Joe Beck, 36, covers state government for The State Journal. He also has been a regional reporter, and covered suburban and county government since joining the staff in 1981. Beck has a bachelor's degree in journalism from UW-Milwaukee and a master's degree in urban and regional planning from UW-Madison. Previously, Beck was a reporter for the West Bend Daily News and was a VISTA volunteer in Cleveland in 1975.



Elizabeth Brixey spent three years as a State Journal copy editor before joining the Look department as a feature writer in October 1989. Prior to moving to Madison in 1986, Brixey worked at the Columbia (Mo.) Daily Tribune as a copy editor and at National Public Radio affiliate KBIA-FM as an arts producer and reporter. Formerly from Albuquerque, N.M., she graduated in 1985 from the University of Missouri School of Journalism.



Tom Burton, who helped design this 56-page special section, has been an assistant city editor for nine months. Burton, 37, attended the University of Notre Dame and graduated from UW-Madison in 1975. He came to The State Journal as a copy editor in 1987 from the Daily Jefferson County Union in Fort Atkinson, where he was news editor. A native of Appleton, Burton and his wife, Doreen, reside in Cottage Grove.



Karen FASTER joined The State Journal as a copy editor in June 1989 after working on her master's degree in journalism at the University of Minnesota. She received the degree in January. FASTER worked previously as a copy editor in Fargo, N.D., and as a reporter in Marshall, Minn. She received her bachelor's degree in journalism in 1984 from Pacific Lutheran University in Tacoma, Wash.



Roger A. Gribble, who covers regional news and education, has been a member of The State Journal staff since 1962 after four years as a reporter/photographer for the Marinette Eagle-Star. A graduate of UW-Madison, he was

a police and county government reporter before being named education reporter. During nearly 20 years as an education reporter he won awards for coverage of public schools and the State Vocational School System.



George Hesselberg, 39, a columnist since 1987, has covered crime, politics, consumer issues and other topics for The State Journal since 1977. He has earned national and state awards for reporting and commentary. A 1973 graduate of the UW-Madison in journalism and Scandinavian Studies, Hesselberg also attended the University of Oslo. He and Else Karlsen have two sons and live in Fitchburg.



Steve Hopkins has been writing for The State Journal, as a reporter and a columnist, since 1957. His beat, for most of those years, has been the state of Wisconsin — its people and its places. A native of Mount Horeb, Hopkins is a 1957 graduate of UW-Madison. He and his wife, Frances, live on the West Side of Madison. They have three children, all grown. Hopkins once won the Wisconsin Newspaper Association columnist of the year award.



Joseph W. Jackson III is a staff photographer for The State Journal. He worked part-time for the paper in 1969-70, then joined the staff full time in 1975 after a stint at the Mason City (Iowa) Globe-Gazette. Jackson, 46, is a Vietnam veteran and has won several photojournalism awards. A fourth-generation Madisionian, Jackson and his wife, Linda, have two daughters, Jolyn and Jennifer.



Richard W. Jaeger, 49, has been a State Journal reporter since 1966, covering regional news and features. He previously worked as a police, courts and county government reporter. He won national and state investigative reporting awards for stories leading to the acquittal of an Adams County man convicted of double murder. A Beloit native, Jaeger lives in Oregon with his wife, Margaret. They have four grown children.



Jeff Mayers, 30, has been a state government reporter for The State Journal since January 1989. Mayers previously covered politics, government, sports and other topics for The Associated Press in Detroit, Lansing, Mich., and Milwaukee. A Pennsylvania native, he has a bachelor's degree from George Washington University, and a graduate degree in Water Resources Management from UW-Madison.



Doug Mell, 35, is a Portage native and graduate of UW-Madison. He worked for the Portage Daily Register and Eau Claire Leader-Telegram before joining The State Journal in November 1980. Mell covers politics and the governor. He also has covered the Legislature, Madison city government, plus Dane County government and suburbs. He and his wife, Sue Kittelson, live on Madison's East Side with their son, David, 2½.



Kenneth A. Miller, 41, has headed The State Journal graphics and photography departments since 1987. A graduate of the Hussian School of Fine Art in Philadelphia, Miller worked for small daily papers before joining the Houston Post in 1981 as editorial art director. In 1984, he became a designer and informational graphic artist for the Philadelphia Inquirer. He and his wife, Marty, have two sons, K.J. and Scott.



Carolyn Pflasterer has been a staff photographer with The State Journal since 1978. Pflasterer has won several awards for her work, including 1987 and 1988 first-place awards for food and fashion photography from the Wisconsin News Photographers Association. A graduate of UW-Madison, Pflasterer is a Wisconsin native and lives in Monona.



Jennifer Riddle, 27, covers business and economic development issues in her role as assistant business editor for The State Journal. A native of Milwaukee, Riddle is a graduate of UW-Madison, where she earned a master's degree in journalism.



Ron Seely, 36, has been a reporter for The Wisconsin State Journal since 1978. A special projects reporter, Seely's 1988 investigation of unsafe conditions in the state's aging schools resulted in legislation for millions of dollars in school construction. Seely reported from northern boat landings last spring. He lives in Madison with his wife, Doreen, and two children, Katie and Will.



Scott Seid, 27, has been a staff photographer with The State Journal since 1985. A graduate of Drake University in Des Moines, Iowa, Seid worked at the Des Moines Register prior to coming to Madison. Seid won a 1987 Milwaukee Press Club award for spot news photography. He and his wife, Kelli, live on Madison's East Side.



Susan Lampert Smith is a regional reporter for The State Journal. Smith, 30, has been with the paper since 1982, when she graduated with honors from UW-Madison's Department of Agricultural Journalism. She previously covered beats including UW-Madison, the environment and elderly issues. Smith is a Fort Atkinson native and now lives on a farm near Blue Mounds with her husband, Matthew, and their son, Benjamin.



David Stoeffler, the lead editor on The State Journal's treaty rights coverage, is in his second year as assistant city editor. Stoeffler, 31, is a graduate of Viterbo College in La Crosse. He joined the staff in 1981 and has covered the Legislature, education, the environment and utility issues, winning honors for his coverage of the breakup of the Bell telephone system. A native of Mount Hope in Grant County, Stoeffler, his wife, Rose, and daughter, Christine, live on the city's South Side.



L. Roger Turner, 54, is the photography director for The State Journal, where he has been a staff photographer since 1966. An Illinois native, Turner worked with newspapers in Champaign-Urbana and Decatur, before joining The State Journal. Winner of numerous state and national photojournalism awards, Turner lives in Madison with his wife, Yvonne. Their four adult children all live in Wisconsin.

Co-management keeps balance

By Joe Beck

State government reporter

OLYMPIA, Wash. — In the late 1960s and early '70s, Billy Frank was an outlaw in the state of Washington.

Frank, now chairman of the Northwest Indian Fisheries Commission, recalls being arrested 80 or so times for fishing with other tribal activists testing claims contained in federal treaties signed in the 1850s.

"It became bad," said Frank, a member of the Nisqually tribe. "It became a war. There were bloody battles on the Nisqually and Puyallup rivers between Indians and state agencies like the Department of Fisheries."

Frank and the state have since reconciled many of their differences under a change in strategy adopted by Washington politicians.

Now, state officials emphasize negotiating with the Indian tribes. When old grudges or new disagreements flare, discussion replaces confrontation. In trying to settle disputes, the state regards the tribes as sovereign units of government with the same legal authority and status as any city or state.

As they gaze nearly 2,000 miles to the east at the turmoil in northern Wisconsin over Indian spearfishing, Washington's government officials and Indian tribes see disturbing reminders of what happened in their state.

They wonder if it will take Wisconsin's antagonists as long as them to discover ways of settling differences without bitter lawsuits and civil disturbances.

"We've gone through all of the things you're going through right now," James Horton, the executive director of the Klallum tribe, told a conference of the Indigenous Law Students Association at UW-Madison in early March.

"The way I view it, Washington is 10 years ahead of Wisconsin," said Bruce Stewart, a fish pathologist who joined Frank's agency two years ago after leaving the Wisconsin Department of Natural Resources.

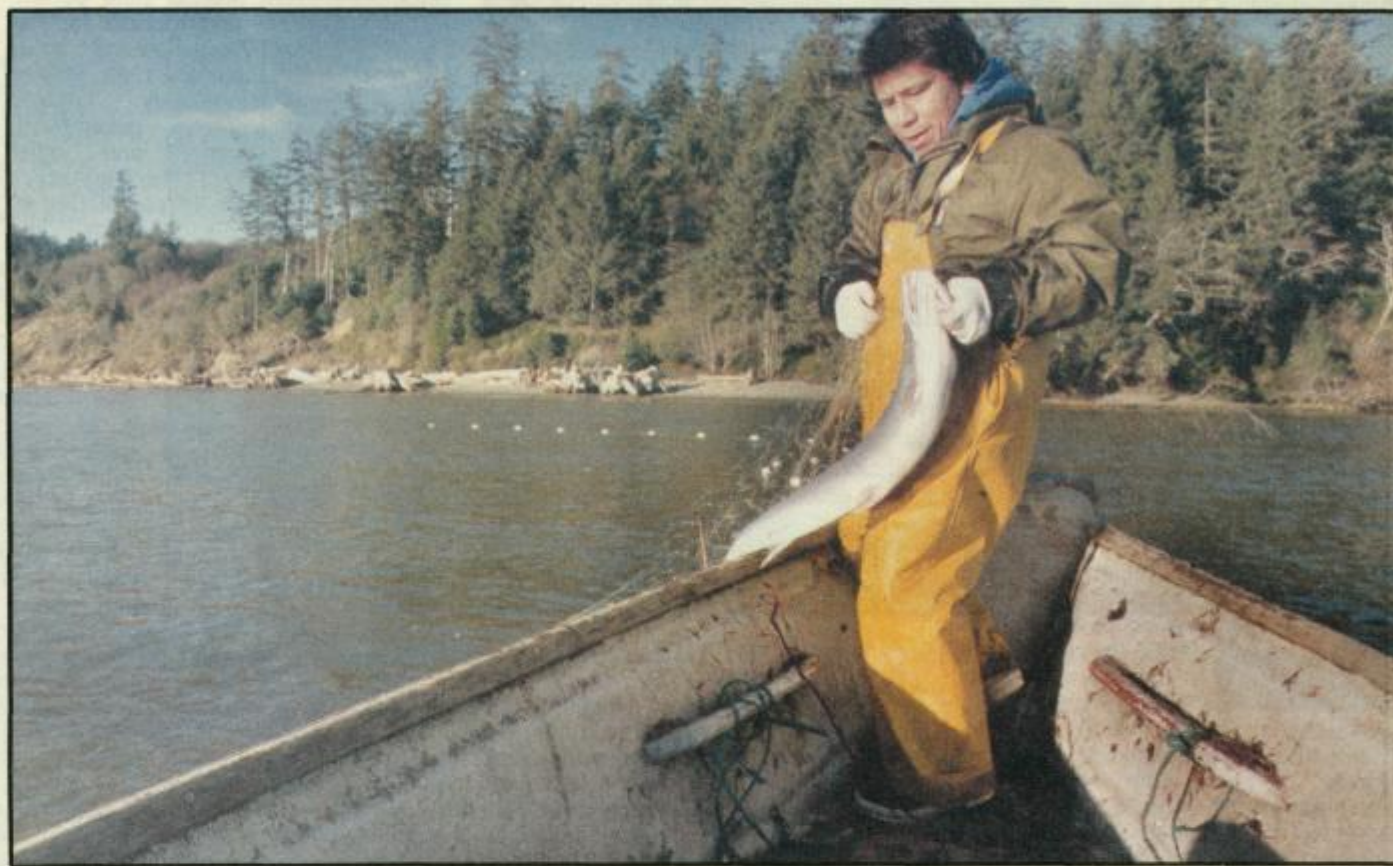
In Washington, the state and tribes laid the foundation for relative harmony under an approach they call "co-management" of the state's fish, timber and wildlife.

State officials, Indian tribes and many residents have concluded co-management not only eliminated the worst strife between Indians and the state, but is also improving the management of salmon and other forms of fish and wildlife.

Others contend co-management has been a sham that allows Indians to disregard normal conservation practices and bestows extravagant hunting and fishing rights on them at the expense of non-Indians.

Both sides can find evidence to support their claims in statistics compiled during the last 20 years.

The salmon catch averaged 6.6 million in the early 1970s with 95 percent taken by non-Indians. By 1987, the catch had risen to 8.4 million divided evenly between Indians exercising their treaty rights and non-Indians. The catch for non-Indians fell from an average of 6.2 million during 1970-73 to



State Journal photos/SCOTT SEID

Tribal fisherman Shawn James pulls steelhead salmon from the Quinalt River where it flows in the Pacific Ocean near Taholah, Wash.

4.2 million in 1987. The data is compiled by the Washington Department of Game, U.S. Fish and Wildlife Service and Indian tribes.

Co-management's definition can be as slippery as a freshly caught salmon.

Thomas Busiahn, biological services director for the Great Lakes Indian Fish and Wildlife Commission, calls it "power-sharing in resource management decision-making."

In Washington, co-management is a philosophy involving legal commitments, negotiations, agreements, and a network of programs and agencies. The tribes and state work together in areas of research, law enforcement, and data collection involving questions of harvest and reproduction of timber, fish and wildlife.

Co-management's cornerstone is the agreement dividing the annual salmon catch in half between Indians and non-Indians.

Indians view co-management as a legal requirement imposed on the state by federal court decisions in the 1970s. The court cases grew out of arrests of Indian fishermen who were trying to make the state recognize hunting and fishing rights under treaties with the federal government.

Co-management gained new momentum in 1983 when the state and Indians began forging a series of resource agreements in which they became equal partners. Indians credit changes in the governorship and in leadership of key agencies as the main reasons for the state's new attitude.

In August 1989, Gov. Booth Gardner, a Democrat, issued a proclamation under which state agencies are to negotiate with the tribes as legal equivalents of city,



Former 'outlaw' Billy Frank now heads tribal fisheries commission.

Please turn to Page 55



After a day's salmon fishing trip, a Quinalt tribal fisherman drags his net floats toward his Taholah, Wash. home.

State Journal photos/SCOTT SEID

Talks eased battle

Continued from Page 54

counties and other state governments. The "government-to-government" relations accord recognizes the tribes as sovereign nations.

Wisconsin's Department of Natural Resources and leading state officials, including GOP Gov. Tommy Thompson, have brushed aside suggestions from Indian treaty supporters here and in Washington that they consider co-management.

In a memorandum dated Nov. 7, 1989, C.D. "Buzz" Besadny, secretary of the Department of Natural Resources, summarized the case against co-management to Thompson and the Legislature.

"Co-management would be a loss of rights to state citizens and local and state governments," Besadny wrote. "Undoubtedly, this loss of rights would lead to increased controversy, litigation and the potential for increased tensions in the state over the issue of Chippewa treaty rights."

The program has its critics in Washington as well.

"The resource is badly hurt because there is no law effectively for the tribes," said state Sen. Jack Metcalf, a Republican who is chairman of the Washing-

ton Senate Environment and Natural Resources Committee.

Metcalf and leaders of the Steelhead/Salmon Protective Association and Wildlife Network, known as SPAWN, believe that co-management is nothing more than a way of buying peace with the Indians by letting them have their way in every treaty dispute.

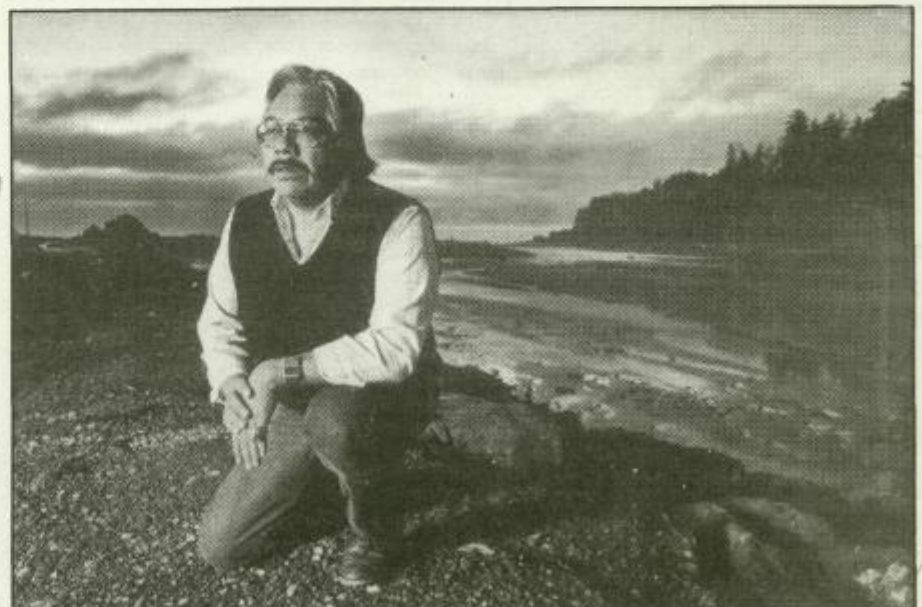
The cost of such a strategy has been damage to the state's resources and a trampling of the rights of non-Indians in the use of the outdoors, SPAWN says.

Barbara Lindsay, the executive director of SPAWN, is one of Gardner's most severe critics.

"Everyone agrees that negotiation and cooperation are worthy endeavors," Lindsay wrote in a Sept. 24 newspaper article. "Yet, despite the high hopes raised by this accord, litigation remains the tribes' most frequent weapon in disputes over natural resources." For instance, she noted, the Puget Sound tribes recently filed suit in federal court, claiming the right to harvest shellfish on all public and private tidelands.

SPAWN members contend they still have public opinion on their side, despite being repeatedly steamrolled by the governor and Legislature.

They cite a referendum in 1986, Initiative 456, in which 53 percent of the voters



Jim Harp heads Quinalt tribal fisheries program, one key to state-tribal cooperation.

favored a tougher stance toward the Indians. The referendum asked voters to approve a state policy based on equal rights to the state's outdoor resources for all citizens. The referendum did not mention the 19th century treaties with the Indians.

Co-management's foes also cite steep declines in the number of salmon and steelhead caught on some of the state's largest rivers. The state's own figures show the number of non-Indian sports anglers de-

clining from 505,000 in 1972 to 456,000 in 1987.

Some of the state's most active outdoor sportsmen dismiss SPAWN as a fading political force whose arguments have been discredited by the success of co-management.

Peter Hanson, a charter boat and resort operator in the northwest tip of the state,

Please turn to Page 56



State Journal photo/SCOTT SEID

Children play at Wa He Lut Indian School on Nisqually reservation, near Olympia, Wash., scene of stormy Indian-state relations.

Cooperation spurs salmon harvest

Continued from Page 55

said SPAWN "had no credibility whatsoever."

"To me, it's a dead issue," he said. "I think there's a few old guys hanging in there. Metcalf likes to stir up the water and keep his name in front of the public."

Indian treaty supporters cite statistics showing big increases in the harvest of steelhead and the number of salmon released from Indian hatcheries since the court decisions that paved the way for co-management. Before the federal court decisions, the annual fish harvest was in a tailspin that indicated the resource was being ravaged by the state's mismanagement, they say.

The Northwest Indian Fisheries Commission reported the number of salmon and steelhead released from Indian hatcheries jumped from 10 million in 1976 to 49 million in 1987.

In a 1987 report on the impact of Indian tribes on Washington's economy, Les McConnell of the federal Bureau of Indian Affairs, said co-management practices have helped revive the state's fisheries.

"The major cause of reduced salmon

and steelhead populations, as agreed by the state of Washington has been (1) overharvesting in the early 1900s by commercial fishermen; (2) loss of habitat due to hydroelectric dams and (3) logging, farming, and industrial pollution," he wrote.

"Indian tribes, assisted by their biology staff, have been instrumental in improving salmon and steelhead runs by implementing stream rehabilitation projects," he added.

McConnell said the Indians' calls for improved forestry and timber harvesting practices indirectly helped increase the number of fish surviving in the streams and rivers.

Jerry Pavletich, the West Coast director for Trout Unlimited, was once an opponent of co-management and highly suspicious of Indians' claims of special hunting and fishing rights.

Trout Unlimited is one of the state's leading sportfishing and conservation organizations. It broke with many of its sportfishing brethren in 1984 to embrace co-management. As a result, many local chapters are working with the tribes on fish enhancement projects.

In the last five years, Pavletich has converted and become an evangelist for co-management.

"We just said, 'Hey, the Indian wars are over with, and we're going to work

with these folks and ask the state to manage cooperatively,'" Pavletich said.

"I really do believe had we not taken the cooperative management approach, we would have lost some runs of fish in this state forever," he added.

One difference between Wisconsin and Washington is that management of the salmon involves a large population of fish crossing the boundaries of states and nations. Experts say differences between Canada and Washington over harvesting salmon helped solidify the state's relations with the tribes as both identified Canadian fishing as a common concern.

"By contrast, there are hundreds of small discrete or interconnected waters in northern Wisconsin, requiring more localized co-management relationships," said Busiahn of the Great Lakes Indian Fish and Wildlife Commission.

Salmon also has a more prominent role in Washington's history and economy than the wall-eye has in Wisconsin. The commercial fishing industry centered on salmon is as deeply rooted in Washington as the dairy industry is in Wisconsin.

"What it is, the state is controlled by the commercial fishing industry,"

Pavletich said.

Whatever differences exist among Washington residents over Indian treaty rights, the state government and tribal officials are united behind Gov. Gardner's unequivocal commitment to working with the Indians.

"The one thing I've learned here is that co-management does work and the one thing that does benefit is the resource more than individual user groups," said Stewart, the former Wisconsin DNR employee now working for the Northwest Indian Fisheries Commission.

The area covered by federal court decisions on treaty rights is undergoing rapid change due to explosive population growth and economic expansion. Traffic congestion, spiraling housing prices and pollution have grown especially severe in the last two or three years.

Many environmentalists point to the Indian tribes and co-management as bulwarks against the excesses of unbridled growth.

"There are 4.6 million people in this state and most of them will tell you they moved here to go fishing," Pavletich quipped.

"I see treaty rights as a way of protecting the fisheries we have left."