

What might Justice look like now?
Land Ownership: The Christian
Doctrine of Discovery,
Living Native Peoples & Us

prepared by Friends for Justice at First Congregational Church, Port Washington 2023

SESSION 1: MAY 10, 2023
LOOKING TO THE PAST & LISTENING

SESSION 2: MAY 24, 2023

LISTENING TO THE PRESENT & LOOKING TO THE FUTURE

FOCUS ON MENOMINEE TRIBE

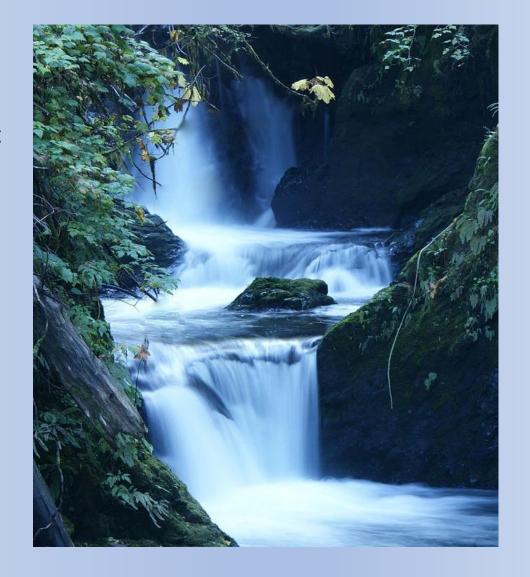
Friends for Justice at First Congregational Church

is a group of individual church members who come together around issues of justice. The group speaks to, but not for, First Congregational Church of Port Washington.

Guiding Statement

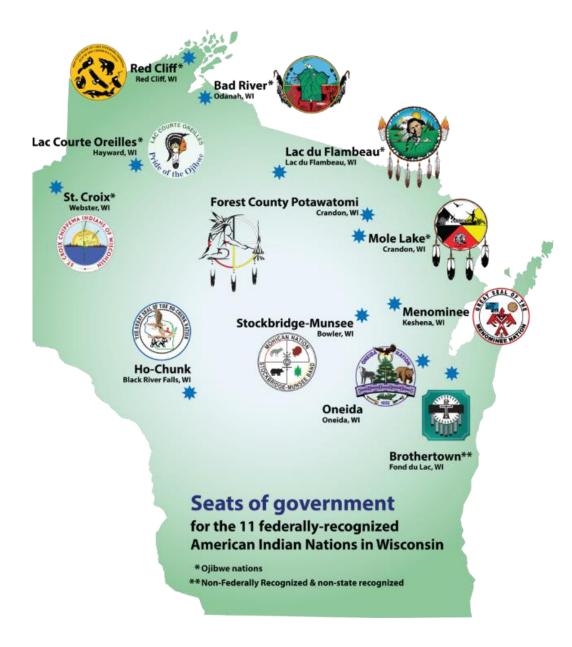
But let justice roll down like waters and righteousness like an ever-flowing stream ~ Amos 5:24

Responding to God's will, expressed in the prophet Amos' words and Jesus' call to love our neighbors as ourselves, we seek to encourage and facilitate learning and action in our congregation that furthers a just society and world.



Brief Review from Session 1





Recognized Tribes in Wisconsin

- Stockbridge-Munsee Community Band Of Mohican Indians
- Bad River Band Of Lake Superior Chippewa
- Lac Courte Oreilles Band Of Lake Superior Chippewa
- Lac Du Flambeau Band Of Lake Superior Chippewa
- Menominee Indian Tribe Of Wisconsin
- Oneida Nation
- Red Cliff Band Of Lake Superior Chippewa
- Forest County Potawatomi
- Mole Lake (Sokaogon Chippewa Community)
 Band Of Lake Superior Chippewa
- Saint Croix Chippewa Indians Of Wisconsin
- Brothertown Indian Nation

https://dpi.wi.gov/amind/tribalnationswi

TERMINOLOGY

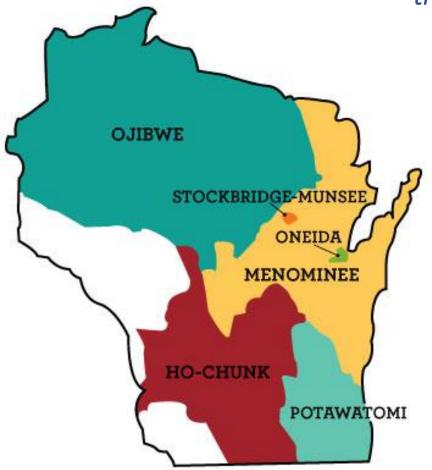
Indigenous = Indian = Native

Dunbar-Ortiz, R., An Indigenous Peoples' History of the United States, 2014.

The People First Nations



... First Congregational Church of Port Washington stands on land traditionally occupied by the Menominee People



(YELLOW) Traditional home of Menominee People in WI, Since a long time ago



Home of First Congregational Church 131 N. Webster St, Port Washington, WI, Since 1898

... the Doctrine of Discovery is the worldview at the root of the violent cultural conflict about land ownership

15th century papal documents (*Doctrine of Discovery*):

- capture, vanquish, and subdue enemies of Christ, put them into perpetual slavery, and take all their possessions and property
- divided known world into "half" for Spain & Portugal

1823 – citing Discovery Doctrine, US Supreme Court stripped American Indians of land ownership rights.



... we agree it's important to listen to Native voices in the telling of their own story

- Began listening to Native voices about Indian Boarding Schools and Menominee Peoples' history.
- Expressed concern about pursuing controversial issues
- Decided to focus on the living Menominee People

And we're still asking ourselves . . .

• Beyond self-education, what is the next step for *Friends* for *Justice*? Is there a next step?

SESSION 2: Menominee Tribe – Main Resources

The Menominee Indian Tribe of Wisconsin: website

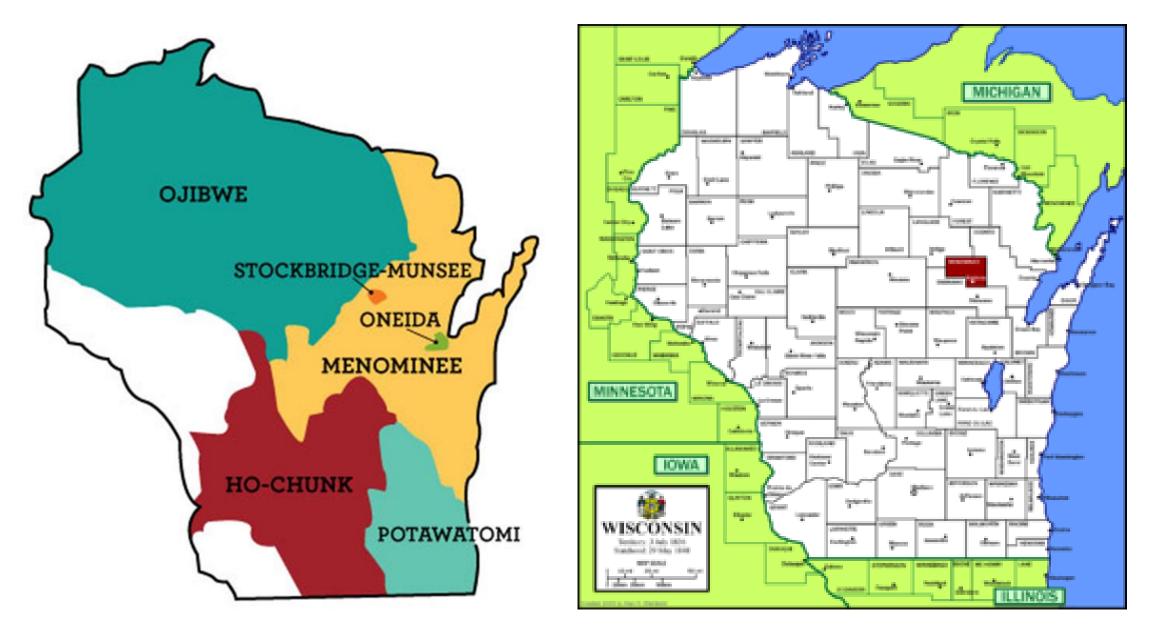
- https://menominee-nsn.gov/
 - History (see Culture tab >> About Us)
 - Treaties (see Culture tab >> Historical Documents)

Wisconsin First Nations: American Indian Studies in Wisconsin

https://wisconsinfirstnations.org/

Wisconsin Indian Resource Project: Milwaukee Public Museum

https://www.mpm.edu/wirp



Traditional Menominee land in current WI (left). Current Menominee reservation (Menominee County) (right)

Menominee Reservation (since 1854) approx. same as Menominee County (created 1959 * from portions of Shawano & Oconto Counties, in anticipation of Termination; tribal assets transferred to corporation)

* signed into law by Gov Gaylord Nelson, 1961



Term: Ceded vs Unceded Land

Ceded:

Tribal lands granted to US govt or another Tribe in a signed treaty

• Often result of military, economic, or political pressure

Menominee Treaties & land cessions: https://www.menominee-nsn.gov/CulturePages/

1836 – partial land ceded to US govt in exchange for \$\$ for 20 yrs plus goods

1848 – all land in WI ceded to US govt in exchange for land earlier ceded to US by Chippewa (Minnesota) Two yrs later, Menominee refused to move to MN; granted temporary reservation along Wolf River.

1854 – US government gave Menominee reservation land on the Wolf River

1856 – Menominee ceded part of yet unsettled reservation to Stockbridge & Munsee Tribes, and other "New York Indians" which "the US government may desire to remove..."

Term: Sovereign Nation

- Tribal sovereignty right of American Indians to govern themselves. The U.S.
 Constitution recognizes Indian tribes as having distinct governments with the same powers as federal and state governments to regulate their internal affairs.
 Sovereignty includes the right to establish their own form of government, determine membership requirements, enact legislation, and establish law enforcement and court systems.
- They cannot establish their own military or create their own currency.

Source: https://www.ncsl.org/quad-caucus/an-issue-of-sovereignty

Source: https://www.mpm.edu/content/wirp/ICW-07

Term: Termination

Resource: https://www.mpm.edu/content/wirp/ICW-97

Termination: elimination of tribal sovereign status; one nation

1954 - US Congress passed Menominee Termination Act, signed by President Eisenhower:

- Ended federal recognition of Menominee Tribe.
- Ended sovereign nation status.
- Ended federal protection of Menominee reservation land,
- Ended Tribal government

Menominee Termination date: April 30, 1961

Tribe chosen because of successful forestry & lumbering operations

Term: Termination to Restoration

Resource: https://www.mpm.edu/content/wirp/ICW-97

Menominee Termination: (1961)

- Insufficient tax base to provide basic services, i.e. police, fire, etc
- Led to poverty & social disruption
- Tribal corporation (MEI) contracted with private developer
 - Development of Legend Lake (joining of 9 small lakes in Menominee County),
 with land sales to non-Indians!

Menominee Restoration: (1975)

- 1970 tribal leaders, Ada Deer & James White, lobbied Congress to reverse termination
- Dec, 1973 President Nixon signed bill to restore federal status of Menominee Tribe
- Jan, 1975 Menominee Warrior Society occupied abandoned building in Gresham
- 1975 Menominee County reverted to reservation status

Term: Federal Indian Trust

- legally enforceable fiduciary obligation on the part of the United States to protect tribal treaty rights, lands, assets, and resources, as well as a duty to carry out the mandates of federal law with respect to American Indian and Alaska Native tribes and villages.
- legal & moral obligation of United States
- trust doctrine at center of numerous Supreme Court cases, thus making it one of the most important principles in federal Indian law.

Source: https://www.bia.gov/frequently-asked-questions

How the Menominee People describe themselves now:

We are indigenous to the State of Wisconsin

We continue to have strong leadership, which has taken us through adversity

We continue to speak our language and practice our traditions and our traditional religion

Spiritually, we continue to speak with our creator through tobacco, prayers, and other offerings

We will continue to survive because we are a sovereign nation, a nation that refused to be pushed from our territory, a nation that will remain strong and independent

We are "Kiash Matchitiwuk" the Ancient Ones

https://www.menominee-nsn.gov/CulturePages/AboutUs.aspx

Omaeqnomenaewak – People of the Wild Rice

Mission

The mission of the Omaeqnomenaewak (People of the Wild Rice) is to promote, protect, and preserve our rights, resources, and culture by utilizing responsible leadership and judicious exercise of our sovereign powers.

Vision

We envision the Omaeqnomenewak (People of the Wild Rice) as a strong, healthy, and proud nation living in accordance with its culture and beliefs, and possessing the resources necessary to be successful in achieving our goals.

Values

As Omaeqnomenewak (People of the Wild Rice), we value our children, elders, and each other, preserving our language, tradition, history and culture.

https://www.menominee-nsn.gov/Mission.aspx

Menominee Land Today

 https://menomineensn.gov/CulturePages/Landmarks
 .aspx

SPIRIT ROCK

One night long ago a Menominee Indian dreamed that Manabush, grandson of Ko-Ko-Mas-Say-Sa-Now (the Earth) and part founder of the Mitawin or Medicine Society, invited him to visit the god. With seven of his friends the Indian called on Manabush who granted their request to make them successful hunters. One of the band, however, angered the god by asking for eternal life. Manabush, seizing the warrior by the shoulders, thrust him into the ground and said, "You shall be a stone, thus you will be everlasting." The Menominee say that at night kindly spirits come to lay offerings of tobacco at the rock and that if one looks closely he can see their white veils among the trees. The legend is that when the rock finally crumbles away the race will be extinct.

Erected 1963



General Info:

- 8,720 tribal members
- Reservation = approx. 360 sq miles
- 95% forested land = largest single tract of virgin timberland in WI
- Education: School district;
 Tribal school K-8; Head Start;
 College of Menominee Nation
- Casino Keshena, WI
- Menominee Tribal Enterprises
- Museum Keshena, WI

Satellite Map of Menominee County

http://www.maphill.com/unitedstates/wisconsin/menomineecounty/maps/satellite-map/



MENOMINEE LAND ETHIC Chief Oshkosh, Menominee Nation

"Start with the rising sun and work toward the setting sun, but take only the mature trees, the sick trees, and the trees that have fallen. When you reach the end of the reservation, turn and cut from the setting sun to the rising sun and the trees will last forever."

https://www.mtewood.com/





Waller, D. M., and N. J. Reo. 2018. First stewards: ecological outcomes of forest and wildlife stewardship by indigenous peoples of Wisconsin, USA. *Ecology and Society* 23(1):45.

https://doi.org/10.5751/ES-09865-230145

Findings:

Compared to nearby non-tribal land, tribal forests in northern WI (Menominee & Ojibwe had:

- More mature trees with higher volume
- Higher rates of tree regeneration
- More plant diversity
- Fewer invasive species

Q: Fishing / Hunting rights of Menominee?

A: Rights only on reservation, not on ceded land

History:

- 1831 treaty reserved right to hunt/fish on ceded land
 - but this language not included in subsequent treaties
- 1996 Federal judge Barbara Crabb ruled against tribal appeal that
 US treaty commissioners had led tribe to believe that 1831
 language had been included in subsequent treaties

https://www.mpm.edu/educators/wirp/nations/menominee/treaties-treaty-rights

Menominee People in the news.....

- May 2023: Renewable Energy: https://www.wpr.org/wisconsin-menominee-nation-renewable-energy-solar-installation
- Jan 2023: Reintroduce Bison: https://www.wpr.org/wisconsin-tribes-reintroducing-bison-maintaining-population
- Dec 2022: Kenosha casino: https://www.wpr.org/menominee-indian-tribe-casino-kenosha
- Nov 2022: Ancestor remains: https://www.wpr.org/they-can-continue-their-journey-spirit-world-menominee-ancestors-return-home
- Oct 2022: Language learning: https://www.wpr.org/menominee-charter-school-works-preserve-culture-through-language-learning
- 2018: The "Back Forty" mine: https://www.wpr.org/wisconsin-tribe-files-lawsuit-over-proposed-mine

Menominee People in the News . . .

Legend Lake: A Talking Circle, 2010 (34 min. video)

https://www.youtube.com/watch?v=7LMncjhRNWY

April 2023: Legend Lake Property Owners Association v. Bureau of Indian Affairs

- Lawsuit by non-Indian property owners who don't want Menominee to buy back Legend Lake property
- Property returned to Menominee puts it in federal trust, meaning no property taxes are paid (reduced tax base)

State of the Wisconsin Tribes

All 12 Wisconsin tribal elders come to Madison annually for State of the Tribes Address to WI Assembly 2023 State of the Tribes address:

https://pbswisconsin.org/watch/pbs-wisconsin-public-affairs/2023-state-of-the-tribes-address-emzdjq/

May 5

National Day of Awareness for Missing and Murdered Indigenous Women and Girls (MMIWG)