

All Our

# Relations

Native Struggles  
for Land and Life

By Winona LaDuke

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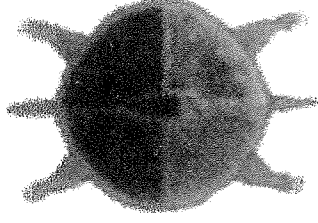
1999

Honor the Earth  
Minneapolis, MN

Dedicated to three fine friends who now live in the spirit world.

Ingrid Washinawatok-El Issa,  
who resonated the sun in her warmth and love;  
Walt Bresette, who like the North Star, showed a clear path; and  
Marsha Gomez, whose hands were the Earth.

And to those yet unborn.



# *I n t r o d u c t i o n*

The last 150 years have seen a great holocaust. There have been more species lost in the past 150 years than since the Ice Age. During the same time, Indigenous peoples have been disappearing from the face of the earth. Over 2,000 nations of Indigenous peoples have gone extinct in the western hemisphere, and one nation disappears from the Amazon rainforest every year.

There is a direct relationship between the loss of cultural diversity and the loss of biodiversity. Wherever Indigenous peoples still remain, there is also a corresponding enclave of biodiversity. Trickles of rivers still running in the Northwest are home to the salmon still being sung back by Native people. The last few Florida panthers remain in the presence of traditional Seminoles, hidden away in the great cypress swamps of the Everglades. Some of the largest patches of remaining prairie grasses sway on reservation lands. One half of all reservation lands in the United States is still forested, much of it old-growth. Remnant pristine forest ecosystems, from the northern boreal forests to the Everglades, largely overlap with Native territories.

In the Northwest, virtually every river is home to a people, each as distinct as a species of salmon. The Tillamook, Siletz, Yaquina, Alsea, Siuslaw, Umpqua, Hanis, Miluk, Colville, Tututni, Shasta, Costa, and Chetco are all peoples living at the mouths of salmon rivers. One hundred and seven stocks of salmon have already become extinct in the Pacific Northwest, and 89 are endangered. "Salmon were put here by the Creator, and it is our responsibility to harvest and protect the salmon so that the cycle of life continues," explains Pierson Mitchell of the Columbia River Intertribal Fishing Commission.<sup>1</sup> "Whenever we have a funeral, we mourn our loved one, yes, but we are also reminded of the loss of our salmon and other traditional foods," laments Bill Yallup Sr., the Yakama tribal chairman.<sup>2</sup>

The stories of the fish and the people are not so different. Environmental destruction threatens the existence of both. The Tygh band of the Lower Deschutes River in Oregon includes a scant five families, struggling to maintain their traditional way of life and relationship to the salmon. "I wanted to dance the salmon, know the salmon, say goodbye to the salmon," says Susana Santos, a Tygh artist, fisherwoman, and community organizer. "Now I am looking at the completion of destruction, from the Exxon Valdez to...those dams.... Seventeen fish came down the river last year. None this

year. The people are the salmon, and the salmon are the people. How do you quantify that?"<sup>3</sup>

Native American teachings describe the relations all around—animals, fish, trees, and rocks—as our brothers, sisters, uncles, and grandpas. Our relations to each other, our prayers whispered across generations to our relatives, are what bind our cultures together. The protection, teachings, and gifts of our relatives have for generations preserved our families. These relations are honored in ceremony, song, story, and life that keep relations close—to buffalo, sturgeon, salmon, turtles, bears, wolves, and panthers. These are our older relatives—the ones who came before and taught us how to live. Their obliteration by dams, guns, and bounties is an immense loss to Native families and cultures. Their absence may mean that a people sing to a barren river, a caged bear, or buffalo far away. It is the struggle to preserve that which remains and the struggle to recover that characterizes much of Native environmentalism. It is these relationships that industrialism seeks to disrupt. Native communities will resist with great determination.

Salmon was presented to me and my family through our religion as our brother. The same with the deer. And our sisters are the roots and berries. And you would treat them as such. Their life to you is just as valuable as another person's would be.

—Margaret Saluskin, Yakama<sup>4</sup>

### The Toxic Invasion of Native America

There are over 700 Native nations on the North American continent. Today, in the United States, Native America covers 4 percent of the land, with over 500 federally recognized tribes. Over 1,200 Native American reserves dot Canada. The Inuit homeland, Nunavut, formerly one-half of the Northwest Territories, is an area of land and water, including Baffin Island, five times the size of Texas, or the size of the entire Indian subcontinent. Eighty-five percent of the population is Native.

While Native peoples have been massacred and fought, cheated, and robbed of their historical lands, today their lands are subject to some of the most invasive industrial interventions imaginable. According to the Worldwatch Institute, 317 reservations in the United States are threatened by environmental hazards, ranging from toxic wastes to clearcuts.

Reservations have been targeted as sites for 16 proposed nuclear waste dumps. Over 100 proposals have been floated in recent years to dump toxic

waste in Indian communities.<sup>5</sup> Seventy-seven sacred sites have been disturbed or desecrated through resource extraction and development activities.<sup>6</sup> The federal government is proposing to use Yucca Mountain, sacred to the Shoshone, as a dumpsite for the nation's high-level nuclear waste. Over the last 45 years, there have been 1,000 atomic explosions on Western Shoshone land in Nevada, making the Western Shoshone the most bombed nation on earth.

Over 1,000 slag piles and tailings from abandoned uranium mines sit on Diné land, leaking radioactivity into the air and water. Nearby is the largest coal strip mine in the world, and some groups of Diné teenagers have a cancer rate 17 times the national average. According to Tom Goldtooth, executive director of the Indigenous Environmental Network,

Most Indigenous governments are over 22 years behind the states in environmental infrastructure development. The EPA has consistently failed to fund tribes on an equitable basis compared with the states. The EPA has a statutory responsibility to allocate financial resources that will provide an equitable allocation between tribal governments and states.<sup>7</sup>

### The Descendants of Little Thunder

In our communities, Native environmentalists sing centuries-old songs to renew life, to give thanks for the strawberries, to call home fish, and to thank Mother Earth for her blessings. We are the descendants of Little Thunder, who witnessed the massacre that cleared out the Great Plains to make way for the cowboys, cattle, and industrial farms. We have seen the great trees felled, the wolves taken for bounty, and the fish stacked rotting like cordwood. Those memories compel us, and the return of the descendants of these predators provoke us to stand again, stronger, and hopefully with more allies. We are the ones who stand up to the land eaters, the tree eaters, the destroyers and culture eaters.

We live off the beaten track, out of the mainstream in small villages, on a vast expanse of prairie, on dry desert lands, or in the forests. We often drive old cars, live in old houses and mobile homes. There are usually small children and relatives around, the kids careening underfoot. We seldom carry briefcases, and we rarely wear suits. You are more likely to find us meeting in a local community center, outside camping, or in someone's house than at a convention center or at a \$1,000-per-plate fundraiser.

We organize in small groups, close to 200 of them in North America, with names like Native Americans for a Clean Environment, Diné CARE (Citizens Against Ruining Our Environment), Anishinaabe Nijiji, and the

Gwich'in Steering Committee. We are underfunded at best, and more often not funded at all, working out of our homes with a few families or five to ten volunteers. We coalesce in national or continental organizations such as Indigenous Environmental Network, a network of 200-plus members, which through a diverse agenda of providing technical and political support to grassroots groups seeking to protect their land, preserve biodiversity, and sustain communities, seeks ultimately to secure environmental justice. Other such groups include the Southwest Network for Environmental and Economic Justice, Honor the Earth, Indigenous Women's Network, Seventh Generation Fund, and others. In addition are the regional organizations and those based on a shared ecosystem or cultural practice, such as the California Indian Basketweavers Association, Great Lakes Basketmakers, or Council of Elders.

Despite our meager resources, we are winning many hard-fought victories on the local level. We have faced down huge waste dumps and multinational mining, lumber, and oil companies. And throughout the Native nations, people continue to fight to protect Mother Earth for future generations. Some of the victories described in this book include a moratorium on mining in the sacred hills of Northern Cheyenne, Blackfeet, and Crow territory; an international campaign that stopped the building of mega-dams in northern Canada; the restoration of thousands of acres of White Earth land in Minnesota; and the rebuilding of a nation in Hawai'i.

Grassroots and land-based struggles characterize most of Native environmentalism. We are nations of people with distinct land areas, and our leadership and direction emerge from the land up. Our commitment and tenacity spring from our deep connection to the land. This relationship to land and water is continuously reaffirmed through prayer, deed, and our way of being—*minobimaatistiwin*, the "good life." It is perhaps best remembered in phrases like: *This is where my grandmother's and children's umbilical cords are buried.... That is where the great giant lay down to sleep... These are the four sacred Mountains between which the Creator instructed us to live.... That is the last place our people stopped in our migration here to this village.*

## White Earth

I live on an Anishinaabeg reservation called White Earth in northern Minnesota, where I work on land, culture, and environmental issues locally through an organization called the White Earth Land Recovery Project and nationally through a Native foundation called Honor the Earth. We, the Anishinaabeg, are a forest culture. Our creation stories, culture, and way of

life are entirely based on the forest, source of our medicinal plants and food, forest animals, and birch-bark baskets.

Virtually my entire reservation was clearcut at the turn of the century. In 1874, Anishinaabe leader Wabunquod said, "I cried and prayed that our trees would not be taken from us, for they are as much ours as is this reservation."<sup>8</sup> Our trees provided the foundation for major lumber companies, including Weyerhaeuser, and their destruction continued for ten decades.

In 1889 and 1890 Minnesota led the country in lumber production, and the state's northwest region was the leading source of timber. Two decades later, 90 percent of White Earth land was controlled by non-Indians, and our people were riddled with diseases. Many became refugees in nearby cities. Today, three-fourths of all tribal members live off the reservation. Ninety percent of our land is still controlled by non-Indians.

There is a direct link in our community between the loss of biodiversity—the loss of animal and plant life—and the loss of the material and cultural wealth of the White Earth people. But we have resisted and are restoring. Today, we are in litigation against logging expansion, and the White Earth Land Recovery Project works to restore the forests, recover the land, and restore our traditional forest culture. Our experience of survival and resistance is shared with many others. But it is not only about Native people.

In the final analysis, the survival of Native America is fundamentally about the collective survival of all human beings. The question of who gets to determine the destiny of the land, and of the people who live on it—those with the money or those who pray on the land—is a question that is alive throughout society. The question is posed eloquently by Lil'wat grandmother Loretta Pascal:

This is my reason for standing up. To protect all around us, to continue our way of life, our culture. I ask them, "Where did you get your right to destroy these forests? How does your right supercede my rights?" These are our forests, these are our ancestors.<sup>9</sup>

These are the questions posed in the chapters ahead. Through the voices and actions featured here, there are some answers as well. Along with the best of my prayers is a recognition of the depth of spirit and commitment to all our relations, and the work to protect and recover them. As Columbia River Tribes activist Ted Strong tells us,

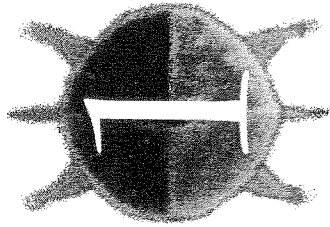
If this nation has a long way to go before all of our people are truly created equally without regard to race, religion, or national origin, it

has even farther to go before achieving anything that remotely resembles equal treatment for other creatures who called this land home before humans ever set foot upon it.... While the species themselves—fish, fowl, game, and the habitat they live in—have given us unparalleled wealth, they live crippled in their ability to persist and in conditions of captive squalor.... This enslavement and impoverishment of nature is no more tolerable or sensible than enslavement and impoverishment of other human beings.... Perhaps it is because we are the messengers that not only our sovereignty as [Native] governments but our right to identify with a deity and a history, our right to hold to a set of natural laws as practiced for thousands of years is under assault. Now more than ever, tribal people must hold onto their timeless and priceless customs and practices.<sup>10</sup>

“The ceremony will continue,” Strong says. “This is a testament to the faith of the Indian people. No matter how badly the salmon have been mistreated, no matter how serious the decline. It has only made Native people deeper in their resolve. It has doubled their commitment. It has rekindled the hope that today is beginning to grow in many young people.”<sup>11</sup>

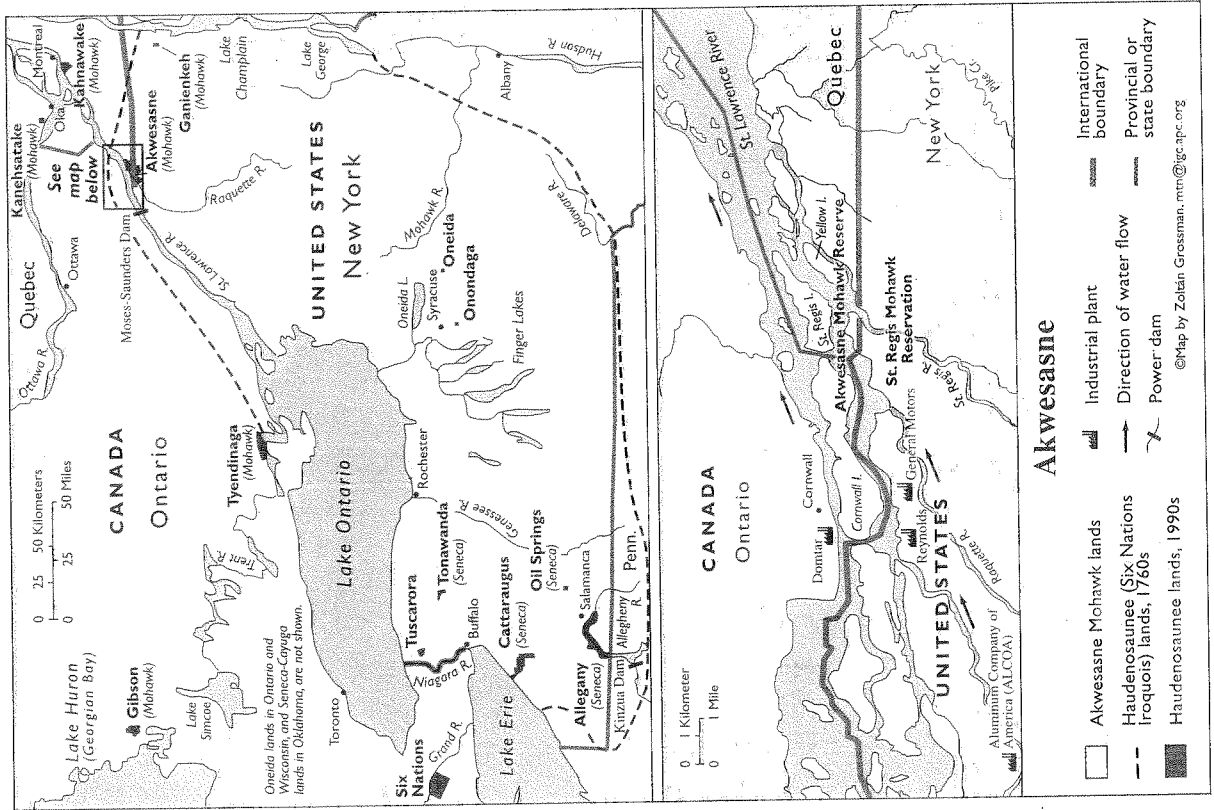


Katsi Cook. Photo © Susan Alzner.



*A k w e s a s n e*

Mohawk Mothers' Milk and PCBs



I n the heart of the Mohawk nation is Akwesasne, or "Land Where the Partridge Drums." A 25-square-mile reservation that spans the St. Lawrence River and the international border between northern New York and Canada, Akwesasne is home to about 8,000 Mohawks.

I'm riding the Akwesasne reservation roads with Katsi Cook, Mohawk midwife turned environmental justice activist. It is two o'clock in the morning, and Katsi is singing traditional Mohawk songs. Loud, so strong, is her voice. We are driving between Katsi's meetings, planes, and birth practice. The birthing chair she uses is wedged in her trunk between our suitcases. Her stamina is almost daunting. That may be the gift of a life-bringer, a midwife—all that power of birth and rebirth, which stays in your presence month after month. (Or, perhaps, it is just that she is a Mohawk. And, as Katsi jokes, *if you want something done, get a Mohawk to do it.*) My head droops to the side as we careen down the country roads of upstate New York, and my attention rivets back to her words, her company. Katsi is alternating between singing and explaining to me the process of bioaccumulation of polychlorinated biphenyls (PCBs) in breast milk. A combination of Mother Theresa and Carl Sagan.

She comes from a family whose tradition feeds her political work, and from a community with a long history of political resistance. "My father, mother, and grandparents of past generations distinguished themselves as political and cultural activists, who upheld community service as one of their highest standards," she explains. "My grandmother Elizabeth Kanatines [She Leads the Village] Cook, a traditional midwife, delivered me and many of the babies in my generation at the Mohawk territory at Akwesasne. My father, William Rasenne Cook, organized a cooperative at Akwesasne among the farmers and consumers. He also organized the peaceful ousting of New York State enforcement jurisdiction on our lands in 1948."<sup>1</sup>

Well, some things change, and some things do not. The Mohawks and Katsi Cook can tell you that. She is cut of the same cloth.

So it is that a culture and identity that are traditionally matrilineal will come into conflict with institutions that are historically focused upon their eradication. Katsi Cook, Wolf Clan mother and an individual who strives to uphold those traditions, finds that she must confront some large adversaries. Besides "catching babies," as she calls it, and raising her family of four children (the oldest of whom, Howie, bore her first grandchild in the Winter of 1998), Katsi finds herself in a stand-off against her adversary, one of the largest corporations



in the world: General Motors (GM). At its Massena, New York, power train plant, General Motors has left a Superfund site—one with approximately 823,000 cubic yards of PCB-contaminated materials. GM has tainted the land, water, and ultimately the bodies of the Mohawk people, their babies included. Katsi's work is precedent-setting environmental justice work that links the intricate culture of the Mohawk people to the water, the turtles, the animal relatives, and ultimately the destruction of the industrialized General Motors Superfund site. "Why is it we must change our lives, our way of life, to accommodate the corporations, and they are allowed to continue without changing any of their behavior?" she asks.

### The Mohawk Legacy

Mohawk legend says that at one time the earth was one, never-ending ocean. One day, a pregnant woman fell from the sky. A flock of swans carried her down to earth, gently placing her on the back of a large sea turtle. Some beachers then swam to the bottom of the ocean and picked up some soil and brought it back to this woman so she could have some dry ground on which to walk. She then walked in an ever-widening circle on the top of the turtle's back, spreading the soil around. On this giant turtle's back the earth became whole. As a result, North America is known today by the name *Turtle Island*.

As in the creation legend, the turtle remains the bedrock of many ecosystems. But snapping turtles found at so-called Contaminant Cove on the Akwesasne reservation contained some 3,067 parts per million (ppm) of PCB contamination; others were found with 2,000 ppm PCB contamination. (According to EPA guidelines, 50 ppm PCBs in soil is considered to be "contaminated.") The story of how that turtle became contaminated in many ways mirrors the story of the Mohawk people of Akwesasne.<sup>2</sup>

The Haudenosaunee, or Six Nations Iroquois Confederacy, is among the most ancient continuously operating governments in the world. Long before the arrival of the European peoples in North America, our people met in council to enact the principles of peaceful coexistence among nations and in recognition of the right of peoples to a continued and uninterrupted existence. European people left our council fires and journeyed forth in the world to spread principles of justice and democracy which they learned from us and have had profound effects upon the evolution of the Modern World.

—Haudenosaunee Statement to the World, April 17, 1979<sup>3</sup>

The Mohawk people, like other Haudenosaunee, or Six Nations peoples, have lived in the eastern region of the continent for many generations. The Mohawks themselves are referred to as the Keepers of the Eastern Door of the Haudenosaunee Confederacy—the People of the Flint. It is said that the Six Nations peoples were once virtual slaves to the neighboring Algonkin peoples. Amidst their agricultural economy, they'd labored long and hard to pay the heavy tolls imposed upon them by the Algonkin.

But as the story goes, between miracles and sheer determination, the Six Nations peoples came to prosper in the region. As the generations passed, the differences grew between the peoples, and they divided into the Mohawk, Oneida, Onondaga, Cayuga, Seneca, and Tuscarora—the Six Nations. Early in their history, the great prophet Aionwatha created the Haudenosaunee Confederacy, one of the most prominent and far-reaching forms of government ever created on the face of the earth. From this form of government came the concepts of constitutional government and representative democracy, the very foundation of the principles of the new American state. This form of government remains today in the Haudenosaunee Confederacy.

The Mohawk Nation expanded under the principles of the Great Law, established by Aionwatha's teacher, the Great Huron Peacemaker. That law, *Kaianarokwa* (the Great Law of Peace and the Good Mind), upholds principles of kinship, women's leadership, and the value of the widest possible community consensus. Through these teachings and many others, the Mohawks eventually established communities scattered over 14 million acres of land that straddle what would become the U.S.-Canada border. These lands would come to be home for seven major communities—Kahnawake, Kaneshatake, Akwesasne, Ganienkeh, Tyenninaga, Ohsweken, and Wahta.

While new American leaders such as George Washington, Patrick Henry, and Benjamin Franklin studied the Haudenosaunee government, they also engaged in land speculation over territory held by these peoples, and Mohawk lands were ceded through force, coercion, and deceit until fewer than 14,600 acres remained in New York State. By 1889, 80 percent of all Haudenosaunee land in New York State was under lease to non-Indian interests and individuals.<sup>4</sup>

For the Mohawks, words were not enough to defend their land. During the 1900s, additional land and jurisdiction grabs continued in Mohawk communities, along with Mohawk resistance to them. Whether through Katsi's father or the armed take-overs and struggles in the Mohawk communities of Ganienkeh (1974), Kahnawake (1988), or Kaneshatake (1990), the Mohawks have been vigilant in their commitment to their land, way of life, and economy.

Faced with heavy impacts on their traditional economy, the Mohawks adapted economically. First, as legendary high-steel workers, they built much of the infrastructure for eastern cities. Then, in more recent years, they have creatively used their strategic position on the national border to tap into the controversial "export-import" business, traversing colonial borders that separate the various Mohawk communities.

The Mohawks are also adept at both maintaining and recovering their culture and way of life. The Akwesasne Freedom School is foundational to that process. An independent elementary school run by the Mohawk Nation, the school was founded in 1979 by Mohawk parents concerned that their language and culture would slowly die out. In 1985, Mohawk-language immersion began. The Mohawk "Thanksgiving Address," which teaches gratitude to the earth and everything upon it, is used as the base of the curriculum. The students study the Mohawk ceremonial cycle, as well as reading, writing, math, science, and history, combining solid academics with Mohawk culture. "The prophecies say that the time will come when the grandchildren will speak to the whole world. The reason for the Akwesasne Freedom School is so that the grandchildren will have something significant to say," explains Sakokwenionkwas, or Tom Porter, a Mohawk chief.<sup>5</sup> (Porter is also known for his recovery of traditional land. Leading some Mohawks into a different part of their traditional territory, Porter has successfully purchased some land and, with a number of traditional families, is in the process of restoring their village, in their own terms, and in their own way.)

Environmental struggles have also been a part of Mohawk history. In the 1950s, while Indian people nationally were mired in efforts to oppose termination, 130 acres of Akwesasne were flooded by the St. Lawrence Seaway project, and in 1967, 9,000 acres were flooded by the notorious Kinzua Dam project in upstate New York, which affected Seneca communities. In 1958, the New York State Power Authority attempted to seize half of the Tuscarora reservation; when the Tuscaroras physically blocked access to the site, "a 'compromise' was then implemented in which the state flooded 'only' 560 acres, or about one-eighth of the remaining Tuscarora land."<sup>6</sup>

#### Industry Takes Over

There is, through all of this, very little land left for the Mohawks and the Haudenosaunee. The St. Lawrence River, called *Kanitarowaneneh*, which means "Majestic River" in Mohawk, has been the wellspring for much of Mohawk life. It has also been the target for much of the industrialism in the region.

In 1903, the Aluminum Company of America (ALCOA) established a factory a few miles west of Akwesasne. Less than 30 years later, a biological survey noted serious local pollution problems. That was just the beginning.

In 1949, the St. Lawrence Seaway and Moses-Sanders Power Dam were built and hailed as the eighth wonder of the world. Dams and locks allowed huge ships to enter the Great Lakes from the Atlantic Ocean and produced cheap hydro-electric power that lured giant corporations to the St. Lawrence. In the late 1950s, General Motors, Reynolds, and Domtar (in Canada) became the Mohawks' neighbors, and the majestic river became a toxic cesspool.

In 1959, Reynolds established an aluminum plant one mile southwest of Akwesasne, and within a decade the facility was emitting fluorides into the atmosphere at a rate of 400 pounds per hour. In 1973, pollution control devices reduced this level of emissions to 75 pounds per hour, but the cost of the pollution was high.<sup>7</sup>

According to Dr. Lennart Krook and Dr. George Maylin, two veterinarians from Cornell University, Mohawk farmers suffered severe stock losses of their dairy herds in the mid-1970s due to poor reproductive functions and fluorosis, a brittling and breakage of teeth and bones, which they found were linked to the fluoride emissions.<sup>8</sup> Additional studies have shown that area vegetation suffered as well. The impact on area wildlife is still unknown.<sup>9</sup>

Today, an estimated 25 percent of all North American industry is located on or near the Great Lakes, all of which are drained by the St. Lawrence River.<sup>10</sup> That puts the Akwesasne reservation downstream from some of the most lethal and extensive pollution on the continent.

Canada has singled out the Akwesasne Mohawk reservation from 63 Native communities in the Great Lakes basin as the most contaminated—a dubious honor. On the American side of the border, things aren't much better. Until the mid-1980s, five saturated lagoons and a number of PCB-filled sludge pits dotted GM's 258-acre property, adjacent to the reservation.<sup>11</sup>

Until 1978, when PCBs were banned, all of these companies used PCBs. Virtually all of those PCBs ended up in the surrounding water, soil, or air. Many of them have ended up in the fish, plants, and people of the Mohawk territory. An insidious chemical known to cause liver, brain, nerve, and skin disorders in humans, shrinking testicles in alligators, and cancer and reproductive disorders in laboratory animals, PCBs are one of the most lethal poisons of industrialized society.

Studies of PCB contamination of alligators in the Everglades indicate a problem called emasculation—shrinking testicles in subsequent generations. A

study of boys in Taiwan born to mothers exposed to PCBs found that they also had smaller penises. Studies of polar bears in the Arctic indicate dropping reproduction rates associated with PCB contamination, a concern in animals that are already threatened with extinction.<sup>12</sup> It will take a while for most Americans to consume levels of PCBs capable of causing such damage. But what happens if a segment of the population does become affected? Most of the information regarding the effects of PCBs and dibenzofurans on human health is based on accidental poisonings.

In Japan in 1968 and in Taiwan in 1979, thousands of people accidentally ingested PCB-contaminated rice oil, which contained PCB concentrations as high as 3,000 ppm. In Taiwan, 12 of 24 people died from liver diseases and cancers. Following both incidents, many people suffered from a severely disfiguring skin acne. Other problems included the suppression of the immune system, making individuals more susceptible to many diseases. Thirty-seven babies born to PCB-poisoned Taiwanese women suffered from hyperpigmentation, facial swelling, abnormal calcification of the skull, low birth weight, and overall growth retardation. Eight of the infants died from pneumonia, bronchitis, or general weakness.<sup>13</sup>

Similarly, recent studies of malignant breast tumors indicate that PCBs may be linked to breast cancer. Researchers in Hartford, Connecticut, found that malignant breast tumors contained more than 50 percent as many PCBs as were found in the breast fat of women the same age and weight who did not have cancer.<sup>14</sup> Wayne State University's Joseph and Sandra Jacobson's study of 212 children reported worrisome data showing learning deficits in children who had the highest, although still modest, exposures to PCBs in the womb. Those children were reported to have scored about six points lower on IQ tests and also lagged behind on achievement tests that rely on short-term memory, planning ability, and sustained attention. Their word comprehension fell six months behind that of their less exposed 11-year-old peers. Of the 212 children that were studied, 167 had been born to women who had eaten a modest amount of fish—at least 11.8 kilograms of Lake Michigan salmon or lake trout during the six years preceding their children's births.<sup>15</sup>

### PCB Contamination at Akwesasne

In 1979, the Haudenosaunee called for thoughtful ways of living and issued the following statement to the world:

Brothers and Sisters: Our ancient homeland is spotted today with an array of chemical dumps. Along the Niagara River, dioxin, a particularly

deadly substance, threatens the remaining life there and in the waters which flow from there. Forestry departments spray the surviving forests with powerful insecticides to encourage tourism by people seeking a few days or weeks away from the cities where the air hangs heavy with sulphur and carbon oxides. The insecticides kill the black flies, but also destroy much of the food chain for the bird, fish, and animal life which also inhabit those regions.

The fish of the Great Lakes are laced with mercury from industrial plants, and fluoride from aluminum plants poisons the land and the people. Sewage from the population centers is mixed with PCBs and PBS in the watershed of the great lakes and the Finger Lakes, and the water is virtually nowhere safe for any living creature.<sup>16</sup>

In 1981, the New York State Department of Environmental Conservation blew the whistle on General Motors' dumping of PCB-contaminated materials, reporting that there was "widespread contamination of local groundwater" by PCBs and heavy metals such as lead, chromium, mercury, cadmium, and antimony. Several Mohawks lived less than 100 yards from the General Motors facility. At least 45 Mohawk families drew their water from area wells, while over 200 families relied on water from an intake on the St. Lawrence River, which was only a half-mile from the GM plant.<sup>17</sup>

In October of 1983, after 25 years of dumping toxics, General Motors was fined \$507,000 by the EPA for unlawful disposal of PCBs—in total, 21 violations of the Toxic Substances Control Act, or TSCA. Among the charges, General Motors was cited for ten counts of unlawful disposal of PCBs and 11 counts of unlawfully using PCB-laden oil in a pumphouse with no warning sign. At that time, GM received what was the highest EPA fine levied against a U.S. company for violations of the TSCA. The EPA placed the GM site on the National Priority List of Superfund sites that urgently need cleanup.<sup>18</sup>

But the EPA's early resolve quickly eroded. The latest battle with General Motors has been over regulatory gymnastics and some interesting redesignations of what the EPA admits is a very dangerous site. The EPA estimated that it could cost \$138 million to clean up the GM site, but during the mid-1990s has balked and backed down, redesignated and allowed for new proposals, proposals which would save General Motors a considerable amount of money. In August of 1990, the EPA suggested that "containment" rather than "treatment" can be appropriate for industrial sites contaminated with PCBs between 10 and 500 ppm. The redesignation by EPA meant that GM would have to dredge and/or

treat only 54,000 cubic yards of contaminated soils, in contrast to the 171,000 cubic yards it currently has on-site or in nearby rivers and creeks. This redesignation of the numbers has saved General Motors over \$15 million dollars in cleanup costs.<sup>19</sup>

"In one core sample of the river bottom at the GM site we tested, we found over 6,000 ppm of PCBs," says Dave Arquette, an environmental specialist with the tribe. "GM put sand and gravel over those areas and considers that to be a permanent cap," he adds.<sup>20</sup> Today, the GM dump site is landscaped and covered with grass. But absent a liner under the waste, the GM contaminants still leach into the majestic river. The GM landfill "frustrates Tribal environmental standards applicable within the same ecosystem only a few feet away," according to the Akwesasne Task Force on the Environment.<sup>21</sup> "Capping is to cover up, not a cleanup," says an exasperated Jim Ransom of the Task Force.<sup>22</sup> The tribe's position is that the Mohawk PCB standard of 0.1 parts per million be applied to the entire cleanup, not just Mohawk land.

"This is a classic environmental justice site," says Ken Jock, a director of the Akwesasne Environment Program. A slight man, with soft eyes and a quiet manner, he spends much of his time arguing with agencies about implementation of the law. His huge office is full of reports and photos documenting the extent of the contamination. The reports, photos, and sheer size of the Akwesasne Environment Program dwarf the infrastructure of most Indian nations in the country. Yet it seems that even with reams of paper, the action taken by federal agencies is minimal. "This all used to be a fishing village. That's all gone now. There's only one family that still fishes," Jock says. "We can't farm here because of all of those air emissions. Industry has pretty much taken the entire traditional lifestyle away from the community here."<sup>23</sup>

Today, 65 percent of the Mohawks on Akwesasne reservation have diabetes, says Jock. Henry Lickers, director of the environmental health branch of the Mohawk Council of Akwesasne echoes Jock: "Our traditional lifestyle has been completely disrupted, and we have been forced to make choices to protect our future generations," says Lickers. "Many of the families used to eat 20-25 fish meals a month. It's now said that the traditional Mohawk diet is spaghetti."<sup>24</sup>

### The Mothers' Milk Project

"The fact is that women are the first environment," says Katsi. "We accumulate toxic chemicals like PCBs, DDT, Mirex, HCBs, etc., dumped into the waters by various industries. They are stored in our body fat and are excreted primarily through breast milk. What that means is that through our own breast

milk, our sacred natural link to our babies, they stand the chance of getting concentrated dosages." When the Mohawks found this out in the early 1980s, Katsi explains, "We were flabbergasted."<sup>25</sup>

Katsi Cook and other Mohawk women wanted to know the extent of their risk. In the Fall of 1984, Katsi went to the office of Ward Stone, a wildlife pathologist. Stone's work documented toxicity in animals in the St. Lawrence/Mohawk/GM ecosystem and has been very influential internationally in the study and cleanup of the Great Lakes region. Stone showed that beluga whales of the St. Lawrence River carry some of the highest body burdens of toxic chemicals in the world and suffer from a host of problems, including rare cancers and pronounced disease and mortality among young whales. These whales have a reproductive success rate one-third that of belugas in the Arctic Ocean.<sup>26</sup> Katsi also went to the office of Brian Bush, a chemist at the Wadsworth Center for Laboratories and Research at the New York State Department of Health in Albany. She explained the concerns of the Mohawk women.

In 1985, Katsi helped create the Akwesasne Mothers' Milk Project in an effort to "understand and characterize how toxic contaminants have moved through the local food chain, including mothers' milk," as Katsi wrote. "You're not going to find a lot of women that went away to the universities and then came back to the community with degrees in environmental engineering," Katsi says. "It's hard to get the women involved although they are so impacted by all of this.... Now [with the Mothers' Milk Project] the women are learning to apply science in their everyday lives."

Katsi's persistence, along with the work of Henry Lickers and Jim Ransom, former director of the St. Regis Mohawk Tribes Environmental Office, evolved into a bioaccumulative analysis of the entire food chain at Akwesasne, from fish to wildlife to breast milk. The collaborative epidemiological research project that ultimately resulted from Katsi's work was one of a scant 11 Superfund studies funded by the U.S. Congress, and the only one focused on human health.

Under Katsi's supervision, the research project studied 50 new mothers over several years and documented a 200 percent greater concentration of PCBs in the breast milk of those mothers who ate fish from the St. Lawrence River as opposed to the general population. "But their PCB levels came down after they stopped eating fish," Katsi explained. "I've got myself 0.108 parts per billion of mirex [a flame retardant], 22 parts per billion PCBs, 0.013 parts per billion HCBs, and 13.947 parts per billion DDC [a pesticide related to DDT] in my breast milk," Katsi said in an early 1990s interview, acknowledging the personal

nature of the concern.<sup>27</sup> Related studies of fetal umbilical cord samples showed similar results. Subsequent studies indicated a decline generally, a result of the mothers reducing the consumption of natural foods.<sup>28</sup>

The Mohawk officials reassured the community to continue breast feeding their infants in spite of high levels of toxic contamination in the local fish and wildlife. But this advice was only viable because of the drastic reduction in the amount of fish consumed in the community.

Mohawk mothers voiced their anger at the contamination and the impact on their way of life. "Our traditional lifestyle has been completely disrupted, and we have been forced to protect our future generations. We feel anger at not being able to eat the fish. Although we are relieved that our responsible choices at the present protect our babies, this does not preclude the corporate responsibility of General Motors and other local industries to clean up the site," Katsi charges.

"The beauty of the response of the mothers," Katsi says, "is that they saw everything in a bigger picture. Many of us bless the seeds, pray to corn, and continue a one-on-one relationship with the earth." That process of remembering and restoring the relationship between people and the earth is a crucial part of healing the community from the violations of the industry in their way of life.

But "GM has been fighting us every step of the way," she says. In 1997, General Motors sat at the top of the U.S. Fortune 500 list. It also sat on top of the world's Fortune 500 list. Not bad. So it's not like they couldn't spring some money for cleanup. But instead, they have fought the Mohawks' water, air, and soil quality, and pushed for more lenient cleanup.

Part of the Mohawks' challenge is navigating the many jurisdictions and global corporations that have a stake in the region, as a bizarre result of colonialism. Akwesasne contends with two federal governments—Canada and the United States. Then there are two other governments—the province of Quebec and New York State. Then there are several separate Mohawk jurisdictions, those recognized by the U.S. and Canadian federal governments, and the traditional Mohawk government. It seems that between them, no one can really make any progress. "New York State doesn't care, because as far as they're concerned, we're not part of New York State, we might as well be in Canada," says Ken Jock.<sup>29</sup> Canada views the problem as originating on the other side of the border, and among all of them, there seems to be limited application of the law. Except, that is, the law according to GM.

## GM Goes Global

The Mohawk relations with GM, however, are not unique. In 1994, GM was hailed by *Multinational Monitor* as one of the ten worst corporations in the world and profiled in the illustrious Corporate Hall of Shame. GM was called on the carpet for the infamous exploding gas tanks, this time not on a Ford Pinto, but on a GM pickup. Two years before, the Council on Economic Priorities listed General Motors as a bad boy as well, mostly because of toxic releases.<sup>30</sup> In its annual rankings in the Campaign for Cleaner Corporations, the council and a jury of investors, academics, religious institutions, and activists determine the largest culprits in relation to the environment. GM came in number two, after Cargill. In 1988 and 1989, for instance, GM released nearly three times as much toxic material into the environment as Ford Motor Company, its principal competitor. The company is also potentially responsible for about 200 Superfund sites.<sup>31</sup>

And the Mohawks' problems with GM are no longer just local problems for Mohawks; they are of urgent international concern. The national movement to stem the impact of PCBs and other toxic contamination, now often called "POPs," or persistent organic pollutants, is increasingly turning to international forums. POPs are airborne, ranging from the Arctic to the Antarctic, and are present in every segment of our environment. Theo Colburn, chief scientist to the World Wildlife Fund and author of *Our Stolen Future*, illuminates the scope of the problem in some remarks given at the State of the World Forum in 1996.

Every one of you sitting here today is carrying at least 500 measurable chemicals in your body that were never in anyone's body before the 1920s.... We have dusted the globe with man-made chemicals that can undermine the development of the brain and behavior, and the endocrine, immune and reproductive systems, vital systems that assure perpetuity.... Everyone is exposed. You are not exposed to one chemical at a time, but a complex mixture of chemicals that changes day by day, hour by hour, depending on where you are and the environment you are in.... In the United States alone it is estimated that over 72,000 different chemicals are used regularly. Two thousand five hundred new chemicals are introduced annually—and of these, only 15 are partially tested for their safety. Not one of the chemicals in use today has been adequately tested for these intergenerational effects that are initiated in the womb.<sup>32</sup>

International discussions on POPs are now part of the United Nations, which in 1995 directed several international agencies to begin evaluating POPs, starting with the 12 most hazardous known substances (dubbed the "dirty dozen") and under a cooperative effort with more than 100 countries.<sup>33</sup> It is hoped that an international protocol will stem their production and distribution. It will require much, particularly when one considers that the cleanup of a single site has met with so much red tape and foot dragging.

### The Great Law of Peace and Good Mind

When you are out there on that river, you can think, you're at peace with yourself. You can talk to your Maker.

—Francis Jock, Mohawk fisherman<sup>34</sup>

Meanwhile, back at Akwesasne, Ken Jock and others are working on ecologically and culturally appropriate solutions. A new aquaculture project is underway. The fish farm consists of cages suspended off the bottom of the river, away from contaminated sediments. The fish are raised in the cages and fed on a diet of nutrient-rich, contaminant-free food. So far, the project shows promise and is expanding.

"The real question," Katsi says about all of this environmental justice work, is, "How are we going to recreate a society where the women are going to be healthy?" That first environment, from Katsi's perspective, is the starting place for it all, and the best indicator. The first environment is about a baby, a woman, and family. Katsi's approach, not unlike that of her grandmother, the noted midwife from half a century ago, is that everything the mother feels, eats, and sees affects the baby. That is a part of the Mohawk belief system. That is why, whether it is GM contamination or the mental health of the mother, all must be cared for if the baby is to be healthy. And that is Katsi's work, holistic midwifery. "One home birth will impact 30 people," she tells me and acknowledges it as a form of strengthening the social bonds of the community. She has deliveries coming up almost every month, but keeps her midwifery practice small so that she can attend to the holistic nature of bringing life into the world.

"The midwifery work is what keeps it all from being so damn depressing," she explains. "It's one thing to look at a statistic, it's another to look at and feel a baby," she continues. Katsi hopes one day to see a midwifery center and an exemption for aboriginal midwives to support their practices. "That is small remediation for the loss of self-esteem as a result of the breast milk contamination," she says.

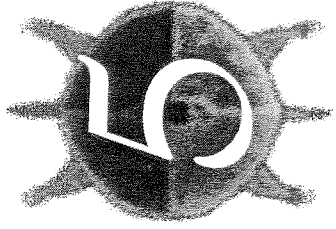
In mid-September of 1997, Katsi Cook had her first face-to-face meeting with Carol Browner, the director of the Environmental Protection Agency. A decade after her first interactions with the federal agency, this would be the first time Cook would speak with Browner. She spoke mother to mother, explaining that the Mohawk mothers needed the EPA mother to help them. The Mohawks are hoping that the Great White Mother, the Environmental Protection Agency, will do her job. That she will protect the water, the air, the soil, and the unborn Mohawks. As of this writing, the Great White Mother has done little, but GM has budged slightly, because of all the community pressure. In 1998-99, some cleanup began. GM dredged some of the contaminants out of the bottom of the St. Lawrence and shipped them off to some unlucky community in Utah. According to Ransom, GM plans to "identify...hot spots inside the dump. Then, based on what they find, they may consider more remediation, or go back to...capping."<sup>35</sup>

According to the Mohawks, industry, along with government officials and policy makers worldwide, must heed the warnings that contaminated wildlife are sending before it is too late. The creation is unraveling, and the welfare of the entire planet is at stake. As the Mohawks would say, when the turtle dies, the world unravels. Instead of letting that happen, the Mohawks are determining their history. They are facing down General Motors, the Environmental Protection Agency, and the big industries. They are demanding a change and making stronger their community. Rebirthing their nation, from the first environment of the womb to the community and future generations, they are carrying on the principles of *Kaianarokwa*, the Great Law of Peace and the Good Mind.





Virginia Sanchez. Photo © Susan Alzner.



# *Nuclear Waste*

Dumping on the Indians



The United States today hosts 104 nuclear power plants. Thanks to the anti-nuclear movement, it is a far cry from the 1,000 nuclear power plants the Nixon administration envisioned in 1974. Canada today hosts 22 Candu nuclear reactors, which provide 15 percent of Canadian electricity.

Much of the world's nuclear industry has been sited on or near Native lands. Some 70 percent of the world's uranium originates from Native communities, whether Namibia's Rössing Mine, Australia's Jabulika Mine, Cluff Lake, or Rabbit Lake Mine (in Diné territory). *Tletssoo*, as uranium is known in Diné, comes from Native America.<sup>1</sup>

The Navajos... were warned about the dangers of uranium. The people emerged from the third world into the fourth and present world and were... told to choose between two yellow powders. One was yellow dust from the rocks, and the other was corn pollen. The people chose corn pollen, and the gods nodded in assent. They also issued a warning. Having chosen the corn pollen, the Navajos were to leave the yellow dust in the ground. If it was ever removed, it would bring evil.

—Grace Thorpe, founder of the National Environmental Coalition of Native Americans<sup>2</sup>

The nuclear reaction that releases so much power also creates profoundly hazardous wastes—compounds so dangerous to life forms that they must be isolated for 100,000 years. To date, 30,000 metric tons of nuclear waste have been generated by the U.S. nuclear industry. If today's reactors are operational until the end of their licensing periods, the nuclear industry will have created 75,000 to 80,000 metric tons of nuclear waste. For this reason, among others, harnessing nuclear power was “a bad idea twenty years ago,” says longtime anti-nuclear activist Faye Brown. And “it’s still a bad idea now,” she says.<sup>3</sup>

There is pretty much no knowledge in the human repertoire on how to handle such long-lasting toxic substances, so industry relies on that old standby, computer projections, and counts on the Earth to take care of it.

As a result of this neglect, over 1,000 abandoned uranium mines lie on the Navajo reservation, largely untouched by any attempts to cover or cap or even landscape the toxic wastes.<sup>4</sup> Vast areas of both the Spokane reservation in Washington State and the Yakama Reservation, which includes the Hanford Nuclear Reservation, have been contaminated with mine wastes and byproducts of



the military's nuclear experiments. Stretches of northern Canada from Ontario's Serpent River to the Northwest Territories' Baker Lake are inundated with radioactive waste, a legacy of decades of uranium mining and an absence of virtually any environmental regulation or protection.

The nuclear industry is perhaps the most highly subsidized industry in the United States. The federal government doled out some \$97 billion in subsidies for the nuclear industry between 1948 and 1992, including over 65 percent of the Department of Energy's (DOE) budget for research and development.<sup>5</sup>

"The utilities don't care," says Harvey Wasserman of the Nuclear Information and Resource Service. "They spent more than they were originally costed out. But they figured they would pass the price overruns on to the consumers."<sup>6</sup>

#### The Nevada Test Site and the Western Shoshone

In 1951, the Atomic Energy Commission set up the Nevada Test Site within Western Shoshone territory as a proving grounds for nuclear weapons. Between 1951 and 1992, the United States and Great Britain exploded 1,054 nuclear devices above and below the ground. The radiation exposure emanating from these tests was only fully measured for 111 tests. Within just the first three years, 220 above-ground tests spewed fallout over a large area.<sup>7</sup>

The government maintained that the maximum radiation exposure from the tests was equivalent to that of a single chest x-ray. But in 1997, the National Cancer Institute made public a study of radiation exposure from above-ground nuclear tests that showed that some 160 million people had suffered significant radiation exposure from the tests, on average 200 times more than the amount indicated by the government. In some parts of the country, the exposure was found to be 2,000 to 3,000 times that amount.<sup>8</sup>

The institute estimated that as many as 75,000 cases of thyroid cancer may have been caused by atmospheric testing. Since the incidence of thyroid cancer is highly age-dependent and has a long latency period, children born prior to the 1950s—people in their 40s or 50s today—are still at risk. The radiation exposure is linked to other thyroid disorders, as well.<sup>9</sup>

None of that is news to Virginia Sanchez, a Western Shoshone woman who has grown up in the shadow of the Nevada Test Site. When the nuclear tests were exploded, "in school, [we would] duck and cover under the desk, not really understanding what it was."<sup>10</sup> Now she understands all too well. Sanchez lost her 36-year-old brother Joe to leukemia a few years back. Her grandfather died of bone cancer. She has seen the impact of the test site ravage her community.

In 1993, she began a new project at the Reno-based Citizens Alert Native American Program called Nuclear Risk Management for Native Communities. In that work, she began to grapple with what the federal government had done to her community.

According to Sanchez, the Atomic Energy Commission and then the Department of Energy would deliberately wait for the clouds to blow north and east before conducting above-ground tests, so that the fallout would avoid any heavily populated areas such as Las Vegas and Los Angeles. This meant that the Shoshones would get a larger dosage. They literally had no protection.

We weren't wealthy, you know, our structures weren't airtight. Besides, our people spent major amounts of time outside, picking berries, hunting, gathering our traditional foods.... At that time we still ate a lot of jackrabbits.... [In] Duckwater, which, as the crow flies, is 120 miles directly north of the test site, the people in that community didn't have running water or electricity as a whole community until the early 1970s, so they would gather water outside.

And so, we received some major dosages of radiation. When the federal scientists began to look at the Department of Energy's dose reconstruction of the off-site fallout, [they found that] we were put under the shepherd lifestyle. So we weren't even looked at at all. The scientists... figured that a one-year-old child who ate a contaminated rabbit within a month's time after the test probably had six times the dose of what DOE's figures were saying.

Virginia recorded many stories that the federal agencies missed. People outside seeing the clouds coming over and gardens turning black. "People [were] working outside when the clouds went over. [There were stories of] getting sick with leukemia or doctors writing blisters off as some sunburn. There was a county school about three miles from the reservation, and all the kids wore the film badges [issued by federal officials to document the gamma rays], and they were never told the results."

The Western Shoshone territory on which the test site resides consists of about 24.5 million acres of traditional homeland, as recognized in the 1853 Treaty of Ruby Valley. The government has for decades been trying to secure title to the Shoshone land. As Virginia explains it, in 1979, the Claims Commission recognized Shoshone title and offered to buy the land based on its 1873 value. "The traditional people blew apart the hearing," Virginia says. The federal government awarded \$26 million on behalf of the Shoshone, but has never been

able to get the Shoshone to accept the money. The latest estimate of its accrued value is \$91 million. So here we have some of the poorest people in the country who are refusing to accept a \$91 million settlement for their land, because they want their land even if the federal government has put radiation on it. They want their land, and they want to heal their community.

### Pressures Build to Dump on the Indians

In addition to the problem of already extant nuclear waste contamination, many of today's American reactors have almost run out of space for their used fuel rods and their on-site waste. In the next decade most of the nation's reactors will experience a shortfall in their space. This space "crisis" has pushed the discussion around handling nuclear wastes forward.

The growing environmental justice movement, coupled with the sovereign status of Indian lands and their frequent lack of infrastructure, mean that the nuclear industry has increasingly targeted Native lands for dumps. Besides that, by the 1990s, it had become "conveniently politically incorrect" to argue against a tribe's autonomous decisionmaking, says Winnebago attorney Jean Belite of the Rocky Mountain Land and Water Institute.<sup>11</sup>

During the early and mid-1990s, the federal government and the nuclear industry offered seemingly lucrative deals to Native communities willing to accept nuclear waste dumps on their lands. A few big Native American organizations took the bait and worked on or at least provided the forum to discuss the dumping.

The federal Administration for Native Americans (ANA) and the Department of Commerce funded Indian consulting firms to promote the waste industry in Indian country. A big chunk of their money went to the Council on Energy Resource Tribes (CERT), an organization of 50 member tribes founded in 1975 to assert control over the development of Native mineral resources. In 1987, CERT received \$2.5 million, over half of their total income, from federal nuclear waste contracts.

During the late 1980s, the National Congress of American Indians (NCAI) joined in nuclear waste research. Founded in 1944 to "work toward the promotion of the common welfare" of Native Americans, NCAI cooperated with the Department of Energy to ensure participation of Indian tribal governments in the siting and transportation of high-level nuclear waste.<sup>12</sup> Between 1986 and 1990, NCAI received nearly \$1 million, over one-fourth of their total income, from Department of Energy nuclear waste grants. In 1992, the DOE and NCAI signed a five-year cooperative agreement for \$1.8 million. The

NCAI's nuclear waste program, initiated largely with federal funds, provided tribes with a steady stream of information on radioactive wastes.<sup>13</sup>

At a 1991 meeting of the NCAI, the Mescalero Apache Chairman explained that it was easy to get \$100,000 by signing up for a grant for no-strings-attached research into the feasibility of siting a Monitored Retrievable Storage (MRS) facility for nuclear waste on tribal lands. In 1992, the Mescalero Apache Tribe and CERT publicly advocated that Native communities host nuclear waste dump sites on their lands. Fourteen tribal councils, along with pro-nuclear government representatives and nuclear industry salespeople, attended the meeting.

That influential meeting was essentially about the philosophical underpinnings of hosting nuclear waste sites on Indian lands. David Leroy, DOE's nuclear waste negotiator, aggressively courted tribes with nuclear waste proposals. According to Nilak Butler, a former Indigenous Environmental Network council member, Leroy and the DOE argued that Native responsibility to hold nuclear waste emanates from the "superior Native understanding of the natural world" and the fact that we are "our brother's keeper."<sup>14</sup>

### Grassy Narrows

Judy De Silva is a softspoken Ojibwe woman from the Grassy Narrows reserve in northern Ontario. The administrator of the band's day-care program and mother of three young children, she is angry at the Canadian government's mid-1990s announcement of a proposal to dump nuclear waste in her community.

"We've been through so much," she said, sounding both disgusted and weary at the scope of the problems in small Grassy Narrows, a community of 500 residents 55 miles northeast of Kenora, Ontario. "We've learned to accept this kind of abuse from the system.... I could stand up to the big lumber trucks and the other trucks, but.... I have more fight now because of my children, because of my baby."<sup>15</sup>

Not unlike other communities under consideration for nuclear dumps, Grassy Narrows has pretty much seen the bad side of development. In 1960, Dryden Pulp and Paper started contaminating the nearby Wabigoon River in Canada with suspended solids. In March 1962, Reed Paper opened a plant that released an estimated 20 pounds of mercury into the river every day.

In 1963, the government relocated the entire village so as to push more water through the dams to provide power for other communities. "They did it under legislation," says Grassy Narrows Chief and spokesperson Steve Frobisher. "It took sort of an army to move us."<sup>16</sup> The Grassy Narrows band didn't get power

from the three dams up the river and two dams down the river. Yet their land and their cemetery were flooded, and their ancestors' corpses floated in the reservoir. Grassy Narrows was no longer a narrows, it was a vast lake.

Meanwhile, mercury contamination was killing the fish. "We knew there was something wrong that the fish were floating within the whole river system. The marine life was dying, and the fish tasted funny. It tasted like oil or something that had rusted," says Frobisher. It took a university student from Boston, Massachusetts, to uncover the scope of the mercury releases. On September 28, 1975, the Ontario Minister of Health publicly admitted that 20 to 30 of the Native people living on the Grassy Narrows reserve showed symptoms of mercury poisoning.

As a result, commercial fishing by area Anishinaabeg was closed down, and unemployment on the reserve rose to over 80 percent. Their attempt to procure rights to uncontaminated fish from a nearby lake was defeated by non-Native lodge owners who wanted to use the lake for sports fishing. Between 1969 and 1974, welfare tripled on the White Dog Reserve and quadrupled at Grassy Narrows. Mercury discharge continued virtually unabated until 1970 when, after more than 50,000 pounds of mercury had been dumped into the Wabigoon River system, the plant stopped the discharge.

The poison devastated the Anishinaabeg community. "The consequence was that there was a disruption of our ways of living, the ways that our people used to live before: [our] spirituality, culture, self-esteem, and all of that. Because the work didn't mean anything anymore. That mercury killed everything," says Frobisher.

We lost everything.... It took 30 years for them to even acknowledge what they had done to us. They compensate [other] people for natural disasters, but they don't compensate us for what they did to us. Ours wasn't an act of the Creator, it was the act of man.

The infrastructure on the reserve is minimal. Running water and a sewer system were installed in 1994. There is a nursing station, but no nurses. There is a recently built high school and a volunteer fire department with a fire truck, which Frobisher calls the "noise truck." The hard rock road into the reserve turns to gravel seven miles before the reserve entrance.

Today, this transformed community is suffering. About 95 percent are on welfare. In the 1970s, it was about 50 percent. The incidence of alcoholism is about 50 percent, but "you wouldn't find anybody sober in the 1970s," says

Frobisher. "We are still tested today for mercury. That is a program that's going to be here forever," he says.

The Canadian government is spending \$10 billion to study the nuclear waste dump site on Grassy Narrows. "White people don't usually spend billions to do a study unless they're doing something with it," says De Silva. "There are so many environmental things that have happened here that we never yelled about, because we just settled for compensation. Because we're poor, we just settled for money. That's probably what the government is counting on."

### Resisting the MRS Program

The work of Native anti-nuclear advocates during those years—when a good deal of money and influence was intended to persuade tribes to accept the waste—was especially critical. Grace Thorpe is one such activist.

Grace is a bear of a woman. She was a U.S. corporal stationed in New Guinea at the end of World War II when the first atomic bomb was dropped in Hiroshima. She is also a veteran of most domestic Indian wars in the past decades, including the occupation of Alcatraz Island and the struggle to reinstate the decathlon and pentathlon medals of her father, Jim Thorpe, which were won and confiscated in the 1912 Olympics. This veteran emerged victorious from a battle in her own territory, the Sac and Fox nation of Oklahoma. In 1992, she, along with other community members, convinced her tribal government to withdraw their application for study of a nuclear waste repository in their homeland.

Grace found out that her tribe had signed up for an MRS grant in a newspaper article. "Nobody in the tribe knew anything about it," she says. "I was shocked.... The treasurer of the tribe told me that they got more phone calls that day than in the history of the tribe."

I knew diddly-squat about radioactivity. I went to the library right away and got some books out. When I read that you can't see it, can't smell it, and can't hear it, but it was the most lethal poison in the history of man, I knew that.... our sacred land shouldn't even be associated with it.

I'm on the health council and am a part-time district court judge in our tribal court. So I started talking with everyone about it. Finally, we brought it to a vote of the people, and there were 75 votes in attendance of this special meeting. Seventy voted against it; five were for it. The

five who were for it were the tribal council. We voted them out. The money was there, [but] they had to return the check.

All of a sudden, I was a kind of hero. Now I've been getting calls from all over asking me to talk [to] their community about what we did.<sup>17</sup>

In 1993, she founded NECONA, the National Environmental Coalition of Native Americans. Through her stature as an elder and statesperson in Indian country ("Having a dad like mine didn't hurt much," she says), Grace was able to participate in most national Native meetings and talk about the hazards surrounding nuclear waste.

I caught up with Grace one day on her way back from the Ft. McDermitt Paiute Reservation in Nevada. She'd just been attending a community meeting on the second phase MRS research grant the tribe was considering. Local Paiutes had asked Native people who had faced the nuclear industry to come in and tell both sides of the story. Grace and a half-dozen other grassroots activists had found their way to the Nevada reservation to address the Paiutes' concerns. After the forum, it looked like the Paiutes would have a referendum.

Ultimately, community work such as Grace's and NECONA's on most of the MRS's proposed reservation sites doomed the program. In 1996, Congress withheld funding for the program.<sup>18</sup>

NECONA urged tribes to institute nuclear-free zones on their lands, and, by 1997, 75 tribal governments in both the United States and Canada had agreed.<sup>19</sup> By 1998, there were only two tribes who had not removed themselves from the MRS program: the Ft. McDermitt Paiutes and the Skull Valley Goshutes.

#### A Private Initiative in the Goshutes

In 1996, a group of utilities—New York's Con Edison, Georgia's Southern Nuclear, Pennsylvania's GPU, Illinois Power, Indiana's Michigan Power, and Wisconsin's Genoa Fuel Tech—under the leadership of Northern States Power chartered a new corporation called Private Fuel Storage (PFS), incorporating it in the state of Delaware.

The PFS facility would function pretty much like a nuclear waste condominium owned by a consortium of utilities. And PFS, as a limited liability corporation, conveniently shielded the individual companies from any liability arising out of the subsidiary's actions. If there was an accident at PFS, in moving nuclear waste, for instance, only the parent company (PFS) and not the individual utilities could be sued.

In 1997, PFS signed a lease with the Skull Valley Goshute Tribal Council for 40 acres of the 180,000-acre reservation. That land would become an above-ground storage facility, a kind of nuclear parking lot on the reservation. Jean Belife is working with *Ohngo Guadableh Devia*, a Goshute community group opposed to the dump. She is skeptical about the PFS deal. "I think it's the government that's pushing the whole thing; they tried to do an MRS there, and this is one way to get around the [opposition to the] whole thing."

Margene Bullcreek is the main organizer for *Ohngo Guadableh Devia*. "Our forefathers passed on our history," she says. "It tells us how we are to live in the world if we are to continue as a people. It is still being told in our homes—of our feathered friends, the birds of all colors, who at one time fought for our land and our people. It is our responsibility to continue to fight for the protection and preservation of our homeland.... The waste will damage our plant life, water, air, and spiritual atmosphere as well as future generations."<sup>20</sup>

Margene is a tiny Goshute woman in her mid-50s who is taking on some big companies. As we sit together outside in a tent, I ask her what her village looks like. She draws me a little map that looks like a skimpy telegraph pole. About six or seven families live there. "We really don't have anything here, we have a community building we got ten years ago and a paved road that goes to the proving grounds," she says.

Characterized by one reporter as the kind of place where Mad Max might find a home, the Dugway Proving Ground is where, until 1969, the U.S. military conducted open-air testing of chemical and biological weapons. In August 1996, Dugway began burning up its stockpile. Nearby, in Tooele, Utah, are two commercial hazardous-waste incinerators. On the reservation itself, a private company test-burns rocket-motors under a deal with tribal members. Then, as Cherie Parker reports in the *Twin Cities Reader*,

There are the sheep carcasses. Nearly 30 years ago, 6,000 sheep reportedly died after being exposed to nerve gas. The details are a bit hazy due to an X-Files-type reluctance on the part of the military to admit just what went on at Dugway. Initially the military blamed the mass deaths on pesticide poisoning, but an autopsy reportedly revealed a nerve agent. The Goshute had to broker a deal with the U.S. Department of Defense to disinter the sheep bodies. According to Utah state officials, the military has neither confirmed nor denied the nerve gas accident, but the U.S. Army Corps of Engineers recently has undertaken what it terms the Tooele County Sheep Project, to clean up the contaminated site.<sup>21</sup>

Tribal politics are tough at Goshute, as on most other reservations. The numbers are small, so it's usually a few families or a family who end up with the most influence. When the tribe voted on whether to consider the PFS dump, half the participants walked out of the meeting. Those who remained voted in favor of the dump. "It's family against family now," says Jean Belile. The pro-dump advocates are "punishing the people who are against them. For instance, they get a dividend from the tribal treasury every year at Christmastime; some of the people got \$200, and some got \$1600."

In 1998, the BIA approved a lease for PFS that provides little protection for the tribe, should the dump pose future risks. Says Belile, "The lease...gives the tribe no out, ever. It's horrible. I don't think the bureau has met their obligations [of] trust responsibility for the tribe."

The community's lack of infrastructure makes them even more vulnerable. "If anything does happen," says Jean, "it's going to take 45 minutes to an hour for someone to respond to anything. They have to rely on Tooele County for help. They have to go through the mountains or clear around the mountains to get there." PFS did agree to provide the tribe with a new fire truck in case of emergencies.

The tribal chairman promised each tribal member \$2 million if the dump gets built.<sup>22</sup> That kind of money, in a poor community like the Goshutes, has a lot of sway. Margene, however, and a lot of others, hope that the Goshute traditions and the loyalty to an ancestral homeland will be more persuasive. And that somehow, some of the money might be put into cleaning up the present mess, before any new toxins come into their territory.

### Prairie Island

The Prairie Island nuclear facility is composed of two nuclear reactors built by Westinghouse for the Minnesota-based utility Northern States Power (NSP) in 1973 and 1974. Located on a sandbar in the middle of the Mississippi River, the reactors have the dubious distinction of being situated in a flood plain and on the Mdewakanton Dakota Prairie Island homeland. The facility sits a few hundred yards from the homes, businesses, and childcare center of that community, a historic site of a traditional village and burial mound dating back at least 2,000 years.

The plant went up just next to the reservation boundary, but was technically in the city of Red Wing, Minnesota. Ironically, although the plant produces an estimated 15 percent of Minnesota's power, not a watt of it goes to the Mdewakanton community.<sup>23</sup> While the city negotiated a deal that included tax

benefits and other income from the plant, the neighboring Mdewakantons couldn't even afford to hire an attorney to help decipher the contracts. The Bureau of Indian Affairs negotiated on behalf of the Mdewakantons, selling right of way along the only road running through the reservation for \$178, with neither a discount on the plant's power nor a portion of the \$20 million the plant would pay in property taxes to Red Wing.<sup>24</sup>

It is likely that the plant has contaminated Prairie Island residents, who have been poorly informed of even those safety breaches that the facility acknowledges. For 30 minutes in 1979, the plant leaked radioactivity into the environment, and most of the staff were rushed off-site. The Dakota people of Prairie Island heard about it on the radio. In 1989, radioactive tritium was found in the community's wells. The utility blamed the contamination on bomb tests from the 1950s to 1960s. In 1994, the Minnesota Department of Health found that the plant had exposed Prairie Island residents to six times greater risk of cancer.<sup>25</sup> Local people say that almost every family has lost someone to cancer.<sup>26</sup>

The problem is that the facility doesn't have enough space to store its wastes. According to the Prairie Island Coalition, formed in 1990 to oppose bad nuclear policy in Minnesota, the company "has known with increasing certainty during each of those past 20 years that the day would come when no waste storage space would remain in the plant's spent fuel pools."<sup>27</sup>

Each year, NSP found itself with a massive pile of radioactive waste and no place left to put it. By 1986, the storage problem had become acute. Finally, they piled the fuel into tall, reinforced-steel cans set outside the plant, in effect creating an on-site nuclear dump. In 1988, they had to request permission from the government to store more fuel above ground in what's called "dry cask storage." This type of storage is a sort of parking lot full of big cement casks full of waste, which would significantly expand the risk to the tribe.

According to Faye Brown, the tribe took an active role in disputing the request. "The tribe said, 'This isn't going to happen. We don't want it next to our land.'"

This was environmental racism.... [They thought] it was somehow acceptable to do this to Indian people. This would never ever have been tolerated in...the rich suburbs of the Twin Cities. They actually started building the damn thing before they [had state authorization].

And so began a six-year battle, one of the biggest fights in the Minnesota legislature ever. The fight was watched with great trepidation and interest by

utilities and anti-nuclear activists across the country, because the battle over nuclear waste storage was raging in every state that had a nuclear reactor.

Although the tribe was able for the first time to hire a lobbyist and a few attorneys, Northern States Power was sure to spend more. During the six-month period that included the 1994 session, NSP volleyed about \$1.3 million into the legislature "to influence legislative action." As journalist Monika Bauerlein notes,

Almost \$1.1 million went into an advertising campaign that blanketed newspapers with full-page testimonials attesting to the dump's safety.

The company also listed two dozen lobbyists on its payroll, and [they had] hired guns with political connections on both sides of the aisle.<sup>28</sup>

In 1994, the Minnesota legislature authorized an interim dump and the placement of 17 casks of nuclear waste on a concrete pad on that sand bar in the Mississippi River, three blocks from the tribe's childcare center. The Prairie Island band fought to the end, even refusing an offer of \$220 million from NSP.

There were some small victories for the Mdewakanton. The legislature mandated that the facility would be closed down unless there was a permanent storage facility operating by 2004. That, according to Brown, "is precedent-setting. That's the first time a state legislature mandated the shut down of a nuclear reactor if they didn't have a nuclear waste dump."

Before 2004, the utility would have to find a better solution for its waste storage problem.

### Yucca Mountain

The debate over nuclear power's final resting place is becoming increasingly volatile. Despite the back-room dealings of Northern States Power and the other big utilities, an increasingly concerned public is slowly becoming aware of a bill pending in Congress known derisively as "Mobile Chernobyl." That bill has perhaps one of the largest potential ecological impacts of any piece of legislation ever presented to the U.S. Congress. It would authorize the transportation of up to 90,000 shipments of nuclear waste on America's highways and railways across the country. That, according to many Americans, whether doctors, firefighters, or residents of the small towns along the major interstates, is a public health hazard of monstrous proportions.

Pushed through with some heavy lobbying by the nuclear industry and a sentiment in Congress of "get it out of my backyard," the bill authorizes the transport of nuclear waste from 108 nuclear reactors to Yucca Mountain in

Western Shoshone territory. As Senator Rod Grams of Minnesota, a co-author of the 1997 Nuclear Waste Policy Act, explains it, "We in the Senate have done our part in trying to restore the promises made by the federal government to the ratepayers of this country to move nuclear waste out of our home states."<sup>29</sup>

To start with, Northern States Power put about \$171,000 into its congressional delegations' coffers, and the other members of the Nuclear Energy Institute also anted up, sending about \$12.8 million to their congressional delegations to set up the interim site at Yucca Mountain. That money is almost three times the amount utilities have spent on Congress in nearly a decade.

The problem is that Yucca Mountain doesn't really get the waste out of the senators' backyards. Yucca Mountain would create yet another nuclear waste site. Operating reactors would still have to store waste on their sites, because the radiation is so hot that it has to chill in liquid for five to ten years before it can be transported. Perhaps most alarming, the waste would be moving on U.S. highways. More than 50 million Americans live within a half-mile of the most likely route, near some of the nation's largest cities: Chicago, New York, Los Angeles, Houston, Baltimore, Jacksonville, Denver, Portland, and others.

Nuclear Information and Resource Service director Michael Marriote outlined some of the problems in his congressional testimony on the act. First, there will be some potentially disastrous accidents. According to the Nuclear Waste Strategy Coalition, there have been about 2,400 shipments of high-level nuclear waste in the United States (most of it in small quantities from submarine reactors). There have been seven accidents associated with those shipments, none of which involved the release of radioactive materials. This rate of one accident per 343 shipments translates into, at the very minimum, 268 accidents resulting from the 15,000 to 90,000 shipments of nuclear waste to Yucca Mountain.

Second, the act's designation of acceptable radiation exposure is dangerously high. The act establishes a radiation standard for Yucca Mountain of 100 millirems per year, or what the Nuclear Regulatory Commission calculates is the equivalent of a 1 in 286 lifetime risk of fatal cancer. Yet, Marriote observed, "our nation typically regulates pollutants to ensure that exposure to them will cause no more than a 1 in 10,000 to 1 in 1,000,000 lifetime risk of fatal cancer."<sup>30</sup>



## The Need for Alternatives

*It was that Indian*

*Martinez*

*from over by Bluewater*

*Was the one who discovered uranium west of Grants.*

*That's what they said.*

*He brought in that green stone*

*into town one afternoon in 1953.*

*Said he found it by the railroad tracks*

*over by Haystack Butte.*

*Tourist magazines did a couple spreads*

*on him, photographed him in Kodak color,*

*and the Chamber of Commerce celebrated*

*that Navajo man,*

*forgot for the time being*

*that the brothers from*

*Aacque east of Grants*

*had killed that state patrolman,*

*and never mind also that the city had a jail full of Indians.*

*The city fathers named a city park after him*

*and some even wanted to put up a statue of Martinez but others said*

*that was going too far for just an Indian*

*even if he was the one who started that area*

*into a boom.*

—Simon Ortiz, *Acoma Pueblo*<sup>31</sup>

"The nuclear industry is hoping for one last twilight dance," says Harvey Wasserman. "It's dying in the United States, in western Europe, and Japan." The big producers are "banking on the hopes of sales to India, China, Iran, and maybe Turkey," he says.

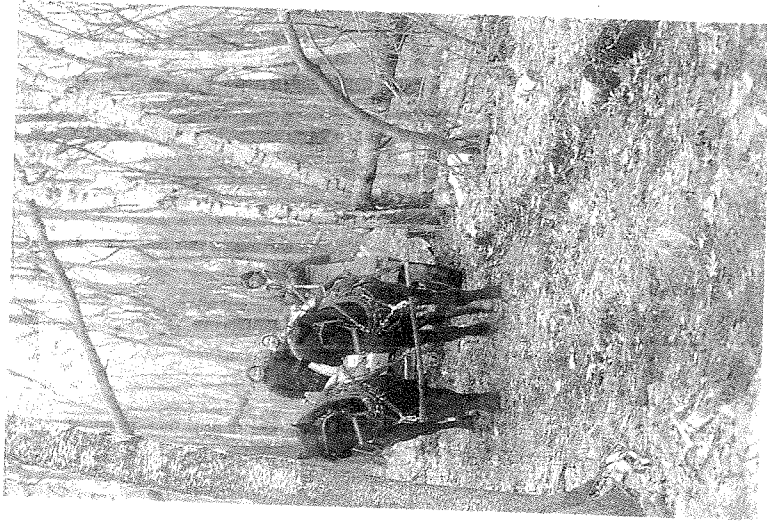
The problem of nuclear waste, according to Wasserman and others, is "unsolvable." The only solution, he says, is to "let the stuff sit where it is, then 50 years from now, hopefully [we'll] have better technology to deal with it. George Crocker, executive director of the North American Water Office and a

key force in the Prairie Island Coalition, echoes Wasserman. "We're basically trying to figure out the best way to bequeath [nuclear waste] to the next generation.... The more we produce, the more overwhelmed [the next generation] will be," he says grimly.<sup>32</sup>

For now, the waste debates in this country always seem to end up with the Indians. That is the reality that Virginia Sanchez continues to struggle with. "We have been violated, but we don't have to get stuck in that rut of victimization," Virginia says. "We've got our grandmothers, our spiritual people, tribal government representatives, all of them... work[ing] together and hav[ing] ceremony together.... We do have a lot of power. Knowing that we're making progress—it may be in little bits and pieces, but we are definitely making progress. That's how you begin the healing."

This struggle to resist and to heal should not be placed solely on the shoulders of women like Virginia Sanchez, Margene Bullcreek, or Judy De Silva. The question of where to dump the nuclear waste generated over the past 20 years is a question that anti-nuclear activists like Faye Brown, George Crocker, Harvey Wasserman, and others believe should be opened up to a full public debate.

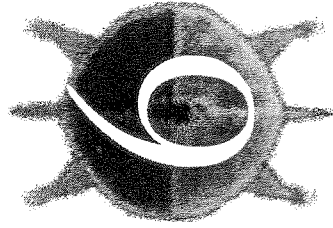
"It's a way to engage this country in a larger political debate on how we're going to meet this country's energy needs," says Brown. "Are we going to rely on this type of energy that kills people and poisons things, or are we going to engage in a discussion about alternatives?"



Pat Wichern with John and Waseyabin, and horses  
Rosebud and Aandeg, on White Earth, March 1998  
Photo by John Ratzloff

*Now the white people claim everything that the Indians used to use in the olden days .... If they could do it, they'd take everything...the only thing they'd leave us is our appetites.*

-Lucy Thompson, White Earth elder, 1983.



# White Earth

## A Lifeway in the Forest



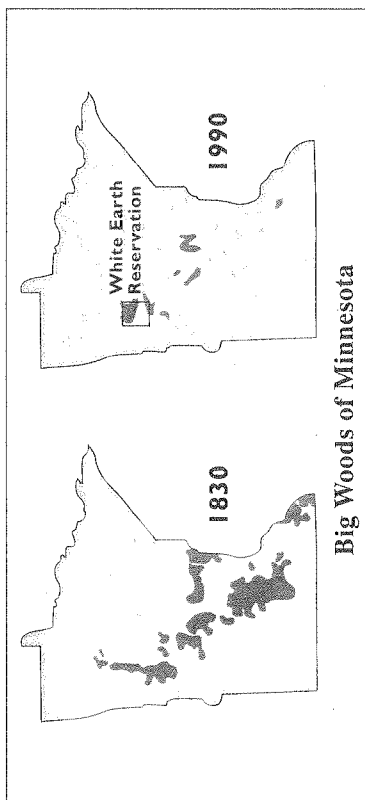
It's mid-September in northern Minnesota. Somewhere on one of the many lakes Lennie Butcher and his wife Cleo are making wild rice. *Manoominikewag*. That is what they do.

It's a misty morning on Big Chippewa Lake. The Anishinaabeg couple drag their canoe toward the water's edge. The woman boards in the front and sits on her haunches. The man pushes the canoe offshore and jumps in the boat behind her. As they pole toward the wild rice beds, they can feel the crisp dampness of September on their faces. The man rises to stand, his head visible just above the tall stalks of rice. The woman pulls the rice over her lap with a stick and gently raps it with another one. This is a thousand-year-old scene on Big Chippewa Lake. And there is a community that intends to carry it on for another thousand years.

There are many wild rice lakes on the White Earth reservation in northern Minnesota; my community, the Anishinaabeg, calls the rice *Manoomin*, or a gift from the Creator. Every year, half our people harvest the wild rice, the fortunate ones generating a large chunk of their income from it. But wild rice is not just about money and food. It's about feeding the soul.

On the White Earth reservation's 1,300 square miles, prairie, maple-basswood forest, and boreal pine forest intersect. This land was chosen by the headspeople a century ago for this very reason and was named "White Earth," or *Gahwahbahbahnikag*, for the white clay that underlies part of it. In Winter, time, or *biiboon*, below deep snows and layers of ice, the reservation's 47 big lakes teem with life. The remains of an indigenous prairie and its attendant grasses slumber through the dormant season, preparing for the Spring, *zigwan*, and new life. This wealthy, diverse ecosystem has been called the Medicine Chest of the Ojibwe. It is the wellspring of a traditional way of life, one that has nurtured biodiversity for thousands of years.

The Anishinaabeg migration story, retold in winter stories and in ceremonies for countless generations, dispersed the Algonkin language throughout the continent! The Anishinaabeg world undulated between material and spiritual shadows, never clear which was more prominent at any time. It was as if the world rested in those periods rather than in the light of day. Dawn and dusk, *bitaabin* and *oshkidibikad*. The gray of sky and earth just the same, the distinction between the worlds barely discernible. The small camps, villages, and bands would plan their hunts by dream and memory, fill their birch-bark *makagoon* with wild rice, maple sugar, berries, dried corn, and squash. By snowshoe,



Big Woods of Minnesota

canoe, or dogteam, they moved through the woods, rivers, and lakes. It was not a life circumscribed by a clock, fence, or road. But there was a law just the same. Natural law, Creator's law.

There is no way to set a price on this way of life. That simple truth more than anything else encapsulates the Anishinaabeg people's struggle with the federal government, the miners, and the logging companies. For the past hundred years, Native people have been saying that their way of life, their land, their trees, and their very future, cannot be quantified and are not for sale. And for that same amount of time, government and industry accountants have been picking away, trying to come up with a formula to compensate Indians for the theft of their lands and livelihoods. So long as both remain steadfast, there appears to be little hope for a meeting of minds in the next generations.

### *Gitchimookomaanag, the White Man*

Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the news of education shall be forever encouraged. The utmost good faith shall always be observed towards the Indians, their lands, and property shall never be taken from them without their consent, and their property, rights and liberty, they shall never be involved or disturbed, unless in just and lawful wars authorized by Congress. But laws bounded in justice and humanity shall, from time to time be made for preventing wrongs being done to them, and for preserving peace and friendship with them.

—Northwest Ordinance, Act of Congress,  
July 13, 1787, Section 14, Article III.<sup>2</sup>

Land has always been a source of wealth and power, and the issue of land rights and ownership is a central point of contention between settler and Indigenous governments. Between 1784 and 1894, the U.S. government signed 371 treaties with Native people and made some 720 related land seizures on Native territory. For what today would be about \$800 million, the United States "bought" over 95 percent of its present continental territory from Native people. Of the remaining Native-held lands within U.S. borders, the federal government continues in most cases to exercise "trust responsibility" and "plenary power" over these lands and peoples—a double-edged sword. Legally this means the government, as the "trustee" of the Native estate, is mandated to protect Native interests. However, as this chapter illustrates, this responsibility is often unful-

filled, as the government has frequently moved instead into the realm of takings, plenary power, and acquiescence to the greed of economic interests.

Beginning at Fort McIntosh in 1785 and ending in 1923 at Georgian Bay, the United States, England, and Canada entered into more than 40 treaties with the Anishinaabeg, the bases for some of the largest land transactions in world history. Anishinaabeg original landholdings included millions of acres around the Great Lakes; today, the Anishinaabeg traditional homelands consist of close to ten million acres in 100 reserves and reservations in the lakes region, and a sprinkling in the great prairies, in total spanning the northern part of five American states and the southern part of four Canadian provinces.

The U.S. government never claimed to hold or control Anishinaabeg land "by right of conquest." Rather, it claims to have legally acquired Anishinaabeg and other Native lands by mutual agreement. Some of the first incursions onto Anishinaabeg land were to secure access to iron and copper deposits. By 1800, representatives of both the Queen of England and the emerging United States had "discovered" a 2,500-pound boulder of naturally occurring copper called the "Ontonogan Boulder" resting on the south shore of Lake Superior in Anishinaabeg territory, in what is now known as the Keweenaw Peninsula. By the 1820s, the federal government had decided to do a comprehensive study of "mineral assets" of the Lake Superior area and a study of Indian title to the land therein. Within a very short period, four treaties were signed by the United States, each providing for access to and mining in Anishinaabeg territory. These treaties covered both the Keweenaw Peninsula and the Mesabe "Sleeping Giant" iron-ore belt in northern Minnesota.

In the Summer of 1837, Governor Dodge of the Wisconsin Territory signed a treaty with the Anishinaabeg to secure the beginning of the pine lands in the St. Croix Valley. With that treaty, lumber interests secured the last outpost of the great white pine forests that had once extended from Maine to Minnesota. By mid-century, more than 100 copper companies had been incorporated in Minnesota, Wisconsin, and Michigan Territories. As early as 1849, copper production at Keweenaw Peninsula—"ceded" by the Anishinaabeg in the treaty of 1842—led the world. Similarly, beginning in 1890 and continuing for nearly 50 years, mining at Mesabe accounted for 75 percent of all U.S. iron ore production.<sup>3</sup> Many of today's U.S.-based transnational mining corporations were founded on their exploitation of these natural resources.<sup>4</sup>

In 1867, the White Earth reservation was created, reserving some 36 townships of land for the Anishinaabeg, a land of natural wealth and beauty, over two-thirds of which was covered with huge white pines and beautiful ma-

ples. Twenty-two years later, the 1889 Nelson Act opened up the White Earth reservation to allotment and annexed four townships with the most white pines for the state of Minnesota; in the 1930s, more lands were taken to form the Tamarac National Wildlife Refuge.

In 1889, Minnesota ranked second in the country in logging, with the northwestern portion of the state leading the state's production. In 1889-90, 11 million board-feet of timber were taken from the White Earth reservation. In the next year, 15 million board-feet were cut, followed by another 18 million in the 1891-92 season.

Some are made rich and some are made poor. In 1895, White Earth "neighbor" Frederick Weyerhaeuser owned more acres of timber than anyone else in the world.<sup>5</sup> The self-made German was considered "the richest and brainiest" of the lumber millionaire kings.<sup>6</sup> His logging company sawed enough lumber "in one season to six times encircle the globe if it were cut up into inch strips, to build a baseball fence from here to San Francisco, or to construct two or three cities the size of Little Falls," enthused the local newspaper.<sup>7</sup> Weyerhaeuser's Pine Tree Lumber Company, the *Little Falls Daily Transcript* wrote in 1893,

is eating a big hole in the forests of northern Minnesota, as it runs steadily, rarely meeting an accident.... The Weyerhausers have secured a monopoly of the Mississippi River so far as the driving of logs is concerned, but if they carry out their present plans, it will work good to both the millmen and lumbermen, great and small.<sup>8</sup>

In 1893, Weyerhaeuser and other lumber interests secured funding from public and other sources to build a railroad from Little Falls into Leech Lake reservation, where Weyerhaeuser had access to 800,000 board-feet of standing timber.<sup>9</sup> But in October 1898, the Anishinaabeg people on nearby Leech Lake reservation resisted the further encroachment. The military came to the defense of the lumber companies, and the uprising was staved off. Later, Private Oscar Buckhard was awarded a medal of honor for "distinguished bravery in action against hostile Indians."<sup>10</sup>

In 1897, 50 permits were issued for 70 million board-feet of timber from the reservation. By 1898, in excess of 76 million board-feet were being cut annually.<sup>11</sup>

Not content to take just the great pines, the lumber companies and land speculators set their eyes upon the land itself. Mechanisms were set in place to pry land from children at boarding school, blind women living in overcrowded

housing, soldiers at war, veterans, and those who could not read or write English. A common saying describing what happened sprung up in nearby Detroit Lakes: "Fleec[ing] the Indian."<sup>12</sup> A quarter of a million acres of White Earth land were taken by the state of Minnesota as tax payments. In other cases, minors were persuaded to sell their land illegally.

Some land transfers were facilitated by a miracle of blood quantum trans-formation that occurred largely at the hands of Dr. Ales Hrdlicka, a physical anthropologist from the Smithsonian, who measured heads, nose bridges, and chests to determine the "Indianness" of the Indians. In his theory, the Pima Indians of Arizona were an example of "the most Indian of all Indians." Hrdlicka developed a "full blood" physical standard against which he could measure the Anishinaabeg. In his work, families were often divided into different "blood quantum," conferring "mixed blood" status to many, who were then considered "competent" to sell their land. In some cases, full blood children were attributed to mixed blood parents and vice versa.<sup>13</sup>

Through almost every conceivable mechanism, the land changed hands. As one Anishinaabe elder, Fred Weaver, recalls,

We used to have a lot of them lands here around Pine Point. We had eight 80s [80-acre allotments]. Them land speculators came and tricked us out of them lands. My mother had an 80 on Many Point Lake. They tricked her out of that for \$50. Now that's a Boy Scout Camp. And my father-in-law, Jim Jugg, he had land, too. The County says it owns them lands, too. All of them. We lived poor a long time, and we should've had all of them lands.<sup>14</sup>

By 1904, 99.5 percent of the remaining reservation lands were allotted, and ten years later, just 14 percent of the original White Earth land was still in Indian hands.

The newly acquired land was a bonanza to the border towns and the timber industry. Land companies emerged overnight, fly-by-night mortgage outfits held deeds for thousands of acres of lands, and timber companies closed in on leases to clearcut almost a third of the reservation.

"There is a myth, which was created at that time," Bob Shimek, a local Native harvester turned forest activist, reminds me. "It was this Paul Bunyan myth, Paul and Babe, and their ability to change the landscape. That myth is in the center of America, and that myth is what we are dealing with today."<sup>15</sup>

### White Earth: The Appropriation of a Homeland

The stripping of the great forests of White Earth began a process that would be devastating to the Anishinaabeg forest culture. Great maple trees and maple sugarbushes moved horizontally toward logging mills, clearcuts replaced biodiverse groves of medicinal plants and trees, basket-makers searched for materials, and birch-bark canoe-makers couldn't find the huge trees for the great Anishinaabeg canoes. The Anishinaabeg had become "painfully aware of the mortality of wealth which nature bestows and imperialism appropriates," as Latin American scholar Eduardo Galeano wrote in 1973.<sup>16</sup>

"There was quite a forest when I left, before the war started," recalls Bill Gagnon, a White Earth elder, "and when I came back on furlough, there was just a desert. There was no timber left."<sup>17</sup> Another notes how

the clearcut logging just hurts everything.... I have a place I like to pick strong woods medicines. The medicine I pick in the jackpine forest, it's a lifesaver. The jackpines, they've been butchered. Where they've been butchered, the medicine's gone.<sup>18</sup>

In the beginning, the Anishinaabeg people simply crowded together in the remaining houses, as one family was pushed off the land into another family's house. This adaptation was not without consequences, as the recently traumatized refugee population was susceptible to illness. From 1910 to 1920, epidemics of trachoma and tuberculosis swept through the villages on White Earth. Every family was affected, and some families disappeared altogether. As Minnesota historian William Folwell reports,

The principal conditions of the Indians at White Earth the inspectors found to be "very bad." Fully 60 percent of the people were infected with tuberculosis, from 30 to 35 percent with trachoma, and from 15 to 20 percent with syphilis; and the diseases were on the increase.<sup>19</sup>

After a few years, the federal government came to view the social experiment of White Earth as a failure and sought to relocate the White Earth people to urban areas. This was perceived as the final assimilation and the end of a long road for the White Earth people. By 1930, of the total enrolled population of 8,584 persons, only 4,628 remained on the reservation, slightly more than half. In the mid-1930s, more White Earth land was annexed to form the northern half of the Tamarac National Wildlife Refuge, which ostensibly became a hunting area for non-Indians from the South. By 1934, only 7,890 acres, or less than ten percent, of the reservation was in tribal trust, and Indians were being arrested for traditional harvesting on White Earth land that was

now considered "private property" requiring permits. In a harvesting economy that had existed for eons, this was a strange transformation.<sup>20</sup>

Removals continued under the so-called Relocation Act of the 1950s, under which tribal members (and native people across the country) were offered one-way bus tickets to major urban areas.

### The Land Struggle Continues

In 1966, as a result of mounting criticism of its management of the estate of Native peoples, the "wards of the federal government," Congress decided to look at the problem of loss of land and other assets in Native America. It had become clear to the public that in spite of the supposedly vast Native landholdings, Indian people were not doing very well. Every economic, social, and health indicator showed Native people at the bottom.

Title VIII of the U.S. Code, section 2415, mandated a federal investigation into land and trespass issues since the turn of the century on some 40 reservations in the United States. It wasn't until 1978 that what became known as the "2415 investigation" came to White Earth, and it was 1981 when federal investigators began to interview elders on the reservation, who had first-hand knowledge of how the land had been plied, stolen, or taken.

However, the investigation did reveal the tangled mess that each title to Anishinaabeg land had become. For over 60 years, the Bureau of Indian Affairs hadn't properly recorded the many complex transactions that had occurred during the great transfer of land from Indian to non-Indian hands. Ultimately, it was revealed that the state of Minnesota's claim to White Earth lands and their subsequent sales and transfers of those lands were, in fact, illegal. Further damning the state's Native land transactions, the Minnesota Supreme Court ruled, in the 1977 case *State of Minnesota v. Zah Zah*, that the tax forfeitures that removed the Indians from the lands in the late 1800s were also illegal. According to the court, "the removal of the U.S. government's trust responsibility under the 1889 Nelson Act should not have occurred unless the allottee applied for such removal."<sup>21</sup>

In 1982, with less than a third of its research complete, the 2415 investigation team published a preliminary list of several hundred land parcels with questionable title transactions. The title to such parcels was "clouded," they wrote, and thus could not be legally sold or transferred until the title was cleared. This meant that thousands of acres of Minnesota's land, much of which was owned by farmers, could not be used by their erstwhile owners as collateral to secure mortgages or other sorts of loans.

### The White Earth Land Settlement Act

It was at the same time that the northern rural farm economy was beginning its cycle of failure, primarily as a result of bad government policies and, some would say, corporate subsidies. While some farms were not affected by the initial federal title determinations, others were implicated with clouded title on all or parts of their land, further deepening farmers' already precarious financial situation.

There has always been an anti-Indian sentiment in America. Over time and with awareness and the arrival of new immigrants to serve as scapegoats, those sentiments have waned in segments of the population. In areas adjacent to and within Native communities, however, anti-Indian racism has often remained and at times flourished.

A 1995 paper by Rudolph C. Rýser of the Center for World Indigenous Studies in Olympia, Washington, chronicles the growth of the anti-Indian movement, from vigilante groups in the 1980s to white-supremacist and wise-use groups in the 1990s. According to Rýser, since the 1970s,

resident and absentee non-Indian landholders and businesses objected to the growing exercise of general governmental powers by tribal governments. This is...true in the areas of taxation, zoning, construction, and land use ordinances.... When tribal governments began to exercise the will of tribal members, tribal officials used governmental powers to restrain the actions of persons who depended on reservation land and resources for their personal wealth, but were not willing to share with other members of the tribe.<sup>22</sup>

The few court cases decided in favor of Native people fanned the anti-Indian sentiment. In the 1974 *Boldt* decision in Washington State, Native peoples' right to fish was recognized. For some non-Indian people in the region, this was perceived as a "gift" to Indians at the expense of personal property rights.<sup>23</sup> Anti-Indian organizations such as Interstate Congress for Equal Rights and Responsibilities, Protect American Rights and Resources, Stop Treaty Abuse, and Totally Equal Americans were formed.

A subsequent decision in Wisconsin, the *Voigt* decision, a decade later escalated the movement. This time, the controversy was over the court's affirmation of the Anishinaabeg right to harvest a multitude of natural resources, including walleyes—the preferred fish of sports-fishermen in Wisconsin and Minnesota. The court held that Anishinaabeg did not relinquish their reserved rights to harvest when permanent reservations were established.

The sports-fishing and hunting industries were some of the most vocal proponents of anti-Indian sentiments. Bumper stickers that read "Save a Deer, Shoot an Indian; Save a Walleye, Spear an Indian" began appearing on cars. Paul Mullaly from Wisconsin claimed that the *Voigt* decision "discriminates against white people in the area and is not the kind of thing that should occur in a democracy." Mullaly founded the anti-Indian organization Equal Rights for Everyone, which claimed 31,000 members, many in Minnesota.<sup>24</sup>

The racial slurs, intimidation, and threats Native people experienced led the FBI to investigate the potential for violence. Resort owners were investigated to determine if they might be implicated in threats to "kill Indians if they came on certain lakes."<sup>25</sup>

Many of these groups moved to White Earth or emerged anew on the reservation, as the land issue became more visible. United Townships Association emerged, and chapters of Totally Equal Americans and Protect American Rights and Resources were opened. These groups were concerned with the protection of their "private property" and the exercise of Native rights on the reservation, whether to land or to natural resources. As reservation resident Bruce Berg, a vocal opponent of Native rights, wrote in a letter to the editor of the *Detroit Lakes Tribune*,

The time for treaty abuse of fish and wildlife has long since vanished. Treaties enacted 125 years ago when wildlife and fisheries management were unknown concepts must not be used as an excuse to neglect conservation practices, or as a tool to raid state treasuries.

Many of these groups eventually coalesced with the national "wise-use" movement, in coalition with county governments who sought to abrogate Indian treaties and the far right and white-supremacist groups.<sup>26</sup>

It was in this climate that Minnesota's Republican Representative Arlan Stangeland moved to terminate Anishinaabeg rights to land on the reservation. In 1983, Stangeland forwarded a bill calling for Congress to "clear title" to White Earth lands retroactively, by compensating Indian people for the land and confirming the titles of non-Indian landholders. His bill, the White Earth Land Settlement Act (WELSA), was to pay the White Earth people \$3,000,000. "The Indians will get the land back when hell freezes over," he flippantly noted to the press, on more than one occasion.<sup>27</sup>

But by couching the idea of returning land documented as stolen or otherwise illegally taken to Native people as a "misbegotten" congressional effort to tender "after-the-fact justice," Stangeland was able to attract some support for

his proposal.<sup>28</sup> In 1982, the 2415 investigation at White Earth was suspended "indefinitely," with only one-third of the titles researched.<sup>29</sup>

Stangeland entreated the White Earth Tribal Council to settle. The council, influenced by Stangeland's threats and his political power as a multi-term Republican Representative, initially agreed, until approximately 500 tribal members, and then hundreds more, demanded that the offer be rejected. By 1985, the federal government's offer was for \$17 million. But it was rejected again by community people who maintained that the "land is not for sale." For the Anishinaabeg, it had been clear for centuries that "cash payments for land mean little if a tribe has no political power," as Wabunoquod, headman of the Mississippi band, had put it in 1874, "and consequently no control over the money paid for the land."<sup>30</sup>

The volume of community resistance to the settlement grew. But in 1986, tribal chairman Darrell Wadena (a.k.a. Chip)—who was later ousted on corruption charges—overrode his community, flew to Washington, D.C., and secured passage of the bill. It was passed in an unusual move, known as "suspension of the rules," in a voice vote with only 12 members of Congress present. The final bill offered approximately \$17 million, or the 1910 value of their titles, without interest or damages, in paltry compensation for 10,000 acres of land.

WELSA was a slap in the face to the people of White Earth. It left our people with little choice. In June 1986, a organization dedicated to the White Earth land struggle, Anishinaabe Aking, supported 44 plaintiffs in a class-action suit, *Manyppenny v. United States*, challenging the legality of reservation land takings. In 1987, another suit was filed, *Little Wolf v. United States*, which argued that the WELSA violated the Fifth Amendment guaranteeing just compensation, due process, and equal protection under the law—rights that Stangeland would apply to some citizens but not to Native people. A third suit, *Fineday v. United States*, was filed on the same grounds as *Manyppenny*.

The federal circuit courts ruled against the Anishinaabeg. In *Manyppenny* and *Fineday*, the courts decided that the statute of limitations on the titles in question had expired. In *Little Wolf*, the court decided that since Native people had the right to sue, they also had an option not to accept the WELSA; in other words, they had redress if they felt their constitutional rights were violated. And so, Congress's policies of land seizure and paltry compensation remained standing, and the land tenure crisis on White Earth continued.

In 1990, U.S. Census data indicated that the unemployment rate for non-Indian people on the White Earth reservation was 12.6 percent, but the unemployment rate for Indian people on the reservation was almost 50 percent.<sup>31</sup>

Poverty rates for Indian people on the reservation were a third higher than for non-Indian people, and the overall social and physical health of the community was in decline.

The majority of the white population on White Earth is landed farmers, while the majority of Indians on the reservation lives in government housing projects. Most of the lake shore is owned by absentee landlords, as are some of the larger landholdings, including the 5,000-acre Oxley Cattle Ranch, whose corporate headquarters are located in Tulsa, Oklahoma. But while the landed white farmers age, retire, and emigrate out of the area, the landless Indians get younger and more numerous. The average age for a non-Indian farmer on the reservation is 57 years, while the average age of a Native person on White Earth is 18 years. The Native birth rate is three times the non-Native. These trends—fewer non-Indian residents, more absentee owners, and a growing, mostly landless Indian community—are projected to continue over the next decades. The crisis between who lives on the land and who owns it will continue.<sup>32</sup>

### Extra-Territorial Treaty Rights

Non-Indians dominate hunting and fishing on reservation lands. Non-Indians on the White Earth reservation harvest roughly twice as many deer as the Indian people on the reservation. Inside the Tamarac National Wildlife Refuge, white deer hunters took nine times more deer than tribal members. Fishing is not much different. The White Earth Reservation Biology Department reported, for instance, that tribal members took just 3.3 percent of the walleye catch at one major reservation fishing lake. The remaining walleyes were taken by non-Indian fishers.<sup>33</sup>

Yet even though the Anishinaabeg take of the harvest is relatively small, many of the hunters and fisherman who dominate the lands have opposed Anishinaabeg attempts to discuss recovery of land, exercise of jurisdiction, or traditional harvesting. There is an assumption of entitlement to the reservation lands that these non-Indian sports-hunters and fishers seem to have, that the reservation lands should continue to be their hunting and recreation area.

In the past two decades, U.S. courts have recognized the "extra-territorial treaty rights" of Anishinaabeg people in the region. Most notably, the 1987 *Voigt* and 1997 *Mille Lacs* decisions upheld Anishinaabeg rights to harvest fish, animals, or whatever else they deem appropriate, from lands in the northern third of Wisconsin and Minnesota.<sup>34</sup>



The five-to-four decision by the Supreme Court in the *Mille Lacs* decision ended a pitched battle between the state and the 1,200-member Mille Lacs band. The court recognized a continuation of Anishinaabeg harvesting rights to hunt and fish on 13 million acres of "ceded land" in east central Minnesota and western Wisconsin, as had been upheld in the *Voigt* decision. The Mille Lacs band is allocated some 40,000 pounds of walleye on Mille Lacs Lake, for instance, one of the most plentiful walleye fishing lakes in Minnesota. In 1998, non-Indian sports-fishers harvested over 355,000 pounds of fish from the lake, while the Mille Lacs tribal members took some 38,000 pounds.<sup>35</sup>

### White Earth Land Recovery Project

We do not have thousands upon thousands of dollars. We do not have great mansions of beauty. We do not have priceless objects of art. We do not lead a life of ease nor do we live in luxury. We do not own the land upon which we live. We do not have the basic things of life which we are told are necessary to better ourselves. We do not have the tools to be self-sufficient. But today, I want to tell you that we do not need these things. What we do need, however, is what we already have. What we do need has been provided to us by the Great Spirit.... We need to realize who we are and what we stand for.... We are the keepers of that which the Great Spirit has given to us, that is, our language, our culture, our drum societies, our religion, and, most important of all, our traditional way of life.... We need to be the Anishinaabeg again.

—Egiwaateshkang, George Aubid, Sr.<sup>36</sup>

In 1989, to directly address the crisis of land tenure on White Earth, we founded the White Earth Land Recovery Project (WELRP) with the proceeds of a Reebok Human Rights Award. The WELRP works to return White Earth land to the Anishinaabeg by supporting the transfer of public lands back to the White Earth tribal government, buying land from willing sellers, and other mechanisms. To date, we have purchased over 1,300 acres of land—primarily maple sugarbush, the most endangered ecosystem on the reservation—which is held in a conservation land trust. The project also seeks to preserve White Earth land, even when held by others, including Native cemeteries, forests, and other endangered ecosystems. The project works aggressively to preserve Native languages and culture, restore traditional seed stocks, and reinstate self-determination and

self-reliance. The WELRP is the largest independent reservation nonprofit in the state of Minnesota and is one of the four largest nationally.

In 1920, half a world away in India, Vinoba Bhave, the leader of the land reform movement, argued that "it is highly inconsistent that those who possess the land should not till it themselves, and those who cultivate should possess no land to do so."<sup>37</sup> Through the work of Bhave and others, millions of acres of land were returned to the people. The WELRP sees the situation at White Earth as the same as that in any poor community with absentee landholdings and takes the victories of land reform movements across the globe as inspiration.

In 1993, the WELRP launched its Sustainable Communities initiative. Its goal is to meld the useful and meaningful aspects of both traditional Anishinaabeg and Euro-American culture into a truly sustainable way of living for willing Anishinaabeg people. The four areas we focus on are forestry, energy, agriculture, and culture.

### Noopiming: In the Woods

My old hunting grounds are all damaged. It's all clearcut. I hunted there my whole life, so did my dad. Now it's like hunting in a strange country.

—Gordy Goodman, Ponsford hunter and traditional harvester<sup>38</sup>

The struggle to preserve the trees of White Earth is not solely about forest preservation and biodiversity. It is also about cultural transformation, for the Anishinaabeg forest culture cannot exist without the forest.

Non-Indians, the federal government, the state, the county, and tribal members all own lands adjoining the reservation. This puzzle of land-ownership means that while one landowner may limit logging on his or her land to some 20- or 40-acre slot, clearcuts (or "patch cuts" or "contour cuts" as they are also called) may well adjoin another clearcut on someone else's land, increasing the ecological damage to the region. For instance, in July 1995, high winds exacerbated by the clearcuts flattened over 100,000 acres of trees on the reservation.

When the high winds hit the reservation, the press called it a "natural disaster." But when lumber companies similarly vanquish the trees, it is commonly called "progress." All across the region, lumber companies are expanding, a result, many Anishinaabeg say, of heightened resistance to logging elsewhere in the country. The Minnesota lumber industry cuts 4.1 million cords of wood every year. This industry has turned its attention to the boreal forest, which still covers most of northern Minnesota, Wisconsin, and Michigan, and

much of the Canadian provinces of Ontario, Manitoba, and Quebec. This land is largely Anishinaabeg Aking, Ojibwe country.

Since 1983, the lumber company Potlatch (a descendant of Frederick Weyerhaeuser's empire) has operated a lumber-processing plant in St. Louis County, northeast of the reservation. Potlatch is the largest clearcutting operation in the area. In June 1995 the company sought state approval for an expansion that would allow it to double the plant's manufacturing capacity, increasing its wood consumption from 178,000 cords per year to 355,000 cords per year. The expansion would result in the loss of approximately 7,600 mature-forest acres per year, primarily from northeastern Minnesota. If the company successfully completes its expansion plans, the lumber industry will be cutting a square mile of Minnesota's northwoods every day. Six timber-rich reservations lie within the borders of the state, as do three proposed huge pulp and paper mill expansions.<sup>39</sup>

Federally managed lands are equally problematic. President Bill Clinton, early on in his administration, talked about providing economic opportunity for Indian tribes, by "bringing backlogged Indian timber to market," something Native forest activists have referred to as "equal opportunity clearcutting." Federal officials prioritized logging and cultivation of aspen in the Tamarac National Wildlife Refuge, which spans some 21,000 acres of the reservation. Between 1982 and 1992, 97,970 cords of wood were taken from refuge lands, 83 percent of it "popple," or aspen. The vast majority of the harvest was taken from the areas of the refuge that fall within the reservation borders, and 66 percent of the total harvest was designated for Potlatch and other paper mills in the region.<sup>40</sup>

Forest preservation work at the WELRP is multifaceted, involving both litigation and organizing to preserve the forests of the North and to show that our forests are worth more standing. In the Summer of 1994, Potlatch attempted to cross WELRP land and roads to access adjacent forests for clearcutting. After the county refused to stop the trespassing, the community members and WELRP staff blockaded the road the loggers had used, which as it turned out was the WELRP driveway, only to be undercut by the tribal council, which allowed the company access across tribal land.

We have seen another way. The Menominee reservation in Wisconsin successfully fought off termination and allotment and kept their forests, which today stand as a testimony to what could be. According to their booklet on sustainable forest development:

To many, our forest may seem pristine and untouched. In reality, it is one of the most intensely managed tracts of forest in the lake states. During the past 140 years, we have harvested more than two and one-half billion

board-feet of lumber from our land. That is the equivalent of cutting all the standing timber on the reservation almost twice over. Yet, the saw timber volume now standing is greater than that which was here in 1854 when the Wolf River Treaty defined the reservation.<sup>41</sup>

As with the Menominee and our other Algonkin relatives, determination and dignity motivate the people of White Earth, ensuring that the way of life continues. In 1998, we began work with a multitude of agencies to develop a forest management plan similar to that utilized at Menominee.

### *Caa-Noodin-Oke: The Windmaker*

By the 1990s, the Minnesota Department of Health and the Clean Water Action Project found that the area lakes were contaminated with mercury and heavy metals, including PCBs. The primary sources of the contamination are coal-fired power plants and incinerators often located hundreds of miles away. The entire food chain is exposed to the mercury; people are exposed primarily by consuming contaminated fish. The effects of mercury poisoning include nerve and kidney damage, muscle tremors, and fetal abnormalities.

Annually since 1993, Minnesota's Department of Health has advised a consumption limit of just one walleye per week for seasonal fish consumers and one walleye a month for year-round fish consumers at many lakes on or near the White Earth, Red Lake, Leech Lake, and Mille Lacs Lake reservations, which are extensively fished by Indigenous people. Surveys and tribal data indicate that while non-Indians take more fish from White Earth than Indians do, most White Earth Anishinaabeg consume more fish per capita than non-Indians.

In response, a cooperative program between the WELRP, Indigenous Environmental Network, and Clean Water Action Project has been established to increase awareness of the link between the power plants and the mercury poisoning in the lakes and, in the case of White Earth, to counter it directly with an alternative source of energy: wind power. And in 1996, the WELRP erected two wind anemometers to test wind energy potential, with hopes that by 2000, a 20-kilowatt wind turbine can be erected on the reservation.

Other WELRP programs have focused on restoring traditional farming. The Anishinaabeg people are traditionally strong agriculturalists. But traditional agricultural practices on the reservation have diminished, as non-Indians and corporate interests have controlled more and more reservation land. Over a third of the reservation is under increasing industrialized and chemically intensive agricultural development, with devastating consequences. Since 1858, some 50 percent of the reservation's wetlands have been lost, largely due to ill-founded



agricultural practices. Between 1955 and 1975, Mahanomen County lost more than 30,000 acres of wetlands, or over 60 percent. Between 1987 and 1992, over 1,800 tons of fertilizer and over 110,000 gallons of pesticides and herbicides were applied to White Earth lands every year.<sup>42</sup> Over 12,000 acres of reservation land are held by RDO Offutt, the largest potato grower in the world, which has contaminated the groundwater with herbicides and fungicides. As more and more small farmers leave the reservation lands or fall into economic hardship, corporate interests such as this one are increasingly dominant.

In the face of globalization, we have moved toward recovery of local self-reliance. In the mid-1990s, the WELRP began restoring the traditional hominy crop and purchased an organic raspberry farm. The project also began Native Harvest, a community development project, to restore traditional foods and capture a fair market price for traditionally and organically grown foods. Along with hominy corn and organic raspberries, Native Harvest sells wild rice, maple candy, buffalo sausage, and maple syrup.

There is nothing quite like walking through a small field of hominy corn, corn you know your ancestors planted on this same land a thousand years ago. Corn is in the recipes and memories of elders. That inherited memory is the essence of cultural restoration and the force that grows with each step toward the path—"the lifeway"—as some of the Anishinaabeg call it.

Finally, at the center of WELRP's cultural work is language. While most North American Indigenous languages are expected to be extinct by the year 2050, the Anishinaabeg language is one of approximately five expected to survive. That is because there are an estimated 50,000 speakers, most of whom live the process of reaffirming the traditional way of life and its ceremony, dances, songs, and prayers to which the elders refer.<sup>43</sup>

Since 1995, the WELRP has worked on a range of language restoration projects. The WELRP's Wadiswaan Project is an early-childhood language-revitalization program in one of the tribal schools. The WELRP also organizes adult/family language-immersion retreats and takes children out of school into the woods, the sugarbush, the corn fields, and the heart of cultural practice. All of this is a slow process, but in the WELRP philosophy it is thought that these children will be leading our community in 20 or 30 years and that we need to ensure that they know something about who they are, why we are here, and how we talk to the Creator. Renewal is a central part of each generation's responsibility.

### *Noojijigamigishkawajig: Finding Neighbors (Friends)*

When the Anishinaabeg discuss land return, as with other Native people, lines are often drawn between those environmentalists who can support Indigenous rights to self-determination and those who fundamentally cannot. Some call it environmental colonialism, others call it plain racism and privilege. The underlying problem is often quite basic, revolving around historic views of who should control land, perceptions of Native people, and ideas about how now-endangered ecosystems should be managed. Most disturbing is the widespread absence of any historic knowledge of traditional Native tenure on these lands and the demise of Native ecological and economic systems.

There are many ways in which these lines are drawn. The National Wildlife Federation, for instance, sued the Bureau of Land Management (BLM) to make it stop leasing five canyons in southern Utah to the Ute. According to environmental writer Mark Dovic,

Native Americans thought they had seen all the callous discrimination and insensitivity they could imagine. They were shocked, then, when, two centuries later, white environmentalists took positions that jeopardized their survival.... [In response to the National Wildlife Federation suit] the tribe, which had been grazing about 200 head of cattle in these canyons for generations, intervened on behalf of the BLM, which lost the suit. The Utes lost another piece of their livelihood.<sup>44</sup>

The Nature Conservancy, a wealthy national environmental organization with chapters across the country, likes to buy land and preserve it. The conservancy holds over one million acres of land in the United States. In 1983, the Nature Conservancy purchased 400 acres on the White Earth reservation in order to preserve it. Then they gave that land to the state of Minnesota, with not so much as a by-your-leave to the Native community that lived there. Although the conservancy recognized their *faux pas* in internal briefing documents, the organization has expressed no interest in working collaboratively with the reservation to restore and preserve its ecosystems. When approached to consider collaborative ventures with the Native people of White Earth, the conservancy has thus far shunned us as marginal to the conservancy's priorities. According to the conservancy, its resources are allocated in other areas, presumably based on the interests of its primarily white, urban, middle-class membership. The endangered maple-basswood ecosystem of the reservation has not appeared on their radar screen.

In 1992, on behalf of the WELRP and the White Earth reservation, I asked the Sierra Club to support the return of the northern half of the Tamarac National Wildlife Refuge to the White Earth band. A number of Minnesota's environmental, social justice, and other organizations gave their support to the effort, and about 4,000 individuals sent supportive postcards to the U.S. Department of Fish and Wildlife. But the Sierra Club Northstar Chapter would not lend its support because, its representatives explained, if the lands were returned to the White Earth band, the club (and its primarily non-Indian constituency) would not have a say in refuge management.<sup>45</sup>

Elsewhere in the Great Lakes area, organizations such as HONOR (Honor Our Neighbors' Origins and Rights), Midwest Treaty Network, and many others have come to the support of the Anishinaabeg and their rights to land, harvesting, and a future. And the growing environmental justice movement combines anti-racism with environmental work.

#### *Minobimaatisiwin: The Good Life*

There is no way to quantify a way of life, only a way to live it. *Minobimaatisiwin* means "the good life." Used in blessings, thanksgivings, and ceremonies, it refers to the lifeway, evoked in the words of Fish Clan elder and scholar Jim Dumont:

Our ways are still there, our way of life. Here we are in the dying moments of the twentieth century, almost into the twenty-first century, and we say the reality that we live within is totally different from anything we ever knew. It is just a different environment, a different context. Not a very good one, not a very harmonious or balanced one, not a very healthy one, but this is the environment that we live in today. The lifeway that spoke to our people before, and gave our people life in all the generations before us, is still the way of life that will give us life today. How it will manifest itself and find expression in this new time comes as a part of the responsibility of how we go about the revival and renewal.<sup>46</sup>

"You can cut a tree once and get some money," explains Ronnie Chilton, "but if you make syrup every year, you will get money, you will get food, a sweet taste, you will smell Spring, and you will get food for your soul."<sup>47</sup> True to form, in 1999 Ronnie Chilton was in the maple sugarbush, where he, Pat Wichem, Paul Jackson, Wanda Jackson, and a host of others waded through snow to set 4,400 taps in the trees. A team of coal-black Percheron horses,

Rosebud and Aandeg, hauled the bobsled full of sap and sap haulers to the evaporator: a 20-foot-by-4-foot monstrosity, which steams through the crisp Spring's sleet, sun, and wind. There was once a time when all the maple sugar and maple candy in North America was produced by Native people. Now, less than 1 percent of commercially available syrup is produced by Native people, although many families still make their annual trek to the sugarbush for a time of reawakening and of the return of Spring.

By 1999, the WELRP had purchased almost 300 acres of maple sugarbush. The lands will be protected from the butchers with chainsaws, and the sugarbush will be maintained for generations to come.

That year, Native Harvest started selling maple sugar candy, its taste reminding people of the sweetness of life. WELRP staff returned four sturgeon to a reservation lake and, with the Tribal Biology Department, began a long process of bringing back the fish. In 1999, 50,000 sturgeon hatchlings returned to White Earth. *Azheginewewag*.

The WELRP is only a small part of the White Earth community. While all the white man's laws have made it difficult to be Anishinaabeg, this community, like many others along the trail of migration laid by long-ago ancestors, is maintaining its way of life. Surveys conducted in the late 1980s, supported by interviews in more recent years, show that at least 65 percent of the people on White Earth hunt for deer and for small game. Forty-five percent harvest wild rice, with somewhat fewer engaged in subsistence fishing. Most of those who do not themselves harvest traditional foods trade with others who do. In spite of all the laws, all the time, and all the historic clearcutting, the land is still here, and the land is still good.

Lennie Butcher lives on a side road on the outskirts of Bemidji. His front yard is occupied by a partially constructed wigwam. Lennie is a man of the woods of White Earth. He harvests most things in season and raises his four children to live a traditional life as much as possible. Right now, he doesn't live on the reservation, but just the same, he continues the traditional way of life, undaunted by the white man's laws and practices.

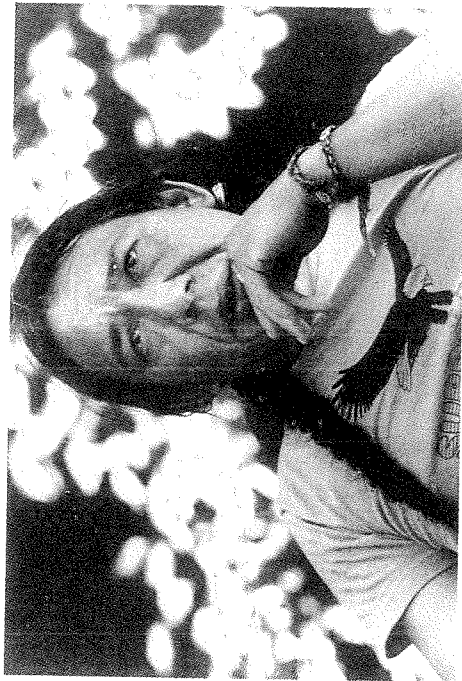
I interviewed him in 1997, after he had been arrested, yet again, for his harvesting activities, this time for shooting deer in the four townships area, which the state considers its property.<sup>48</sup> In a consistently thoughtful, slow, and contemplative stream of consciousness Lennie began talking:

I wasn't born to be rich. I was born to live a good life.... I hunt all over. I don't believe the white man has a right to stop us and don't understand what they say and what they do. Moose travel down to Min-

neapolis.... That's the way we used to move...where the food went. Now they kill the moose if they think it's a nuisance. And the honkers down in the cities, they shock them and kill them, yet they won't let us get to them. The white man kills the deer that eat the shrubbery, yet they won't let us hunt them, we people that are connected to them.... I just want them to live up to this land, to what they said and to themselves.... I don't mean to disrespect anyone, just to be who I am.

They cut down all the trees, the fir trees, all of them, and then they say we can't practice our way of life. All these plants are given to us as medicines from the sweatlodge, and this is who we are. We are this land, and everything that comes from it. There is no freedom, no sovereignty.... Freedom is living how I choose to in my people's way.<sup>49</sup>

In the dying moments of the twentieth century, a spirit and a lifeway prevail in the northwoods. Not in spite of it all—the rapacious culture eaters, the loggers, the miners—but because that spirit and lifeway have sustained a community for generations. Like the eternal Spring, after the freezing Winter, there is always a rebirth. *Mimobimaatisiwin. Mi'iw.*



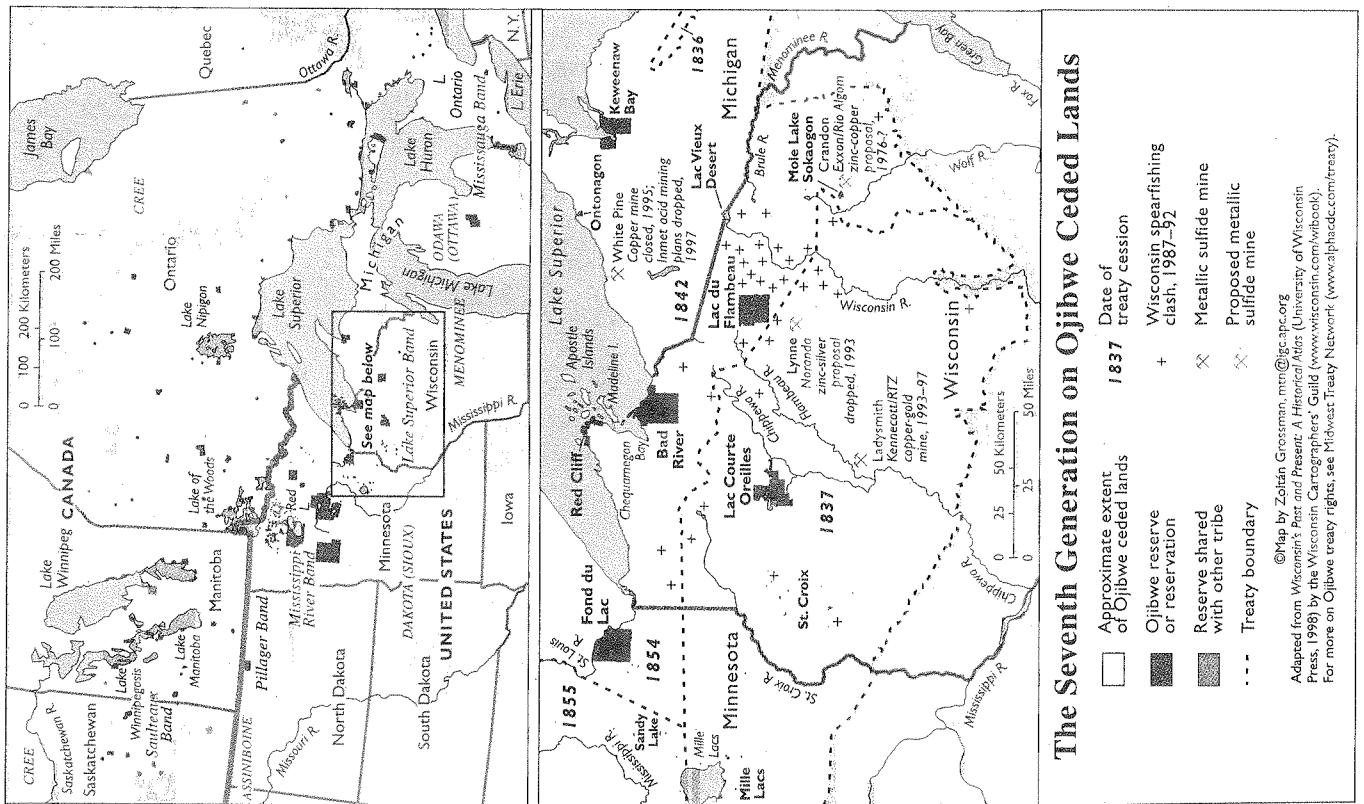
Walt Bresette. Photo courtesy of Speak Out Speakers & Artists.

*We are walking upon the faces of those yet to come.*

—Iroquois teaching

10

# The Seventh Generation



Somewhere between the teachings of western science and those of the Native community there is some agreement on the state of the world. Ecosystems are collapsing, species are going extinct, the polar icecaps are melting, and nuclear bombings and accidents have contaminated the land.

According to Harvard biologist Edward O. Wilson, 50,000 species are lost every year. Three-quarters of the world's species of birds are declining, and one-quarter of all mammalian species are endangered. Tropical rainforests, freshwater lakes, and coral reefs are at immediate risk, and global warming and climate change will accelerate the rate of biological decline dramatically.<sup>1</sup>

The writing is on the wall, in bold letters. There is no easy answer, and even scientists themselves seem to recognize the necessity of finding new strategies and understandings. In an unusual gathering in late 1998, for instance, NASA scientists met with Indigenous elders to discuss global warming and to hear the elders' suggestions on possible solutions. The response the scientists received may have been only part of what they had hoped for. As one observer summarized, the elders pretty much responded, "You did it, you fix it."<sup>2</sup>

In the final analysis, we humans can say whatever we would like—rationalize, revise statistical observations, extend deadlines, and make accommodations for a perceived "common good." But "natural law," as Yakama fisherman and former director of the Columbia Intertribal Fishing Commission Ted Strong explains, "is a hard and strict taskmaster."<sup>3</sup> Dump dioxin into the river, and you will inevitably eat or drink it. Assent to acceptable levels of radioactive emissions, and sooner or later, those sensitive cells in the human body will likely respond.

The challenge at the cusp of the millennium is to transform human laws to match natural laws, not vice versa. And to correspondingly transform wasteful production and voracious consumption. America and industrial society must move from a society based on conquest to one steeped in the practice of survival.

In order to do that, we must close the circle. The linear nature of industrial production itself, in which labor and technology turn natural wealth into consumer products and wastes, must be transformed into a cyclical system. In the best scenario, natural resources must be reused or not used at all, and waste production cut to a mere trickle. Those who watch carefully—*onaanaagadawaa-*

*bandanaawaa*—know that this will require a technological, cultural, and legal transformation.

Many Indigenous teachings consider the present a time of change. Anishinaabeg teachings recognize this time of change for the people of the Seventh Fire as both a reality and an opportunity. According to these prophecies, Anishinaabeg people retrace their steps to find what was left by the trail. There are two separate roads from which to choose, for both the Anishinaabeg and those called the “light-skinned people.”

Anishinaabeg elder Eddie Benton Benai, from the Lac Courte Oreilles reservation in Wisconsin, is a teacher of the Anishinaabeg Midewiwin society. He discusses the two roads as

the road to technology and the other road to Spirituality. They [elders] feel that the road of technology represents a continuation of headlong rush to technological development. This is the road...that has led to modern society, to a damaged and seared earth.... The [other] road represents the slower path that Traditional Native people have traveled and are now seeking again. The Earth is not scorched on this trail. The grass is still growing there.<sup>4</sup>

A similar teaching of the Six Nations Iroquois Confederacy recognizes the importance of future generations. “In each deliberation, we must consider the impact on the seventh generation from now,” they say; that is, undertake conservative thinking, and use careful deliberation. Such consideration would have preempted thousands of decisions made by the U.S. government.

### Rethinking the Constitution

Walt Bresette, an Anishinaabe man from the Red Cliff reservation in northern Wisconsin, passed to the next world in early 1999. His passing was a huge loss to the Native environmental movement. But his groundbreaking work on re-envisioning the Constitution and Native treaty rights for the benefit of all people and the earth continues. Bresette was part of the Seventh Generation movement, a movement that calls for a radical amendment to the U.S. Constitution.

The preamble to the U.S. Constitution declares its intent to be to “secure the blessings of liberty, to ourselves, and our posterity.” In reality, U.S. laws have been transformed by corporate interests to cater to elite interests in society. While the U.S. Constitution makes no mention of corporations, according to anti-corporate analysts Richard Grossman and Frank Adams, “the history of

Constitutional law is, as former Supreme Court Justice Felix Frankfurter said, “the history of the impact of the modern corporation on the American scene.”<sup>5</sup> Over the course of two centuries of court decisions, corporate contracts and their rates of return have been redefined as property that should be protected under the Constitution. In this way the “common good” has been redefined as “maximum corporate production and profit.”<sup>5</sup>

Appointed judges have handed down decision after decision increasing the privileges of corporations. Corporations have been granted the power of “eminent domain” and the right to inflict “private injury and personal damage” when pursuing “progressive improvements.” Most significantly, in 1886, the Supreme Court treated private corporations as “natural person[s]” protected by the Constitution and “sheltered by the Bill of Rights and the Fourteenth Amendment.”<sup>6</sup>

Consequently, American public policy and the legal system have largely come to reflect short-term views despite the intergenerational perspective foundational to the U.S. Constitution. At the 1995 United Nations Conference on the Status of Women in Beijing, Corrine Kumar from the Asian Women’s Human Rights Campaign spoke of the legal challenges in the national and international arena of this era. “The violence of the times,” she explained, “has outstripped the law.”<sup>7</sup> We have little understanding of or protection from the combined and cumulative impact of industrialism’s complicated chemical soup on our bodies, ecosystems, or future generations. Public policy is lagging far behind our ability to destroy ourselves.

The rights of the people to use and enjoy air, water, and sunlight are essential to life, liberty, and the pursuit of happiness. These basic human rights have been impaired by those who discharge toxic substances into the air, water, and land. Contaminating the commons must be recognized as a fundamental wrong in our system of laws, just as defacing private property is wrong. On that basis, the Seventh Generation Amendment to the Constitution of the United States declares,

The right of citizens of the U.S. to enjoy and use air, water, sunlight, and other renewable resources determined by the Congress to be common property shall not be impaired, nor shall such use impair their availability for use by the future generations.<sup>8</sup>

Bresette’s other work included transforming court decisions on treaty rights into tools to transform northern Wisconsin into a sustainable, protected region. The Supreme Court’s 1983 *Voigt* decision affirmed Anishinaabeg hunting,

fishing, and gathering rights in ceded land in northern Wisconsin and was initially greeted with widespread outrage by non-Indians (See Chapter Six). Since then, the broader community has come to accept these rights, and Bresette and others want to expand them in ways that would benefit Indians and non-Indians alike. "A close reading of the court ruling suggests that these harvesting rights actually set extremely high environmental standards, certainly the highest in any region of the state," Bresette argued. In other words, the *Voigt* decision can be interpreted to mean not only that Indians have the right to fish and hunt in the ceded territory, but also the right to be able to "eat those fish and deer." That means that the state "should be prohibited from allowing damage to the fish by loose environmental regulation."<sup>9</sup>

We must follow Bresette's example and charge ourselves with curbing the rights of corporations and special interests, transforming the legal institutions of the United States back toward the preservation of the commons, and preserving everyone's rights, not just those of the economically privileged. On a community level, we must support local self-reliance and the recovery of Indigenous systems of knowledge, jurisdiction, practice, and governance.

Native people in our own reservation communities must dialogue about change, the path ahead, the options, and how we will make a better future for our children. As the conveners of the Indigenous Environmental Statement of Principles note,

Our traditional laws lead us to understand that economic development cannot subsist on a deteriorating resource base. The environment cannot be maintained and protected when "growth" does not account for the cost of environmental and cultural destruction.<sup>10</sup>

The choice between the technological and the spiritual will be based on both collective and individual decisions, both simple and complex. For just as life itself is a complex web of relationships and organisms, so is the fabric of a community and a culture that chooses its future. Either way, according to Indigenous worldviews, there is no easy fix, no technological miracle.

The challenge of transformation requires the diligence and patient work evidenced by many of the people discussed in this book. And from the Everglades to the subarctic, their voices for change are increasing in volume.

There is, in many Indigenous teachings, a great optimism for the potential to make positive change. Change *will* come. As always, it is just a matter of who determines what that change will be.