

# Just Keep on Walking

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Wisconsin changed forever in the 80's. After surviving the Peshtigo Fire, the depression, World War II and racial volatility in Milwaukee, Wisconsinites had settled into good times of economic stability and peace.

And then, treaties that were signed long ago didn't have the good grace to disappear. Not only did they not disappear but tribal people read them and knew that, as they say, "It ain't right."

Slowly at first, and then with more confidence and bigger numbers (big meaning more than 25) American Indians began their reserved right to take fish by spearing. The outrage would have been comical for its arrogance if it had not been so threatening to lives – on and off the northern waters.

I for one feel that Barack Obama got his campaign slogan of "YES, WE CAN!" from Indian spearmen in the 80's.

Like waves on the lakes the ripples of the controversy spread to Wisconsin (and national) institutions in profound ways. Affected were:

- State, local, and tribal governments
- Education at the state and local levels
- Religious organizations
- Citizen organizations
- Media outlets
- Law enforcement agencies
- Economic interests statewide, but especially in northern Wisconsin

## State and local and tribal governments

Local governments scrambled to find ways to shut down the tribal spearing operations, only to find that the treaties were federal government-to-government documents. This of course prompted local politicians to demand a remedy from congress. "Not our fault" was the stance taken by locals.

State government, on the other hand, was responsible for public waters and the safety of all citizens. Elected representatives and senators from northern Wisconsin, under oath to uphold the constitution, took varying positions. A few courageous representatives avoided pandering to the raucous crowds and their cries and drafted legislation to address systemic problems. We need to recognize those legislators; Frank Boyle and the late Pat Smith come to mind. Act 31, the Indian Education Act, is just one example of successful legislation.

The eleven federally recognized tribal governments were as much in a quandary as the non-Indian governments as to what to do. The public for the most part presumed all tribes were the same, prompting one of my Oneida friends to wish for a cap that said, “I am not a Chippewa.”

Recognizing that education, protection of the natural resources and partnership with the federal and state governments was key, the Chippewa (or Ojibwe) tribes united to form the Great Lakes Indian Fish & Wildlife Commission. As individual tribes worked through their own politics, here was a non-partisan, solid informational organization they could all support and could speak with one voice.

The federal government though held the cards to a resolution. It came when U.S. Senator Daniel Inouye brought his committee to northern Wisconsin and announced federal support, monetary and legal, for the treaty rights of the Chippewa.

### Education at state and local levels

Indian children in school districts throughout Wisconsin felt the impact of the treaty rights situation, more so of course, in northern Wisconsin public schools. Often teachers and principals sided with the non-Indian protesters and reflected that in classrooms. The materials available on the history, culture, and federal treaties were sketchy at best – and certainly not part of a teacher’s education background. The Department of Education slowly incorporated Indian studies into the curriculum and as mentioned earlier, implemented Act 31 as passed by the Legislature.

Local education situations were more volatile with some Indian students forced by fear to stay home from school, and some school districts threatened with racial discrimination lawsuits.

### Religious organizations

Churches, synagogues, and religious organizations struggled with responses. “Love Your Neighbor” was one thing but spearfishing in your lake was another. Northern Wisconsin churches reported that their elders, council members and big contributors were sometimes part of the lakeside protests. The impact in the pews was significant.

At some of the denominational and diocese levels resolutions were passed in favor of peace and recognition of legal rights. Episcopal Bishop William Wantland, himself an Indian, was a leader in bringing the National Council of Churches Racial Justice group to northern Wisconsin on a fact-finding mission. A national racial justice organization, Lutheran Human Relations, played a key role in sponsoring radio ads, distributing information brochures, and providing a presence at the landings. A key element of support came when the Wisconsin Council of Churches, headed at the time by Rev. John Fischer, held a press conference strongly supporting the treaty rights of tribal speakers.

A subset of religious organizations were the citizens groups formed to support or oppose treaty rights. PARR (Protect Americans Rights and Resources) was

prominent in mobilizing protests, printing racially biased literature, and intimidating neighbors. STA (Stop Treaty Abuse) led by Dean Crist, a local restaurant owner, went so far as to produce a product called Treaty Beer. The sales of this were to be used to abrogate treaties. Crist ended up in legal trouble and his operation was shut down. A group of tribal people formed a group called WaSwaGoning, which stood shoulder to shoulder with those risking their lives on northern waters, and provided shelter, food, and numbers to offset the hundreds of protestors. HONOR (Honor Our Neighbors Origins and Rights) was formed as a coalition of religious and secular organizations and produced a newsletter and educational materials specific to American Indian legal rights. The Midwest Treaty Support Group was a loosely knit support organization that provided a presence at boat landings and organized counter demonstrations.

### Media outlets

The very graphic sight of Indian spearers in boats at night and hundreds of angry protesters on the shore, cordoned off by state and local police, was a dream for the media. Local hotels and motels were full of reporters and TV crews from all over Wisconsin. The protests hit the national news several times. At the same time the public relations people from the Department of Natural Resources, the Great Lakes Fish & Wildlife Commission, and various support groups were trying to document the scene as best they could.

It took awhile of patient explaining by Lac du Flambeau leader, Tom Maulson, and Nick Hockings, that this was not about fish – it was about federal treaty rights. For weeks the treaty protests were the lead story on the 10 o'clock news. For months it was a continuing story on TV, radio talk shows, and newspaper coverage.

Editorial boards had a variety of stands ranging from, “Yes, it may be legal but the Indians shouldn’t exercise the right” to “Change or abrogate the treaty so the fishing economy for non-Indian isn’t ruined” to “The legal exercise of treaties is as American as apple pie and northern Wisconsin must adjust.” Not since the racial marches in Milwaukee had reporters had such a colorful assignment.

### Law enforcement agencies

At first the security and law enforcement for tribal spearers was sporadic and half-hearted. Many local police really sided with the protesters. As the angry crowds grew in size and intensity the state sent state troops. Non-Indian support groups provided a presence, although not a large one, at the landings, literally standing between the mobs and those who were spearing.

There were side issues of safety as well. Many of the protesters were armed with wrist rockets (a form of slingshot). Cars of tribal members were forced off the road or vandalized. Crowd control was complicated by the alcohol intake of protesters.

In the end the state of Wisconsin spent \$8 million dollars on law enforcement alone.

## Economic Effects

Besides the \$8 million spent by the State of Wisconsin on law enforcement the economies of many were affected. Sporting goods stores sold out of wrist rockets. Hotels and motels were filled with media, curiosity seekers, fact-finding groups, and state enforcement and natural resources personnel. Of course this spun off to a boon for restaurants as well. Liquor stores, grocery stores, and gas stations enjoyed an upswing too.

School districts were forced to spend more on materials and curriculum than they had budgeted for.

The federal government through grants and funded studies provided millions of dollars to support a peace process.

Fishing based tourism in terms of guiding, boat rentals, and fishing supplies was affected temporarily as some customers chose to steer clear of the controversy. As mentioned earlier this factor was offset by the influx of media and curiosity seekers who visited the areas.

Tribal budgets, especially of Chippewa tribes, were strained as they covered costs for publications, meeting sites, law enforcement, transportation, and personnel.

## Where we are today

Overall, things are better. It is important though - perhaps beginning with this symposium - that we talk about, not only the why and how this scar on Wisconsin's progressive history occurred, but *to recognize the pointlessness of it all*. Never was the saying so true that "If we do not know our history we will repeat the mistakes."

Fish. The fear that Indians were depleting the fish resource was unfounded. The fish supply not only remains intact but has improved as evidenced by fish studies, fish counts, and surveys of fishermen, Indian and non-Indian. Tribal fisheries continue to supply northern lakes, and the major role of the Great Lakes Indian Fish & Wildlife Commission cannot be overstated. Tourism today is not affected by tribal fishing but by high gas prices, the national economy, and loss of jobs by non-Indians.

While Indian education courses and requirements are in place, too often they are not taken seriously or well implemented. A positive effect of the controversy is the increase in the number of tribal schools. The rise in number and success of some Indian casinos, though, has much of the public believing that there are no economic problems for tribal people so there remains little tax support for programs that would assist tribal communities.

Politically, the tribal governments have gained in sophistication, credibility and impact. Government-to-government relationships are now accepted by states and most local governments and have been enhanced at the federal level. (As an aside I am waiting for the first Supreme Court justice who is American Indian or even for a state legislator or two of Indian descent.)

Religious organizations and denominations now have specific Indian ministry programs or units. The Friends Committee on National Indian Legislation, always a stalwart supporter, has become a model for others. Recognition of American Indian spiritual practices is now on the radar screen, if not always understood. But there seems to be a willingness to learn by non-Indian religious entities.

Perhaps the continuing biggest factors in Indian/non-Indian relations today are the perceptions that all Indians are rich because of Indian gaming – and the failure by non-Indians to recognize that each tribe is a separate and unique entity.

This gathering is vital and I commend the organizers for it. It helps us all to remember what happened, but we must record and emphasize how absolutely unnecessary were the monetary costs, the ruined lives, the severed relationships, and the damaged reputation of northern Wisconsin communities.

I think about the civil rights marcher who responded to the question, “What are you going to do now?” The reply was “Just keep on walking.” We all need to just keep on walking toward peace and harmony.