

"When the Ojibwa nation sold to the United States the land which makes up what we call today the ceded territory, they reserved the right to hunt, fish and rice on that land."—Reverend William C. Wantland

The picture at the left shows anti-treaty protesters at Big Arbor Vitae boat landing during the spring spearing season.

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A CHRONICLE OF
THE
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SUPERIOR
CHIPPEWA
APRIL/MAY 1988

Successful Self-Regulation and good harvest highlight 1988 Chippewa Spring Fishing Season

A successful off-reservation spring fishing season for the Chippewa ended on the morning of May 6th following only 36.4% of their negotiated walleye quota.

According to Great Lakes Indian Fish and Wildlife Commission (GLIFWC) Fisheries Biologist Neil Kmiecik preliminary figures show that a total of 25,974 walleye were harvested out of the 71,327 negotiated quota. The total musky harvest came to 154.

By comparison state anglers take about 839,000 walleye and 39,500 musky annually in northern Wisconsin. Tribal spearers have harvested about 3% of the annual state walleye harvest and much less than 1% of the annual musky harvest in the north. "This can hardly be deemed a 'rape of the resource'," Kmiecik commented.

Kmiecik says that all landings open during the season were monitored by GLIFWC creel clerks and wardens who tended the landings nightly. He noted that spear fishing only took place on lakes over 500 acres and two streams.

Duties for the creel clerks included issuing permits on the landings in some cases, measuring and recording data on each tribal spearer's catch, and reporting the data each morning to the central office.

GLIFWC wardens were present to issue citations to any violations on the part of tribal spearers as well as to assist in assuring the safety of tribal fishermen. In previous seasons the DNR staff have been much more involved in monitoring the tribal harvest, Kmiecik commented, but year by year the tribes have assumed more of the responsibility themselves.

In total GLIFWC increased its staff on a seasonal basis to include 56 creel clerks and 17 additional wardens in order to accommodate complete coverage of the landings.

James Schlender, GLIFWC executive director, deems the 1988 spring spearing season a success not only because the harvest was good and because no one was injured, but also because the tribes

were able to regulate the entire season themselves. "It was a victory for tribal self-regulation," he said.

"The Commission assisted the tribes by providing sufficient staff to effectively monitor the Chippewa spearing season—that includes biological staff monitoring the take at each landing as well as enforcement staff to insure that violators were cited," Schlender said.

"Tribal spearers have harvested about 3% of the annual state walleye harvest and much less than 1% of the annual musky harvest in the north."—Neil Kmiecik

"The presence of DNR wardens as well as multi-county enforcement staff, including dog teams and a National Guard helicopter, does not reflect on the lack of tribal self-regulation. They were called out in force to monitor the non-Indian harassers, not the tribal spearers. Unfortunately, the high cost of controlling unruly white citizens will be born by state and local taxpayers," he said, "while the cost of tribal regulation of the fishing will not."

WDNR personnel as well as various county enforcement personnel joined GLIFWC staff at some spearing sites during the season, particularly those where volatile situations were anticipated in the form of harassment on the landings and on the lakes by a protesting segment of the non-Indian population. Butternut Lake, Price County, demanded the most additional enforcement due to the violence which occurred at that site a year ago.

In comparison to 1987, harvest levels were up for walleye and down for muskellunge. The 1987 records show 21,321 walleye taken, compared to the 1988 total of 25,974. For muskellunge, the 1987 harvest was 196 in comparison to 1988's 154.

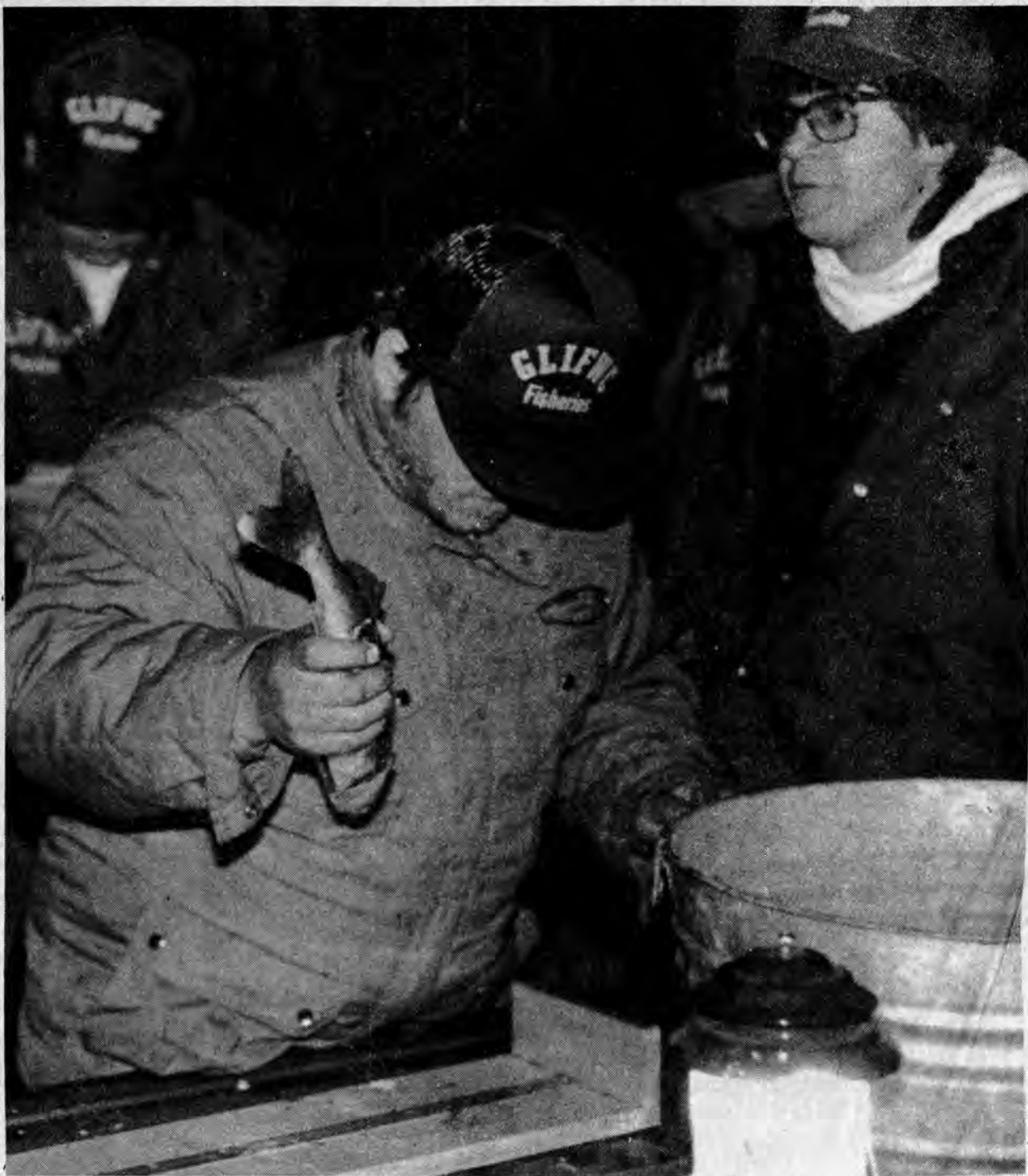
Further information on the 1988 spring spearing season can be found inside this issue. ■



Walleye and musky fill the tubs in a spearer's boat.

Measuring the catch

"The 1988 spring spearing season was a success not only because the harvest was good and because no one was injured, but also because the tribes were able to regulate the entire season themselves. It was a victory for tribal self-regulation."—James Schlender, GLIFWC executive director.



Measuring the catch at the landings. During the spring spearing season each fish is measured and data recorded by GLIFWC fisheries staff.

Off-reservation spring fishing totals

	1985	1986	1987	1988
Walleye	2761	6940	21321	25974
Muskellunge	86	55	196	154
Bass	21	39	275	166
Northern Pike	2	13	41	58
Sturgeon	1		6	2
Rock Bass	12	3	1	23
Crappie		9	22	42
Sunfish	2	2	8	8
Bullhead	1	1	4	2
Sucker	27	15	48	21
Carp	1		1	0
Perch				19
Dogfish				1
Burbot				1
Trout			2	0

No. fish	2914	7077	21925	26471
No. species	10	9	12	15



Scenes from Spearing

Last night...

The evening of May 5th was balmy. A gentle wind shuffled the foliage surrounding the Turtle-Flambeau Flowage landing. As the dusk settled in, loons began calling and answering from unseen refuges. Then the chirp and hum of insect life joined the soft evening chorus. Little else seemed to stir the area.

A man and his son arrived and quietly launched their aluminum boat, ready for an evening of pan fishing. Another boat returned with a couple and their dog. They hauled their boat out of the water, loaded it on a trailer and drove off, scarcely disrupting the quiet solitude of the setting.

As the evening deepened two Bad River spear fishermen arrived, boat protruding from the back of a pick-up truck. A GLIFWC warden on site issued them permits, and they, too, launched their boat, motoring off through the dark, still twists of the flowage for a night of fishing. The small wake from their motor quieted and the light from the boat disappeared from sight.

Hours later, two spear fishermen from Red Cliff appeared. They, too, received their permits at the landing site, and set off, quietly, peacefully.

The GLIFWC warden and GLIFWC creel clerk manned their truck, waiting through the dark hours for the fishermen to return with their catch. Upon their return each fish was measured and the catch recorded on the creel census sheet before the spears returned to their respective homes. About 14 walleye were taken between the two boats.

Nothing had disturbed the environment, which kept up its springtime symphony, providing the only break to the night's silence except for the occasional coming and going of a few Indian and a few non-Indian fishermen. All, white and Indian, had experienced a relaxing night of fishing during a particularly beautiful and serene night, and no one had intruded on the other's experience.

The last night of spearing was simple and peaceful, like they all should have been in the weeks before.



Tribal and WDNR representatives hash out an agreement for the 1988 spring spearing season at Lac du Flambeau.

An unnecessary scene



As the Lac du Flambeau drum plays for the last night of the tribe's spearing at Butternut Lake, protestors with signs encircle them.

May 2nd was the last night of spearing for Lac du Flambeau at Butternut Lake, Price County. It, too, was a balmy spring night. The bitter chill of early spring encountered so many evenings during spearing had dissipated.

Late in the afternoon the influx of enforcement officials from many counties and towns to the Butternut landing began. Squad cars filled the parking area and only persons with particular agency identifications were allowed to enter the parking area which was closely surveyed.

A group of protestors gathered at the entrance to the landing. More protestors and family and friends of spear fishermen were allowed only in an area that had been cordoned off with a yellow ribbon. Enforcement officials paced the area to make sure no-one crossed over to the landing. Some held police dogs on a short lead. People were allowed to use the toilets, but only one at a time.

DNR officials mingled with local law enforcement officers and GLIFWC wardens and biologists. Press of all types scurried about the area with every fashion of camera, tape recorders, pencils and paper pads.

As the evening deepened the lake became dotted with motorboats buzzing around the landing and buzzing away, to return in a while. The DNR "navy" was launched, so their boats mingled with those of protestors as did the GLIFWC patrol boat. The lake near the landing was cluttered with boats, some clustered together—waiting for the spear fishermen to venture out.

Tribal spears arrived, driving through a gauntlet of protestors, who shouted at them to go home.

Tribal spears arrived, driving through a gauntlet of protestors, who shouted at them to go home. They were allowed into the landing area to launch their boats, but had to park vehicles on the roadway. Consequently, the spears, family members and supporters had to walk through the line-up of protestors who continued to shout at them as they walked quietly down to the landing.

Overhead a helicopter would appear and circle the area, the heavy chop of its motor reverberating through the air. On land, the generator used to fuel the flood-

lights that illuminated the landing and the crowd began to pump as the lights went on. People, boats, motors, helicopters, jeering, generators pumping—combined to make the sound of the evening heavy, throbbing, and unnatural.

Once the spearer's boats were launched and cars parked, the tribe prepared for a tobacco ceremony prior to the night's fishing. Tribal members were allowed into the landing area to participate in the ceremony. They formed a circle around their leaders. The harsh lights of t.v. cameras and sudden blinding flashing of cameras turned the ceremonial into a spectacle. One woman assisting with the lighting of the pipe covered it with a blanket during one part of the sequence which is not to be photographed.

Overhead a helicopter would appear and circle the area, the heavy chop of its motor reverberating through the air.

The ceremony was performed with the constant flash of lights and photographers elbowing in to get a good shot. Leaders addressed their people quietly, with a back-

drop of protestors' boats and enforcement boats hovering ominously in the distance.

Following the ceremony, the boats were launched. Spears, two or three in small boats, headed out onto the lake through an entourage of protestors in big idling boats. One woman screamed at the tribal fishermen, mocking "warhoops" in between verbiage. "Where are your fishing poles, big braves?" she would yell.

When a tribal member's motor failed to start at first, she screamed, "His motor won't start. What's the matter? Didn't we buy you a new motor this year? Didn't we pay enough taxes?" More warhoops.

Spearing boats just slipped quietly past her boat, ignoring the crass outburst. As the last went by, and she had failed to get a response, she resorted to an obscene gesture. Then, her boat with others roared out to harass the spear fishermen.

On the landing, some Flambeau tribal members had brought a drum and began to sing traditional songs in support of those who were exercising their rights in the midst of this harassment, which has become routine for Flambeau fishermen exercising their spearing

rights.

The songs of the drum, too, were interrupted as protestors shortly began trying to out sing the drum, preventing them from even performing a peaceful, traditional vigil on the shore of the landing. On the water, some white folk in boats anchored just off the landing loudly mocked the Chippewa singers.

Except for the exercise of spearing, the traditional ceremony and the drum, the evening held nothing of peacefulness or respect. Protestors brought an ominous, hateful, obscene and disrespectful presence into an otherwise beautiful natural setting. They brought, too, the myriads of enforcement personnel and the helicopter and the police dogs, necessary after last year's outbursts and the continued threats of violence through the season, to assure safety for the spears. It seemed a war scene.

A natural tranquility offered by a balmy spring evening, a seeming peace offering from nature, was unrecognizable. It did not have to be that way.

The songs of the drum, too, were interrupted as protestors shortly began trying to out sing the drum, preventing them from performing a peaceful, traditional vigil on the shore of the landing.

Spears returned after several hours, thankfully safe, but having

had to endure a bombardment of obscenities from non-Indian boaters, having their boats rocked by wakes, and their fishing rudely and intentionally interrupted. They pulled up to the small dock in the full glare of camera lights and disembarked with their respective catches. Anxious reporters stopped them for interviews. More sudden blinding glare of flashes hit the faces of the fishermen as they made their way to the waiting creel clerk.

A kerosene lamp lit the small area where the fish were measured and counted by the GLIFWC creel clerks and GLIFWC and DNR wardens watched astutely for violations on size and limit while cameras continued to flash and reporters pressed into see what had been taken.

After all was over, the spears loaded up their boats one by one and returned home, passing once again through a gauntlet of jeers as they drove out of the landing access.

Slowly the crowd which surrounded the landing began to disperse. Reporters hurried back to get their stories in; deputies and sheriffs, wardens and biologists packed up their gear and left. A job was done. Butternut landing was left to its night silence, a restless silence tainted with the presence of hate which lingers in breezes over the lake. It seemed as though blood had flowed there somehow, and the loons refused to talk that night for shame of a bitter knowledge. ■



Pick-up trucks serve as stations for GLIFWC creel clerks who counted and measured the catch at the landings during spring spearing.

DNR finds harassment is a violation!

Both federal and state laws exist which prohibit harassment of individuals. Midway through the spearing season, the DNR began enforcing state harassment laws. Three citations for violation of harassment laws were given.

According to George Meyer, WDNR Chief of Enforcement, attempts to disrupt spearing are considered to be a violation of the state harassment statute.

In the course of the spearing season considerable disruption did take place. Chippewa spearsmen have reported having their boats rocked and even swamped by wakes from motor boats which encircle them. Anchors have been dragged through the spawning beds to scare the fish and churn up

the lake bottom, reducing visibility for the spearers.

Other incidents include having marchers fill a boat landing and being shot at with pellet guns, not to mention the obscenities shouted at tribal members.

At first the DNR wardens did not stop boaters involved in harassment of tribal members because they were not breaking boating laws. However, they ultimately turned to enforcement of statutes prohibiting "crimes against public peace, order and other interests" (Chapter 947).

The 947.013 Harassment statute reads as follows:

(1) Whoever, with intent to harass or intimidate another person, does any of the following is subject

to a Class B forfeiture:

(a) Strikes, shoves, kicks or otherwise subjects the person to physical contact or attempts or threatens to do the same.,

(b) Engages in a course of conduct or repeatedly commits acts which harass or intimidate the person and which serve no legitimate purpose...

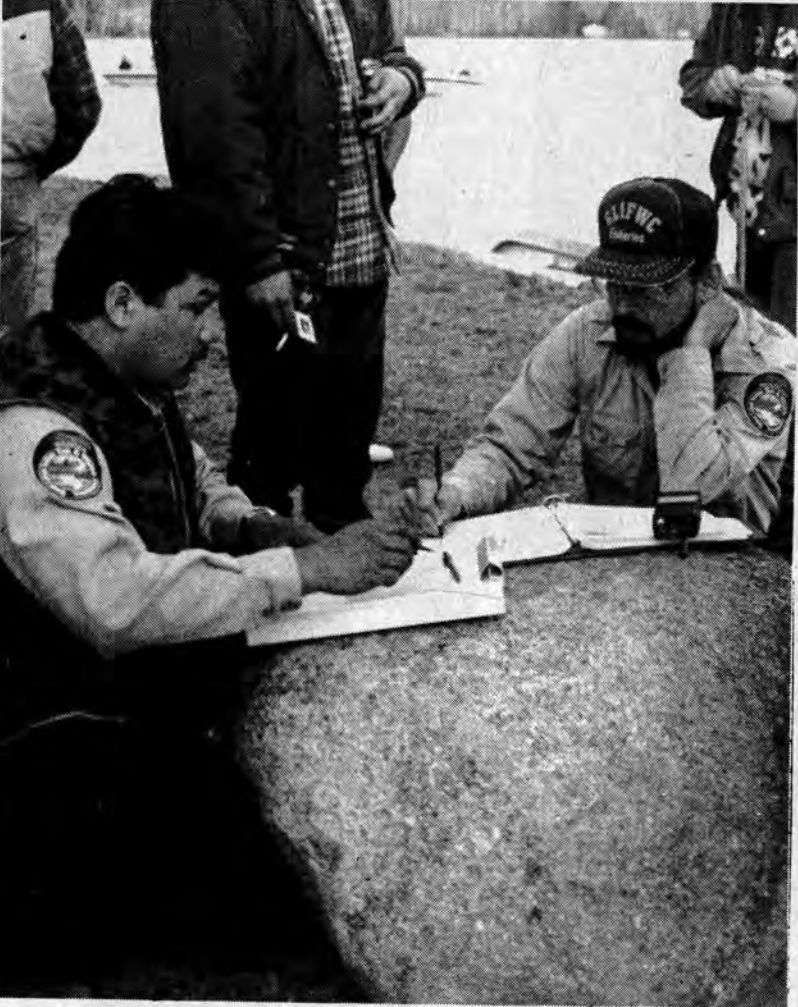
Federal laws also exist prohibiting harassment as well as violation of civil rights. The Federal Bureau of Investigation indicated that possible violations during spring spearing could fall under federal laws which prohibit conspiracy in actions that lead to someone being injured, threatened or oppressed during exercise of that person's civil rights.



Successful season, 1988

More spearers, more walleye, fewer musky, more spearers, more fish

	Walleye Harvest	Walleye Quota	Remaining Quota	Musky Harvest		Walleye Harvest	Walleye Quota	Remaining Quota	Musky Harvest
BARRON COUNTY					PRICE COUNTY				
Beaver Dam	82	109	27	0	Butternut	103	428	325	1
BAYFIELD COUNTY					Round	289	381	92	0
Middle Eau Claire	33	176	143	0	Solberg	0	228	228	0
Namekagon	861	843	-18	0	Pike	236	570	334	0
Upper Eau Claire	133	142	9	1	SAWYER COUNTY				
Owen	349	356	7	0	Lake Chetac	0	524	524	0
BURNETT COUNTY					Grindstone	349	350	1	4
Big Sand	4	N/A	N/A	0	Big LCO	187	188	1	4
Upper Clam	0	N/A	N/A	0	Chippewa Fl.	1636	12036	10400	17
North Sand	256	256	0	0	Spider	0	393	393	0
Yellow	66	580	514	9	Sissabagama	87	570	483	6
Big McKenzie	30	251	221	0	Round	494	506	12	9
St. Croix River	1	N/A	N/A	0	Whitefish	99	107	8	0
DOUGLAS COUNTY					Tiger Cat Flowage	4	368	364	1
Lower Eau Claire	0	224	223	0	Teal	0	344	344	0
Whitefish	17	220	203	0	Nelson	187	3872	3685	0
FLORENCE COUNTY					Lost Land	13	261	248	2
Halsey	56	133	77	0	Moose	1	453	452	0
FOREST COUNTY					VILAS COUNTY				
Pine	58	158	100	0	North Twin	327	410	83	0
Butternut	543	552	9	0	South Twin	0	168	168	0
Metonga	569	591	22	0	Lit. St. Germaine	78	261	183	1
Lucerne	361	362	1	0	Manitowish	72	131	59	3
Franklin	229	237	8	0	Trout	1065	1067	2	5
IRON COUNTY					Rest	142	169	27	4
Gile Flowage	189	942	753	0	Presque Isle	319	344	25	0
Trude	0	206	206	0	Plum	82	109	27	3
T-Flambeau Fl.	6074	6863	789	1	Star	239	283	44	1
ONEIDA COUNTY					Oxbow	0	133	133	0
Pelican	426	1000	574	14	White Sand	184	192	8	0
Dam	81	196	115	0	Palmer	55	166	111	1
Clear	164	224	60	0	Big Muskellunge	261	247	-14	8
Pickereel	175	194	19	0	Big Arbor Vitae	746	786	40	4
Katherine	151	154	3	1	Big Portage	0	167	167	0
Kawaguesaga	270	338	68	0	Birch	18	137	119	0
Nokomis	60	1398	1338	0	Big St. Germaine	183	399	216	3
Minocqua	438	492	54	6	Big (S24)	160	161	1	0
Planting Ground	242	270	28	1	Kentuck	450	476	26	0
Squaw	148	207	59	0	Big Sand	315	380	65	0
Shishebogama	3	188	185	0	Lac Vieux Desert	1006	1021	15	0
Squirrel	490	522	32	0	Big (S4)	143	225	82	0
Tomahawk	462	468	6	3	Ballard	120	131	11	0
Thunder	0	481	481	0	High	137	193	56	0
Seven Mile	132	131	-1	0	Harris	120	132	12	0
Sand	41	141	100	0	Island	224	273	49	0
Willow Flowage	17	1452	1435	0	Lit. Arbor Vitae	223	312	89	4
Two Sisters	177	185	8	0	Laura	149	157	8	2
Big Fork	140	181	41	1	Eagle	138	149	11	0
Big	180	229	49	0	Clear	110	145	35	1
Big Stone	9	143	134	0	Catfish	149	270	121	1
Long	131	162	31	0	Boulder	130	136	6	0
Tomahawk R. (#16)	0	N/A	N/A	0	Cranberry	60	254	194	0
Crescent	144	160	16	5	Crab	188	252	64	1
POLK COUNTY					WASHBURN COUNTY				
Halfmoon	15	151	136	0	Shell	88	813	725	26
Balsam	269	269	0	0	Long	198	497	299	0
Big Round	62	271	209	0	Minong Flowage	0	423	423	0
					Nancy	72	97	25	0
GRAND TOTALS						25,974	56,053	30,084	154



Issuing permits at Butternut Lake, Price County, are, from the left, Larry Mann, Lac du Flambeau GLIFWC warden and Neil Kmiecik, GLIFWC inland fisheries section leader.



Bad River spear fishermen at Turtle Flambeau Flowage the last night of the season. Above are John Nelis and John Denomie.

Responding to prejudices

God prefers anglers?

The following poem appeared in the Lakeland Times, April 29th, "Letters to the editor" section. We reprint it below because it typifies too clearly the protestant-anglo belief that God somehow is on their side. Of course, in our history murder and massacres were performed in the name of God as well. It is difficult to imagine God as being particularly for or against fishing with a pole or with a spear, and the illusion to anyone who spears as belonging to Satan is an ignorant slur offensive to the many people who spear, Indian and non-Indian alike.

To the editor:

"This is written in reverence to whoever it was that said, 'The Lord does not deduct from human life the time that's spent out fishing.'

A Prayer

When I think of our land, it just doesn't seem
That the Lord established his favorite dream
To watch an angler spend some time
Clutching a spear.
He assigned that wonderful lapse of time
Not added to life's stern arduous climb
For those who set forth with a hook and line
Toward repose to see and hear.
Oh Lord, don't you think, as we are told,
That spears belong in Satan's fold
And those who use them fit the mold
And may concede a year."

Susanne Myers
Lake Tomahawk



Area lakes receive considerable fishing pressure on opening day.

Northern Wisconsin rejects size limit

(Reprinted with permission from the April 29th edition of The Lakeland Times.)

By Dean Bortz
Lakeland Times outdoor editor

The state will have to find a solution to the Chippewa spearing issue before northern sportsmen will support a minimum walleye size limit.

That was the message delivered by citizens attending Conservation Congress meetings in six northern counties on Monday night where the Department of Natural Resources (DNR) asked if sportsmen are in favor of a statewide 15-inch minimum size limit for walleyes.

Congress delegates in those counties (Oneida, Vilas, Forest, Iron, Ashland and Bayfield) were able to count the favorable votes on one hand. They needed an abacus to tally the no votes.

Woodruff DNR warden Tom Kroeplin read the question at Oneida County, then opened the question to discussion prior to a vote.

"Will this proposal apply to everyone, or just white people?" asked one person. "If the DNR is going to impose stricter size limits and increase license fees and still

allow Indians to spear, forget it.

"Someone better get on the ball and keep the size limits (and fishing methods) equal for everyone."

People attending the Oneida County hearing said they're confused by information coming from the DNR regarding size limits and fish exploitation.

"Five years ago, and earlier, the DNR told us that there is no biological reason to have size limits or closed seasons because fish are reluctant feeders during the spawning season," said Tom Urban of Rhinelander, an Oneida County alternate delegate for the Conservation Congress.

"About four years ago, spearing came in vogue. Now we've got a problem. My question is: Who's going to get these fish? It'll be the guy with the spear. He'll spear those 14 inchers (before they become legal for hook and line anglers)."

Another Rhinelander sportsman offered a different solution. "We ought to just let the Indian spear as many walleyes as they want and see how long it takes for them to wipe out the fish—then look this over."

More than 70 people voted against the proposal in Oneida County. No one voted in favor of the restriction.

Opinions didn't vary in Forest, Vilas, Iron, Ashland or Bayfield counties. "It bombed in Ashland and Iron," said Dennis Scholl, DNR fish manager for the two counties.

Ashland County voted 45-1 against and Iron County voted 37-0 against. "Spearing was the main reason the proposal died. They said that if the Indians are going to take the fish, they're going to take them too."

"It's a sad thing. In general, people have a bad attitude because of spearing," he said.

Scholl said the attitude has been building for some time, "but the hearing votes are the first numbers we've seen to indicate a negative attitude."

"Prior to this, people have generally been supportive of DNR proposals. When we proposed an increase in the muskie size limit to 32 inches, there was wide support."

"I hope this doesn't carry over to muskies and have people give up on catch and release," he said.

Vilas County defeated the proposal 61-5. Spearing was discussed at Vilas County as well, but Vilas County sportsmen wanted to know which area lakes, if any, would be exempt from the limit (DNR spokesmen had said that the size limit could be relaxed on cer-

tain lakes).

No list was available, according to Ken Anderson, a Vilas County alternate delegate. "In Vilas County, the proposal didn't make it because of both reasons," he said.

"This could indicate (that spearing has caused) an escape of ethical responsibility (by non-Indians), he said.

"We knew the proposal would be interpreted as a reaction to spearing, but it is something that would be necessary even without spearing."—Doug Morrisette, DNR Department of Fisheries Management

Further south, the proposal passed in many counties. Lincoln barely passed the measure (43-48) while Waukesha County passed it 150-20. Douglas County was the only northern county that passed the proposal, according to Scholl. But a southern county, Brown County, voted against the size limit.

"Brown County had an interesting discussion," said one source who attended the meeting. "The discussion was about 50/50 until an older gentleman stood up and

said that as long as the Indians were spearing in northern Wisconsin, he couldn't support a size limit.

"He continued on for about five minutes. When he sat down, everyone in the auditorium gave him a standing ovation."

Meeting goers discussed the spearing issue in Lincoln and Waukesha counties as well, although the proposal passed in those counties.

Doug Morrisette, DNR bureau director of fisheries management, attended the Waukesha County meeting. "Interest in the spearing issue isn't restricted to the north. Waukesha County passed the proposal, but they raised several good questions about the issue."

Duke Andrews, Woodruff DNR fish manager, attended the Lincoln County hearing where the vote narrowly favored the size limit (43-38). "When people see speared fish, they see it as detrimental and ask why they have to give up something if the other side doesn't."

Andrews asked Lincoln County to look past the spearing. "The size limit is still beneficial to the resource."

Andrews said the negative attitude is reactionary, but predictable. "We didn't expect this pro-

posal to go easily; the resistance doesn't surprise me."

Oneida County also rebuked minimum bass size limits of 12 inches in the north and 14 inches in the south. That passed in Lincoln County. "At Lincoln County, they wanted to know how many bass are taken by Indian spears before they would vote on the proposal," Andrews said.

"The bass take, at least for La du Flambeau spears, is very limited. It's slightly higher in western Wisconsin. Because of that, the limit passed Lincoln County."

"But if the tribes had been spearing a lot of bass, there would've been problems," he said.

Statewide, the walleye size limit did pass, according to Morrisette. "A total of 45 counties passed it; 26 counties voted against it. I'd be interested in seeing the distribution (of counties)," he said, hinting that much of the resistance would be found in northern Wisconsin.

"This could indicate (that spearing has caused) an escape of ethical responsibility (by non-Indians)," he said.

"We knew the proposal would be interpreted as a reaction to spearing, but it is something that would be necessary even without spearing." ■

Editorial and editorial response

(Reprinted with permission from the April 29th edition of The Lakeland Times.)

Protest can be born from frustration, just as easily as it can from dislike. That's what we're seeing again this year at the landings as crowds numbering 100 or more voiced their concerns about spearfishing.

Some of their anger has undeservedly been heaped on the state Department of Natural Resources field men and women at the landings. As those in any private business, the fieldmen and women are obeying their superiors when they issue citations and keep the two sides apart. Most know that an outspoken word from them could cost them their jobs, or at the least, a reprimand.

Some DNR personnel who did speak out told us privately they are against the off-reservation spearing. One DNR person told us that the 500 walleyes taken from Big Arbor Vitae represented 1005-bag walleye limits. "And how many fishermen get a bag limit," he asked. Those wishing to complain to the DNR should complain to the top personnel—by telephone calls, in person or by letter.

Seventh Congressional candidate Kevin Hemmening also took

his share of criticism, but only from the downstate media and some DNR officials. They believe he fueled the protests by appearing at the Big Arbor Vitae Lake landing Sunday. Vote hunting, huffed one Milwaukee paper. Perhaps. But at least he was one (potential) public official who cared enough to listen to the people. Also, dozens of protestors (a.k.a. concerned citizens) showed up at previous spearing activities without any encouragement from Hemmening or PARR, for that matter.

We would like public officials to take a stand on this issue and not hide in Washington, DC. Their absence at a time of a major Northwoods' crisis speaks poorly of their representation. Politicians need to talk with their constituents and not only at election time or through newsletters.

Hemmening made some mistakes, undoubtedly. Wearing an orange vest and riding in the boat of the Stop Treaty Abuse president clearly showed his sympathies.

But spearing advocates are making more serious mistakes. Many people concerned about the ultimate effects of increased spearing quotas have been mute for fear of discouraging tourists from visiting here. But a significant number of people will con-

tinue to protest spearing and will seek new, and better ways to thwart off-reservation spearing. In the meantime, animosity continues to grow against Indians, in general unfortunately, because of the spearing.

We've said a compromise, even a buy-out, must be reached to end this Northwoods pain. The Chippewa leaders, if only by pressure of tribal members, must also realize that the price of getting the best possible buy-out isn't worth the damage that will linger for years in human relations. They should continue to question the motives of those who are pulling the tribal power strings.

We see the state as having to offer something to reach a compromise. Tribal members must also see a need to compromise, and soon.

Editorial response:

Your "Northwoods pain" is self-inflicted. The editorial above just encourages another lash of a self-held whip. The Chippewa cannot help that non-Indians persist in such masochism and then ask the Tribes to relent.

The Chippewa are exercising

a right. They are exercising it legally, in a manner which is biologically sound and which is intensely regulated. If the non-Indians want to flagellate themselves and their communities, that is, apparently, their choice. It does not mean the Chippewa should compromise or sell their rights.

It appears that the commentator above objects to the threats of reprimand to DNR personnel who may state their heartfelt opinions against spearing. People do have a RIGHT to free speech and this seems to be undue pressure from "above" which imposes on that RIGHT.

However, the commentator simultaneously encourages non-Indians and politicians of the North to use the pressure of hostility and protest to force Indian people to give up their RIGHTS. Such actions round corners which turn from "democracy in action" into blackmail and racism.

Some children bang their heads on the wall to get their way. Generally, it is unwise to give into such tactics. Similarly, the "head-bangers" of the North should be discouraged, not prompted to continue the action.



Poling out for a nights fishing.

Peace & Justice Tree of Peace Ceremony

(In part excerpted for IPN special by Stephen Fadden)

A Mohawk wolf clan chief marked the beginning of this year's Chippewa spearfishing season by planting of "Trees of Peace" at the UW-Madison Campus and Lac du Flambeau Chippewa Indian Reservation on April 8th and 9th respectively.

The ceremony, led by Jake Swamp of the Akwesasne Mohawk Reservation in northern New York state, was sponsored by the Wisconsin Indian Resource Council (WIRC) and the Lutheran Human Relations Association of America in Madison and by Citizens for Treaty Rights in the Lac du Flambeau area.

The planting took place on the eve of the Chippewa spearfishing season, which in the past has been marred by vehement protests and threats of violence from members of anti-Indian treaty organizations.

Speaking at the WIRC Annual Conference Banquet prior to the tree planting ceremonies, Swamp stated that "a spiritual connection has been severed in some places of the world."

"We need to come together as a human family and try to find those import instructions that we have forgotten," he said.

Swamp emphasized the need for people's minds and hearts to be peaceful and united as they come together to address the many problems which face us all. "The spiritual connection needs to be put back," he stated, "That's why I started planting trees like the ancestors did as that time."

At Lac du Flambeau Chief Swamp, reflecting on the hopes that humans will be able to work peacefully together, offered ceremonial tobacco at the planting.

"Today we plant this tree in hope that all our people will someday be living in unity and peace all over the world," Swamp told the gathering of about 120 people as he dropped tobacco into the hole where the tree was to be planted. "We ask that our children be given understanding, and that understanding will circle the globe so that the troubles we have today will go away."

HISTORY OF THE TREE OF PEACE

The planting of the Tree of Peace 1,000 years ago by a man named the Peacemaker brought an end to centuries of fighting between nations of the Haudenosaunee (Iroquois), Swamp said.

The story of how the Peacemaker brought his message of peace to them is well-known

among the Haudenosaunee's six nations: Mohawk, Oneida, Onondaga, Cayuga, Seneca and Tuscarora. Using spiritual concepts and an appeal to rational thinking, the Peacemaker convinced the fighting nations to lay down their weapons of blood and war.

The Peacemaker, as he appealed to the five original nations of the Iroquois (Tuscarora joined in 1722), uprooted a White Pine and urged the representatives of the nations to throw their weapons into the hole where the tree had stood. After the leaders did so, the Peacemaker replanted the tree, ushering in an era of peaceful negotiation and co-existence between the tribes.

The White Pine is also symbolically represented in the Kayanesh-Kawah, or Great Law of Peace brought to the nations by the Peacemaker. The Great Law of Peace, a 117-section oral document that takes eight days to recite, is the Haudenosaunee equivalent of the Constitution.

"The Great Law of Peace represents the original divine instructions delivered by the Peacemaker," said Dr. Robert Muller, the assistant secretary general of the U.N. "His vision embraced all the people of the world living under the protection of a code that

outlawed violence and offered a process of conflict resolution called "wampum diplomacy." By honoring the Great Law, the Haudenosaunee have maintained perhaps the oldest participatory democracy in governmental history."

Muller has compared the Iroquois Tree of Peace with the Western world's concept of the Tree of Life.

"One of the most important symbols of our ancestral heritage is the image of a Tree of Peace or a Tree of Life," Muller said. "Most cultures have traditions. The Christians have the Christmas Tree, the Maypole and many other traditions that symbolize peace, rebirth and renewal."

Swamp is a representative of the Tree of Peace Project and has been traveling to Peace Tree planting ceremonies in the United States and abroad.

The idea caught on in the United Nations, which in 1985 adopted the first "International Tree Project" as part of the U.N.'s "International Year for Youth." More than 100 world organizations are now united in the goal of planting one billion "Peace Trees" around the world.

Four colored ribbons—red, yellow, black and white—representing the four races of humankind,

were tied to the upper branches of the tree at the conclusion of the ceremony, as a reminder that peace is a universal concept.

Below is reprinted "The World Constitution" as presented by Chief Jake Swamp during the Tree of Peace planting ceremonies. It represents a vision of a world at peace.

THE WORLD CONSTITUTION

PREAMBLE

Human beings share a common responsibility to preserve and protect the survival of our Mother Earth. We agree to sustain a quality of life which will allow people of all colors, races and creeds to exist and prosper. We also agree to consider how our actions may influence future generations.

ARTICLE I

Human beings are born with certain fundamental rights, including the right to live in dignity, the right to preserve our rich cultural heritage, and the right to a healthy environment. These rights transcend age, sex, nationality and ethnic origin.

ARTICLE II

As citizens of the Earth, we

share certain rights and responsibilities. We have a right to exist in harmony with our environment, and we also share a responsibility to protect all land and life from destruction. We recognize that the Earth is alive, and therefore is vulnerable to contamination, infection and disruption of the natural balance of life. No one has the right to unbalance the harmony of life in a way which would endanger our life-sustaining environment.

ARTICLE III

Since the history of the world has so far been marred by acts of unkindness, greed and violence, we vow to dedicate ourselves to peace as a way of life. To live in accordance with the laws of nature, we recognize as fundamental principles: justice, kindness, understanding, humility, liberty and tolerance. In all our actions we agree to consider these 12 principles.

ARTICLE IV

We, the people of peace, hereby endorse and ratify this constitution, with a vow to overcome the desire for revenge and to resolve any future conflicts in a peaceful manner. In all our actions, we agree to consider how we may influence our children seven generations to come. ■

March of Broken Treaties

On March 19th Racine, WI simultaneously hosted a March of Broken Treaties, sponsored by the Holy Communion Lutheran Church and the Lutheran Human Relations Association of America; the annual PARR Conference; and the State Council of the Wisconsin National Organization of Women.

Ironically, while about 50 PARR conference attendees discussed treaty abrogation inside Racine's mammoth Memorial Hall, about 100 treaty supporters peacefully marched from the Holy Communion Lutheran Church to the steps of the Hall.

On the same day a few blocks away, the state council of Wisconsin NOW passed a resolution in support of Indian treaty rights.

Rev. Walter Hermans, pastor at the Holy Communion Lutheran Church, stated the aim was "to let

our Native American brothers and sisters know we're standing with them."

The marchers bore no signs, except those carried at the lead. The march was quiet, peaceful, prayerful. Enroute, the march was sporadically stopped to read excerpts from the book, "Trail of Broken Treaties," which describe through Indian testimony the many false promises made to the Indian people throughout U.S. history.

As Sharon Metz, executive director of the LHRRA indicated, "It doesn't make any difference what rights the Indians have, they (anti-Indian organizations) object."

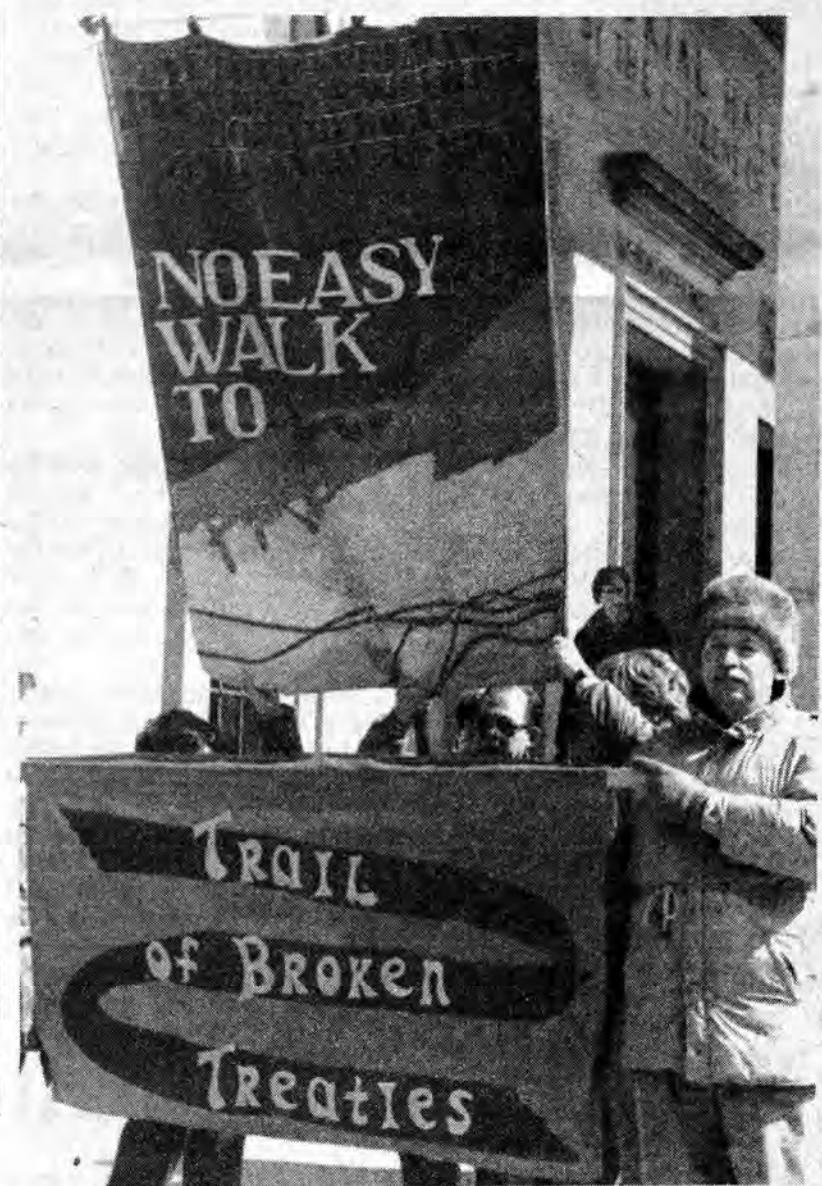
Following a brief ceremony on the steps of Memorial Hall and a time of prayer, the marchers quietly turned back towards the Holy Communion Church.



Rev. Walter Hermans, Holy Communion Lutheran Church, Racine and Sharon Metz, Lutheran Human Relations Association, both emphasized the need to respect and support Indian treaties. They spoke on the steps of Memorial Hall, Racine, site of the PARR conference.



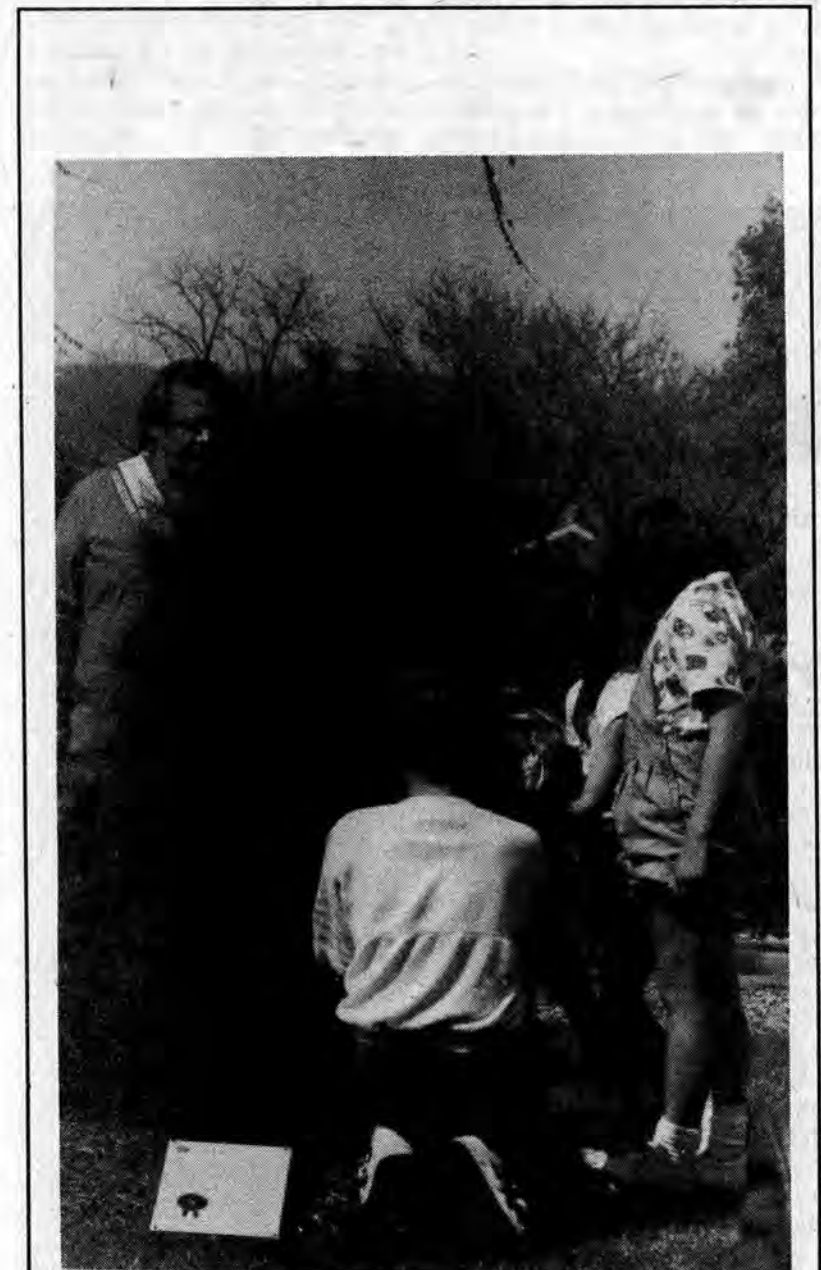
Stan Webster, left, WIRC executive director and Jake Swamp, Mohawk Chief, stand near the "Tree of Peace" planted in Madison. WIRC hosted the "Tree of Peace" ceremony.



Leaving the steps of Memorial Hall, Racine, where PARR held its annual conference, participants in the "Trail of Broken Treaties" march prepare to return to the Holy Communion Lutheran Church.



A Peace Quilt was presented to Marilyn Benton Banai from Dottie Reeder and Linda Dunn (pictured). The Quilt was a creation of different communities in support of treaty rights and presented to the Indian people.



Jake Swamp, Mohawk Chief, in the foreground, assists in planting a "Tree of Peace" at Lac du Flambeau. Swamp officiated over the ceremonies at Madison and Lac du Flambeau.





Support grows



Wisconsin NOW passes treaty support resolution

The following resolution concerning Indian treaties was passed by the Wisconsin National Organization for Women (NOW). For more information contact: Wisconsin National Organization for Women, 8 W. Mifflin Street, Suite 209, Madison, WI 53703 or phone (608) 255-3911.

WHEREAS, Native Americans were the first inhabitants of this country and this state, and peaceful settlement of this state by European settlers was greatly facilitated by the negotiation and signing of treaties between the various Indian Nations and the United States government, and
WHEREAS, the U.S. Courts have recently upheld the treaties and the rights granted in the treaties to the Chippewa Indians in particular, and
WHEREAS, honoring the agreements made in the treaties is both morally right and legally right,

THEREFORE BE IT RESOLVED THAT:

- 1) Wisconsin NOW affirms the right of Native Americans to live in accord with the negotiated treaties and the right of the Chippewa Indians in particular to hunting and fishing and gathering off their reservations in accordance with the treaties and appropriate state or federal regulations, and
- 2) Wisconsin NOW calls on all the citizens of Wisconsin to affirm those rights, to abide by the laws, and to stop all threats of violence against Native Americans exercising their legal rights, and
- 3) Wisconsin NOW opposes federal legislation proposing to abrogate the treaties and calls on the Wisconsin Congressional delegation to oppose such legislation, and
- 4) Wisconsin NOW calls on the Department of Public Instruction to ensure that students in Wisconsin are instructed in Native American history and the contributions of Native Americans to the State of Wisconsin and the United States.

Honor formed

HONOR, a coalition of organizations and individuals in support of Indian treaty rights, became a reality during the annual conference of the Wisconsin Indian Resource Council (WIRC) in Madison this April. About 50 interested individuals, some representing larger organizations, took part in a day's work which led to the establishment of the coalition.

WIRC Executive Director Stan Webster hosted the meeting. Sharon Metz, executive director of the Lutheran Human Relations Association of America (LHRAA) and Larry Balber, Red Cliff, acted as co-convenors.

The formation of a coalition had been under consideration previously and was discussed during a March meeting in Wausau which brought together tribal leaders and interested non-Indian individuals to discuss issues relating to Indian treaty rights.

The name HONOR stands for Honor Our Neighbors Origins and Rights. The adoption of the name as well as a list of principles was agreed upon by consensus of the group.

PRINCIPLES

—Honor government-to-government relationships and tribal

sovereignty

—Affirm Indian treaties
—Honor and protect the earth and the life therein, for now and the future

—Conduct ourselves in a manner which is respectful of all people

—Promote intercultural understanding and awareness

—Seek ratification of and commitment from tribal governments

ACTIONS

In addition four areas of action were defined by the group:

—Develop, compile and disseminate accurate information

—Promote multifaceted public education

—Network through regular communication with members

—Advocate for justice with peace.

A temporary steering committee was established to work with mailings and organize the next meeting. The committee is composed of three tribal representatives and three representatives from organizations. Tribal representatives are Stan Webster, Oneida; Larry Balber, Red Cliff; and Stuart Taylor, Winnebago. Organizational representatives are Sharon Metz, LHRAA; Sierra

Powers, Witness for Non-Violence; and Sue Erickson, Great Lakes Indian Fish and Wildlife Commission (GLIFWC).

Membership fees were set as \$5 for individuals and \$25 for organizations.

IDEAS FOR TREATY SUPPORT ACTIVITIES

Sharon Metz listed a number of activities which individuals can do in support of treaties at the local level. Among her suggestions were:

—Write letters to Congress as well as state and local officials
—Write letters to the editor

—Encourage organizations to pass resolutions in support of treaty rights and publicize

—Organize activities, such as a feast or ceremony, with a treaty support theme

—Have a vigil

—Join community and youth organizations and help educate the membership

For more information regarding HONOR, contact: Stan Webster, WIRC, at (608) 655-6432; or Sharon Metz, LHRAA at (414) 871-7300 or Sue Erickson, GLIFWC, at (715) 682-6619.

Tutu points to Wisconsin

Anglican Archbishop Desmond Tutu visited the UW-Madison campus this month. He turned the eyes of the audience, an estimated 11,000, homeward to Wisconsin during his presentation.

"I appeal to you...to assure that your native Indians in this state can see there are people who want to see justice done toward them," Tutu said.

"Become as committed to racial justice here as you are committed to racial justice in South Africa." His visit corresponded with the spring spearing activities of the Chippewa, which annually bring harassers to landings and brighten

the torches of anti-Indian organizations in Wisconsin.

According to the account in the May 5 Wisconsin State Journal, Tutu emphasized the need to celebrate differences with love.

"God has given you gifts he has not given me, and he has given me gifts he has not given you. So—voilà!—we need each other," he said.

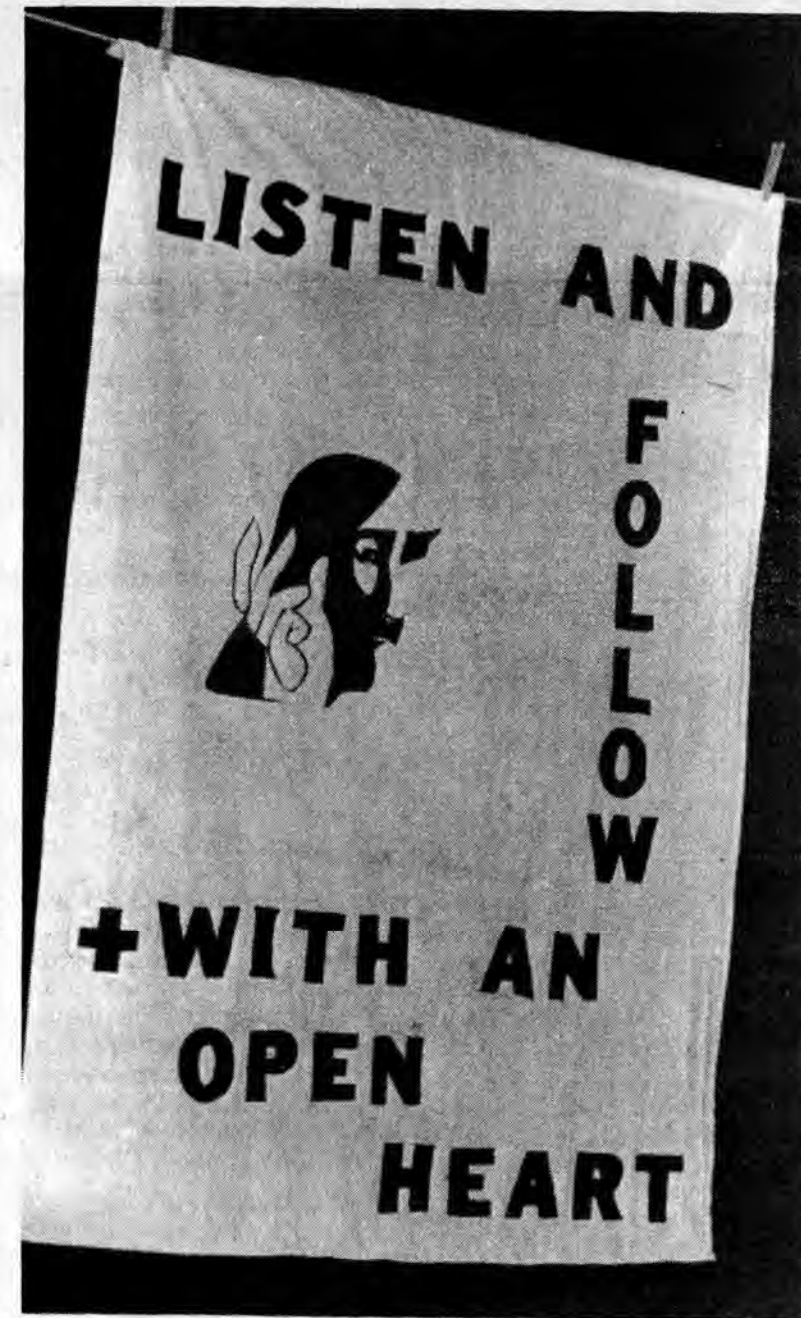
"Whether I like it or not, P.W. Botha is my brother," Tutu said. "I am not my brother's keeper; I am my brother's brother."

While encouraging inter-racial acceptance and brotherhood, Tutu

was plain about the evils of apartheid, which he termed as "evil, as immoral and as unacceptable as Nazism ever was."

"Apartheid," Tutu explained, "denies a fundamental biblical assertion about human beings—that you, and you, and you, whether you are clever or not clever, whether you are beautiful or whether you aren't, you are God's representative on earth."

Tutu's visit was sponsored by Bethel Lutheran Church, Lutheran Memorial Church and by the Lutheran Campus Ministry at UW-Madison.



This banner was displayed during the forum.



The Rev. William C. Wantland spoke on Chippewa Indian treaty rights before a crowd of about 100 people in Park Falls.

Wantland addresses Park Falls audience

Seeking peace and understanding prior to the start of this year's Chippewa spearing season, Reverend William C. Wantland said, "In times of tension and misunderstanding we find members of churches on both sides of the issue." Wantland addressed an audience of about 100 people attending the forum "Treaty Issues: Seeking Peace and Understanding" at the Park Falls Junior High School.

Rev. Wantland, Bishop of the Episcopal Diocese of Eau Claire, said he hoped the forum, which was sponsored by Park Falls area churches, would help open dialogue and bring understanding among church members. Said Wantland, "Regardless of how we feel about this issue, we operate within the context that there is a law that applies to all of us. It would be totally inappropriate as loyal citizens of this republic, for individuals on either side to engage in confrontation, violence, or breaking of the law."

Wantland told the audience, "I came not debate, but to share thoughts and facts so people with different view points can talk to one another with mutual respect and understanding."

Blending legal expertise with his Christian values, Wantland explained Chippewa treaty rights. "When the Ojibwa nation sold to the United States of America the land which makes up what we call today the ceded territory, they reserved the right to hunt, fish and rice on that land. The Indian people who occupy the northern third of this state own what the law calls fee simple absolute title. Anyone who owns fee simple absolute owns from the center of the earth to the top of the sky, and you can sell it all, or you can sell any part of it," said Wantland, stressing the fact the Chippewa Indians have the legal right to hunt, fish and gather on the ceded land.



The Rt. Rev. William C. Wantland, Bishop of the Episcopal Diocese of Eau Claire.

Speaking of justice and racism

Minocqua Board digs heels into rut of prejudice

Actions speak louder than words, so it is said. And the actions of Minocqua Town Board in denying Citizens for Treaty Rights (CTR) the opportunity for a peaceful, non-violent vigil in Torphy Park while twice consenting to a rally sponsored by the local anti-Indian organization, said it all.

Minocqua Town Board voted once and voted again—both times confirming the community's willingness to deny free speech and provide an open forum for an anti-Indian rally.

Coverage of the decision in the Lakeland Times, March 18, 1988, relates the meeting in part as follows:

"Citing the potential for violence, the board told Citizens for Treaty Rights' Nick Van Der Puy that the potential for violence was too great for his group to hold a candlelight vigil in the park April 10.

That didn't set well with Van Der Puy who accused the board of acting like ostriches by sticking their heads into the sand.

A lengthy discussion Tuesday night resulted in a unanimous no vote by the board and Town Chairman Evelyn Hartlep. Several reasons for the denial were given.

Van Der Puy said his group wanted to bring an Indian spiritual leader to Minocqua for a prayer meeting in the park. A potluck supper was being planned at Lac du Flambeau, he said.

He said Minocqua was the closest non-Indian community to Lac du Flambeau, but one board member reminded him that Woodruff was closer.

CTR's intention was to "help diffuse tension in the area," said Van Der Puy, adding that he expected between 150 and 200 persons to attend. The meeting, which would have tom tom music, would

have been less than an hour.

"It's not a World Series Event," he said, "just a quiet celebration of spring."

Quite the opposite would happen said Supervisors Tom Yelton and John Dewey. Both said CTR's appearance would bring Indian treaty supporters to a community that is almost entirely opposed to off-reservation treaty rights.

"I think its going to be trouble," said Yelton, "just before the spearing season."

The supervisor said he thought both pro- and anti- treaty rights groups should give the community a rest from strife of the past few years.

"I know what you are going to attract—trouble."

Dewey said that as public officials, they feel responsibility that any demonstration doesn't get out of hand. The board as a whole was especially leery about the evening

aspect of the proposed rally, saying that it would be difficult to regulate any potential counter demonstrations.

Dewey said PARR's past rallies took place in a supportive community.

"They were doing it in their own territory so to speak. They did not attempt to move out to the reservation, to try to have their side of the story heard."....

(It should be noted that Van Der Puy is a non-Indian, white fishing guide and that Citizens for Treaty Rights is a non-Indian organization seeking support for Indian Treaty Rights.)

The Minocqua Town Board had approved use of Torphy Park by a local anti-Indian organization for a rally against treaty rights. At a later meeting, following the Board's unanimous denial of park use by CTR, the Board voted again on a motion to rescind the permit issued

to the anti-Indian organization (PARR). However, that motion failed to pass.

Vilas County News-Review, Wednesday April 13, 1988, reports on that meeting, in part, as follows:

"Last month, the board unanimously denied a permit for a candlelight vigil at the park sought by Citizens for Treaty Rights, an Oneida-Vilas County organization supporting the Chippewa....

The board voted 3-1, April 4 to issue the permit to PARR. A supervisor who voted for the permit, Glenn Handrick, asked last Friday for reconsideration. Handrick cited critical editorials in area newspapers as part of the storm of protest the decision had triggered.

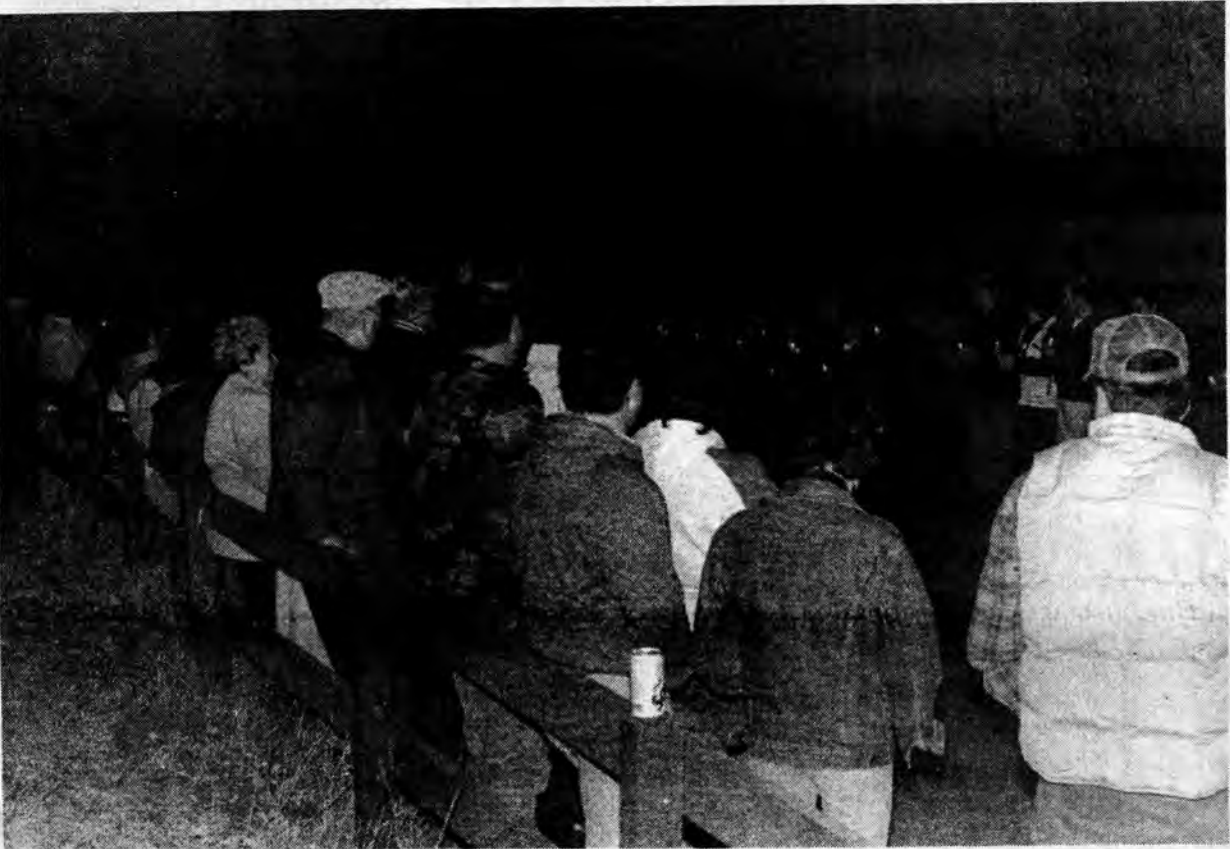
John Dewey, who did not seek re-election and was attending his last meeting as a board member,

questioned several spectators about their views. One said rescinding the permit would be discrimination against PARR.

"I think the plans of CTR were excessively inflammatory. They weren't interested in planting a tree at Torpy Park. They weren't interested in a pot luck dinner at the Methodist Church. They weren't interested in any daylight activities," Dewey said....

PARR did cancel its plans for a rally in Torpy Park during spearing, although the Town Board approved it.

CTR did plant a tree of peace (see Tree of Peace story on page six) at Lac du Flambeau in an exceptionally non-violent ceremony where non-Indian supporters, denied the privilege of freedom of expression in their own community, quietly demonstrated support on the reservation.



A candlelight vigil held on April 10 at Minocqua Lake symbolized the hope that peace and understanding will overcome the darkness of fear and mistrust.



Enforcement at Butternut Lake, Price County, was extensive and the crowds gathering at the land were strictly controlled. This served to keep peace.

WERL statement



Eagle River—WERL 950 AM and WRJO 94.3 FM issued the following editorial comment on racism by Roger Utneher, WERL WRJG General Manager on April 22, 1988.

For the last several nights many people opposed to Indian spearfishing have protested at boat landings here in Vilas and Oneida Counties. Certainly not all of those protesters could be called "racist." However, those few who are need to be denounced.

A small pocket of protesters have peppered Indians with petty taunts, crude, vulgar comments and childish antics ranging from name-calling to boat-bumping. That kind of behavior needs to be repudiated.

"The restraint and self-control of the Indian spears in the face of such conduct is admirable."
 Roger Utneher, General Manager, WERL WRJO Radio, Eagle River, WI.

No matter how strong your opinions about the treaties, no one should be subjected to the indignities the Indians are tolerating at the boat landings. The restraint and self-control of the Indian spears in the face of such conduct is admirable.

Protestors should remember the Indians have been given more rights than they are now exercising and that continued confrontation is not conducive to restraint on the lakes or at the bargaining

table. The petty protesters should also consider the image their racist name-calling and taunts project for northern Wisconsin.

We sometimes condone the actions of others by our silence. Let us reject together the actions of a few and express opinions with dignity and direction.

That's my opinion. I'd like to hear yours.

Response to statement:

Dear Mr. Utneher:

As editor of the MASINAIGAN, I would like to express appreciation for your thoughts and for the courage to relate them openly. We need more people and organizations willing to speak out even though it may not win popularity awards!

I would like to note that your commentary states the "Indians have been given more rights..." This is a popular misconception. The Tribes have not been given any rights. Treaty rights were retained—never sold in the agreements. The U.S. government did not give these rights to the Tribes, nor have the courts.

Enough quibbling over details. The sentiment in your release is much appreciated as well as the observations about the restraint tribal spears have shown during very trying circumstances.

Sue Erickson, co-editor
 MASINAIGAN



Taking the oath



GLIFWC wardens are shown being sworn in by Patricia M. Zakovec, GLIFWC Deputy Administrator. GLIFWC has a staff of 20 full-time wardens and hired additional seasonal wardens to assist during the spring spearing season.

In Court: Further definitions of Voigt

Tribal and state attorneys recently met in the Madison court room of the Western District Federal Court. From March 21-24 Federal Judge Barbara Crabb heard arguments and testimony regarding the amount of resources which Chippewa tribal members may harvest under the Treaties of 1837 and 1842.

In 1987, the late Judge James Doyle ruled that the Chippewa have a right to harvest resources off-reservation to the extent necessary to achieve a "moderate living."

In the most recent court proceedings, the tribes asserted that current tribal needs exceed the income-generating capacity of the off-reservation resources.

The tribes further argued that, as long as this is true, tribes may harvest the amount of resources required to meet those needs, limited only by the tribes' practical ability to harvest and by biological harvest limits.

In support of these claims the tribes used Dr. Ronald Cummings, a University of New Mexico resource economist, as an expert witness. Dr. Cummings calculated how much income could be generated by the harvest of off-reservation resources and examined current tribal economic conditions.

Cummings concluded that, absent a drastic change in circumstances, "the income generating potential of the resources to the Chippewa will not exceed their income needs."

The state did not call a witness during the proceedings and introduced no expert to dispute or contradict Cummings.

Dr. Richard Bishop, a University of Wisconsin economist, was named as the state's expert witness, but was not called to testify.

To some, the state's choice not to call their expert economist to the witness stand came as a surprise. James Zorn, Great Lakes Indian Fish & Wildlife Commission policy analyst, stated, "Rather than providing Judge Crabb with information relevant to the issues before the court, the state instead



Tribal attorneys and tribal members join in a serious reflection prior to beginning the trial before Federal Judge Barbara Crabb in Western District Federal Court, Madison. The trial heard testimony on the economic value of the natural resources and the extent of tribal needs.

plead to reopen Judge Doyle's decision and raise a claim that Judge Crabb has already rejected."

"One must presume that Dr. Bishop would not disagree with Dr. Cummings," Zorn added.

The state argued that the "moderate living" standard is vague and therefore not capable of definition. It asserted its claim that Judge Doyle's decision limits tribal harvest to 50% of off-reservation resources.

This claim was previously rejected by Judge Crabb in pre-trial proceedings. Nevertheless, the Judge took this claim under ad-

visement.

However, Judge Crabb flatly rejected the state's contention that the "moderate living" standard is too difficult to determine. Crabb told the state's lawyers, "There is no question about the importance of the task that this Court has. But saying that doesn't mean that the Court can just throw up its hands... Somebody must make a decision, and that decision has to be made by me..."

Judge Crabb is expected to issue her ruling on the meaning of a "moderate living" in the next few weeks, according to Zorn.

In a recent development, further court proceedings have been scheduled for October 11, 1988. Those proceedings will address the validity of the state's proposed regulations of tribal off-reservation harvest and the tribes' claim to prevent state regulation through tribal ordinances.

The trial proceedings are further clarification of the 1983 Voigt Decision, which affirmed the Chippewa off-reservation hunting, fishing and gathering rights on off-reservation ceded lands in northern Wisconsin. ■



Drummers sing a traditional Ojibwa song as part of the ceremony outside the Western District Federal Court, Madison, on the opening day of the trial.



Treaty Supporters marched to the Madison Courthouse and rallied at noon. The march in support of treaty rights was organized by STOP.



Frank responds to S/SPAWN

(Reprinted from the Northwest Indian Fisheries Commission newsletter, Vol. XIV, Number 1, 1988.)

Speaking at Lindberg High School of Tacoma recently, NWIFC Chairman Billy Frank told students about the contribution made by the Indian people in the formation of the U.S. Constitution, as well as the significance of the document to contemporary Indian/non-Indian relations.

He spoke of the Great Law of Peace, the document of the Iroquois Confederacy which preceded the U.S. Constitution and provided many of the principles used in that document. Frank spoke also about Constitutionally-protected treaty rights of the tribes that have been attacked by individuals and states with an eye on the resources retained by the tribes in the treaties. He and fellow panelist Tony Floor of the State Department of Fisheries spoke of recent strides made in the restoration and protection of the salmon and its habitat due to cooperative efforts. Their comments had to be kept very brief because another panel member, Mr. George Garland, required most of the panel's prescribed time period to make his statements.

Mr. Garland, president of S/SPAWN, an anti-Indian organization based in Washington State, told the students how the "special rights of the Indian minority" jeopardize opportunities for all other citizens. Mr. Garland read over an Indian treaty and item-by-item explained how his organization takes issues with the century old agreements. Pointing out that Indians became citizens of the United States in 1924, Mr. Garland said this invalidated the treaties. He told the students that Indians do not pay taxes and suggested that this should invalidate Indian fishing rights. He carefully explained that neither he, nor S/SPAWN are racist, but that they support the



Bill Frank, Northwest Indian Fisheries Commission Chairman

overturn of the Boldt decision for the Indians' "own good." (U.S. vs. Washington, Federal District Court, 1974, ruled that the State of Washington is required to abide by the terms of the treaties which gained it most of its territory.)

Because Mr. Garland did require most of the panel's allotted time period to make his comments, and students in the audience were therefore unable to ask many questions, NWIFC NEWS asked Bill Frank to respond to some of the questions and comments presented by Mr. Garland. Copies of these questions and answers are being sent to the high school, and to Mr. Garland.

NEWS: Do treaty Indians have special rights?

Frank: Most people have heard that Indians have special rights. What many do not get to hear is that the treaty right is a property right. If non-Indian people can own property and resources in this state

today because of grants made to the non-Indian government in the treaties, shouldn't it follow that treaty Indians have the same right? Those non-Indians who hold such property have the right to pass it on to their descendants. Shouldn't Indians have the same right? The Indians who signed the treaties did it to protect the fishing right for future generations. The treaties said the right would exist as long as the rivers run. The same man who says the treaties are 100 years old, and should be invalid, also says that the United States Constitution, which is 200 years old, is valid. He interprets the Constitution to say that everyone is equal and must have equal opportunity, and therefore a minority of the population should not hold right to half the fish. But, the Constitution says treaties are the supreme law of the land and it protects both the personal and property rights of all citizens, including Indians.

NEWS: Mr. Garland says Indians were made citizens in 1924, and so the treaties made between them and the federal government should therefore be invalid. What do you say?

Frank: It is true that the Indian Citizenship Act of 1924 made Indians citizens of the United States. But the act was not our idea. We never agreed to relinquish any property rights because of it. And that was not the intention of Congress, either. It was an honor bestowed on the Indian people by Congress in recognition of many sacrifices made for this land in foreign wars. The Act clearly said it was not to diminish rights held by Indians. (The Indian Citizenship Act is reprinted, in full, at the end of this article.)

NEWS: He says Indians don't pay taxes.

Frank: His saying it does not make it so. Indians pay both Indian and non-Indian taxes. Income from treaty fishing is exempt from federal income tax because the Indian share is a sovereign resource. What sense would it make for Indians to pay tax to the federal government on fish they never gave up to it? Taxing treaty fishing income would be the same thing as taxing Germany or France. It is important for people to know that most fish taxes charged by the tribes are reinvested into the resource, more directly than federal or state taxes.

NEWS: Are people who advocate overturning the treaties racists, or are they just trying to do it for the Indians' "own good?"

Frank: Most of them don't call themselves racists. But they would deny Indians their rights on racial grounds. If someone were to question their right to own their homes, they would talk about their contract and they would talk about how long they and their ancestors have lived there. But they do not understand that the treaties are contracts between the tribes and

the federal government and they don't seem to realize that Indian ancestry runs deeper in this land than all their's combined. It is nothing new for such people to preach about human rights out of one side of their mouths as they try to steal from Indians out of the other. Is that racism? I suppose that is a question everyone must answer for themselves. One thing I know these people are not doing anything for the "Indians' own good." They are out for their own good, no matter what it costs the Indian.

NEWS: In recent years, there has been a lot of progress in fishery management because of new levels of Indian/non-Indian cooperation. Do you have any hope re-

maining that people like Mr. Garland will ever see the light?

Frank: I never give up hope on anyone. Even the most stubborn of the "Indian bashers" may open their minds enough some day long enough to see how much co-management has accomplished. The state and the tribes were once bitter enemies, and now we have joint management plans on every fishery. We are working together to protect habitat, operate hatcheries, conduct international negotiations and take full advantage of new technology. We are going to continue to have problems. But we have proved beyond any reasonable doubt that cooperation is far more sensible than confrontation.

Indian Citizenship Act, 1924

Following is an exact reprint of the Indian Citizenship Act of 1924, the Congressional Act which made Indians citizens of the United States.

Specific Proviso. Tribal rights not affected
Approved, June 2, 1924

Reference: Federal Status of the United States, 68th Congress, Session 1, 1924. CHAP. 223—An Act to authorize the Secretary of the Interior to issue certificates of citizenship to Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that all non-citizen Indians born within the territorial limits of the United States be, and they are hereby, declared to be citizens of the United States: Provided, that the granting of such citizenship shall not in any manner impair or otherwise affect the right of any Indian to tribal or other property.

This Act was passed by Congress as an honor to American Indians, primarily because they have fought for this country in every foreign war. U.S. citizenship was granted to Indians with the specific provision that their rights would not be affected.

Treaty Beer—Foul Brew

Treaty Beer boycotts proposed

The following was written by Sharon Metz, Director, Lutheran Human Relations Association, regarding a Treaty Beer Boycott.

"Treaty Beer" is a product being produced in Cincinnati and marketed by an anti-Indian group (Stop Treaty Abuse) from Northern Wisconsin. Dean Crist, from Minocqua and the promoter of "Treaty Beer," was involved in an incident with his truck, which included reckless conduct and damage to an occupied van belonging to a Lac du Flambeau member. The Milwaukee Sentinel article reports that Crist is one of the people arrested at Butternut Lake last night.

The proceeds of "Treaty Beer" will be used to lobby Congress to abrogate the Indian treaties of our nation. Their agenda is clear, public, and national in scope.

Lutheran Human Relations, in

concert with others, boycotted "Treaty Beer" in the summer of 1987. The brewer from Eau Claire, Wisconsin, because of pressure from church people and citizens groups, quit producing the product. The anti-Indian group has now found another brewer.

We call on you now as participants in HONOR to renew the boycott. Please, if your conscience leads you to do so, let the brewer know how you feel about the racism that is inherent in this activity. The address and phone number of the brewer is:

Ken Lichtendahl
Schoenling Brewing Co.
1625 Central Parkway
Cincinnati, Ohio 45214
(513) 241-4344

From a conversation with Mr. Lichtendahl, the brewery is "in the process of reviewing the decision

to brew this product." Your comments to the brewery should be made as soon as possible.

The letter written by Sharon Metz to Mr. Lichtendahl is reprinted in full.

Dear Mr. Lichtendahl:

The Lutheran Human Relations Association of America is a pan-Lutheran organization. Our national office is in Milwaukee, Wisconsin. We have 7000 members located in all fifty states and ten foreign countries. Our mission statement calls on us to "...combat racism in church and society."

Last summer we called for a boycott of "Treaty Beer" which was produced by Hibernia Brewery in Eau Claire, Wisconsin. Enclosed you will find a copy of the resolution passed at our annual meeting. (The resolution is reprinted, in full, at the right.) Other citizen and religious groups joined

the boycott, and the brewer quit brewing the product. We commend the company for that.

Now we learn that your brewery, under the name "Top Hat," has agreed to produce "Treaty Beer," a product that will be used to promote racism and abrogate the treaties that our government made with the Indian nations. Dean Crist, the promoter of the product, was allegedly arrested for a van incident and one involving two teenage Chippewa girls. I hope that you will reconsider your decision to engage in brewing a product that promotes hate and dissension and I pray that you will decline the tempting offer of a profit at the expense of the Indian people of our nation.

Thank you for your attention to this matter. I look forward to your response.

*Peace and Blessings,
Sharon Metz, Director*

LHRAA RESOLUTION

The following resolution was unanimously adopted by the LHRAA Board of Directors on March 5, 1988

WHEREAS, American Indians have lived in the western hemisphere for thousands of years before the colonial period, and

WHEREAS, American Indians evolved rich cultures and complex governments which exist to the present, and

WHEREAS, the many Nations of Indians living in what has become America entered into treaties pursuant to the United States as recorded and reflected in the Treaties formed the basis for the progress in settlement of the United States, and

WHEREAS, Indian Treaties have been upheld repeatedly by the United States Supreme Court until the present, and

WHEREAS, treaty provisions have been honored by the Congress and the Executive Branch of the federal government, and

WHEREAS, Indian Treaties represent the honor and origin of the United States as an independent international state and the legal status of Indian Nations to self-determination and homelands.

NOW, THEREFORE, BE IT RESOLVED, that the Lutheran Human Relations Association of America supports the legal rights of Indian people and their governments, and recognizes that Treaty Rights are Constitutionally based and must be continued to be recognized and honored.

Crist apprehended for hit & run

(Reprinted from the May 1988 issue of THE JOURNAL: NEWS FROM INDIAN COUNTRY.)

Minocqua, WI—Congressional candidate Kevin Hermening and businessman Dean Crist of Minocqua are both being blamed for an increase in harassment and tension aimed at Chippewa Tribal members fishing under Treaty Rights.

State Natural Resources officials said Hermening, who rode with anti-treaty activists and Treaty Beer producer Dean Crist was "a contributing factor" to the intensity of confrontations at Lake Arbor Vitae on Sunday night April 24th.

Crist, a pizza shop owner in Minocqua was arrested on April 18th near Butternut Lake after witnesses accused him of knocking off the mirror of a van and then driving off. He appeared in Ashland County court after being held overnight on charges of hit-and-run and disorderly conduct.

Crist was one of two people charged on the opening night of spearfishing by the Lac du Flambeau Tribe. He was released after posting a \$1,000 cash bond and promised to return to the boat landings.

Officials of the Federal Bureau of Investigation and DNR wardens had to step up their law enforcement activities on the lakes as protesters began gunning boats near fishing activities and stirring up spawning beds with boat propellers and anchors. The protest-

ers were warned that interfering with the fishing activities could lead to state or federal civil right citations.

But Hermening, a former Iran Hostage called for further protests next year, engaged a Lac du Flambeau member in an often bitter debate and rode with Crist in one of 16 boats overshadowing four boats with Indian fishermen.

LCO tribal council member Gaiashkibos, observing the situation said that name calling intensified because of Hermening's presence. "There was lots of references to welfare and food stamps," said Gaiashkibos. "I felt hatred and racism in what was occurring."

"The actions of protesters, attempting to destroy the spawning grounds to prevent Indian fishing showed me that the issue is racism and not concern about the resources," Gaiashkibos continued. "To tell you the truth, I have not felt such hatred, or potential for violence since I was in Vietnam."

The activities occurring in Price, Oneida and Vilas counties contrast sharply with the fishing activities by five other Chippewa tribes who have fished under relative peaceful conditions throughout the state.

Gaiashkibos speculated that because of better business relationships and cooperation between tribes and local communities, other areas of the state have remained calm.

The Wisconsin Greens co-convenor Dennis Boyer called for a boycott of the new producers of "Treaty Beer."

Boyer said the Wisconsin Greens will call upon peace, ecology, and social justice groups in the Ohio River Valley to boycott Hudepohl-Schoenling Brewery of Cincinnati, Ohio.

"The people of Cincinnati and neighboring areas must be informed that 'Treaty Beer' is a product marketed solely to raise money to finance a campaign of fear and an attack on constitutional rights," said Boyer.

"Prior pressure from churches and community groups helped Hibernia Brewery of Eau Claire, Wisconsin understand that production of 'Treaty Beer' fanned the flames of racial tension in Northern Wisconsin. The same educational campaign must be carried on in the Ohio Valley," said Boyer.

For more information contact Dennis Boyer, Wisconsin Greens, P.O. Box 3377, Madison, WI 53704 or phone (608) 257-8601.

A CALL TO PEACE, ECOLOGY, AND SOCIAL JUSTICE GROUPS IN THE OHIO VALLEY TO BOYCOTT HUDEPOHL-SCHOENLING BREWERY AND SUPPORT CHIPPEWA TREATY RIGHTS

Community groups in the Cincinnati area should be alerted to the plans of the Hudepohl-Schoenling Brewery to produce "Treaty Beer."

"Treaty Beer" is the brand name distributed by the anti-treaty group called "Stop Treaty Abuse." The proceeds of beer sales are used to fund efforts to repeal the constitutional treaty rights of Chippewa Indians to hunt, fish, and gather on public lands in Wisconsin.

Last year a coalition of church and community organizations successfully staged a boycott of the Wisconsin brewery which first produced "Treaty Beer."

The boycott campaign stressed the connection between anti-treaty groups and racist incidents in Northern Wisconsin. Last year anti-treaty forces showed up at boat landings used by Chippewa fishermen. Hostile mobs (with many intoxicated participants) intimidated Indians with rock and bottle throwing and racist epithets like "timber nigger."

Ecologists here find Chippewa hunting, fishing, and gathering practices to be based on traditional wisdom and respect for the Earth. These traditional practices help make Wisconsin a special place.

The Wisconsin Greens call upon Ohio Valley residents to boycott Hudepohl-Schoenling Brewery products until it ceases production of "Treaty Beer."

*For the Earth,
Dennis Boyer, Co-Convenor, Wisconsin Greens*



For the record—GLIFWC conservationists measure fish and record data for each catch.



The Northwest responds to Treaty Beer

"Obnoxious brew" (Treaty Beer) scorned in Washington State

Treaty Beer pretty much speaks for itself, or so I am told by those who have sampled the beverage. It's low class and low quality beer, probably a put down to the "working man" for whom it's supposedly brewed.

Even though the brew itself may be "obnoxious," as termed in one Washington response to its introduction in the Northwest, the purpose behind the sale of the beer is what is really foul.

"We recognize this brew for what it is. It is hate and prejudice in a can. There is no place for it in this state..."—Washington Forest Protection Association.

Stop Treaty Abuse Inc. (STA) claims the profits of the beer will be used to lobby politicians and push for legislative action to abrogate treaty rights of Indian people. That means they want to take away, through use of the majority white vote, the legal rights of a minority population. This seems comparable to "lynching" rights through a voting mob action, under the guise of democracy.

The fact that treaty rights represent a contract between tribes and the United States government and the fact that treaty rights have been affirmed in many different courts across the country are meaningless in terms of differentiating right action from wrong action for Treaty Beer promoters. That is sad and frightening.

While both the brew and the purpose of Treaty Beer may be obnoxious, one also has to look at the behavior of STA president Dean Crist who was arrested on the landing at Buttermut Lake for hitting an attended vehicle and running. The April 22 account in the Lakeland Times says that Crist and his companion Don Long, Minocqua, were apprehended by police. Their vehicle was searched in the process. "As the search continued," the report reads, "Crist became upset, swearing at the officer and telling him not to search his vehicle....Crist was then placed under arrest for disorderly conduct and handcuffed."

It seems, all in all, that really the brew itself is the least "obnoxious" part of Treaty Beer. While, perhaps, not tasteful, it certainly couldn't be more bitter than the intent and actions of STA.

Washington State responds to arrival of Treaty Beer

Reprinted below are some commentaries from the state of Washington as promoter and treaty abrogationist Dean Crist, Wisconsin, attempted to introduce his brew and sell his packaged racism in the Northwest.

New beer promotion causes hot backlash

(from *The Seattle Times*, Friday, April 29, 1988)

At first, the whole notion seems like a dreadful sick joke, but its promoter yesterday announced that—no joking—"Treaty beer" will indeed try to get into Washington state retail markets starting in Pierce County next month. Joke or no joke, the sick gimmick may already be backfiring.

The beer is mostly the brainchild of Dean M. Crist, a Wisconsin man. He's been a player in nasty, isolated political battles against Indian treaty rights. Crist says proceeds from the beer's sale would be used in the fight against such treaties and rights.

Crist's new-product announcement was far less important than what followed. Varied organizations stood up immediately to attack his gimmick as racist and to praise the spirit of Indian/non-Indian cooperation that has arisen in this state.

It's a Ku Klux Klan-level assault on Indian people...(and) an insult...to the state," said the Rev. William B. Cate, speaking for the church Council of Greater Seattle. In a chorus echoing the thought

were voices that have often been opposed on other issues:

Ted Pankowski, Washington Environmental Council executive, noted that Indians, with their treaty rights, have been a significant factor in gaining environmental protections in this state. Crist's beer, said the council, should be boycotted. The Washington Forest Protection Association called the beer "hate and prejudice in a can. There is no place for it in this state..."

Governor Gardner said the beer wasn't welcome in the state, and he asked citizens to renounce the effort to market it. Sen. Dan Evans joined in that message.

So there were environmentalists and timber operators, frequent foes on other issues; a Democratic governor and Republican Senator, opponents in the past, and desperate others—all brought together to oppose "hate and prejudice in a can."

As the bad taste backfires in his nose and gullet, Crist should have choked on the thought that he'd produced such lovely political unity in Washington state.

New beer aimed at Indian fishing rights called 'evil brew'

(from *Seattle Post-Intelligence*, Friday, April 29, 1988, written by Caroline Young, P-I reporter)

A new novelty beer from Wisconsin that supports efforts to dis-

saying that he was asked by S/SPAWN (Steelhead and Salmon Protection Action for Washington Now) to bring his campaign for a "just and equitable" solution to Washington to help enforce Referendum 456.

That initiative, passed by voters in 1984, attempts to erase federal court decisions that guarantee certain Washington treaty Indian tribes the right to take 50% of the steelhead and salmon returning to state waters.

"It's a little hard to view over 1 million people (who voted for the initiative) in your state as racist," said Crist.

Steven Arbaught, president of the Puget Sound Gillnetters Association, joined Crist at the news conference.

"I don't see it as a Ku Klux Klan issue," said Arbaught, who said his group represents about half the licensed gillnetters in Puget Sound area.

"I don't see it as an issue to deprive someone of something...I don't understand why people try to point this out as a racist issue. Racism is when people get special rights."

Not so, argued the beer opponents, who held their news conference at the Daybreak Star Indian Cultural Center at Discovery Park. Indian fishing rights are not bestowed by the government, they are rights that belong to the Indian people, said Jon Magnuson, a Lutheran pastor at the University of Washington and a member of the Church Council of Greater Se-



Preparing to spear fish at Big Ar bor Vitae Lake. Pictured above are, from the left, Gaiashkibos, Lac Courte Oreilles; Tom Maulson, Lac du Flambeau; Fred Maulson and Robert Chapman, Lac du Flambeau.

Indians and non-Indians have come together to work together, in remarkable cooperation, to save resources.

There's not much of a market here, or anywhere, for a brew of hate. Just the thought of it smells bad.

Treaty beer: A foul brew of racism and hate Call for a national boycott

(press release from Native Peoples Alliance, Seattle WA)

The arrival in our state of Treaty Beer and its founder Dean Crist of Minocqua, Wisconsin, is a most obnoxious and unwelcome development. The clearly racist undertone in Mr. Crist's ugly message cannot be hidden in a can of beer, nor disguised as a consumer product.

Mr. Crist has a political agenda that attempts to promote a climate of violence, intimidation, and lack of respect for the law. His recent actions in Wisconsin have been met with opposition from church groups and other responsible citizens, and will be met with similar opposition from citizens of the State of Washington.

As we prepare to celebrate the centennial of the State of Washington, and to examine our progress and direction for the future, it is important that we reject this racially motivated attack on the rights of Native Americans.

We call upon the Washington State Liquor Control Board to deny Treaty Beer the privilege of sale within our state. Further, we seek the support of responsible retailers on the local and national level for a boycott of this product. We also call upon the Schoenling Brewing Company of Cincinnati, Ohio, to discontinue production of this foul brew.

Treaty Beer is brewed by: Kenneth Lichtendahl, President Schoenling Brewing Company 1625 Central Parkway Cincinnati, OH 45214 (513) 241-4344

Washington Governor Saddened by introduction of "Treaty Beer"

(press release, April 17, 1988, from United States Senate, Select Committee on Indian Affairs)

Senator Daniel J. Evans (R-WA), Vice-Chairman of the Senate Select Committee on Indian Affairs, issued the following statement upon learning of the introduction of "Treaty Beer" into the market in the state of Washington.

"I am deeply disappointed by those who seek to foster confrontation between Indians and non-Indians in Washington state and elsewhere. I am saddened to think that outside agitators see our state as fertile ground for their message of hate. In Washington, we have learned that cooperation between non-Indians and Indian tribes is a far better policy than the confrontation of the past. I hope the people of Washington state will respond with the message that they respect

the treaty rights of our Indian citizens and therefore are not interested in this product.

Church Council denounces Treaty Beer

(press release, April 28, 1988, Dr. William Cate, President-Director, Church Council of Greater Seattle)

We denounce the introduction of Treaty Beer into Washington State. For years now, the Indians and non-Indians in this state have recognized that a key to saving the salmon resource was cooperation of all interested parties. Those cooperative efforts are aimed at not only saving the resource but increasing it so that all citizens might benefit.

The introduction of Treaty Beer is an insidious attempt to tear down the spirit of cooperation that has developed between Indians and non-Indians. We believe that the introduction of this product encourages racist sentiments and that the creators of the product have as their goal the abrogation of Indian treaty rights which have been affirmed by the federal courts.

We call upon the Washington State Liquor Control Board to deny Treaty Beer the privilege of sale within our state. We ask all citizens of this state to speak out against the sale of this product in Washington State. Further, we call upon the Schoenling Brewing Company of Cincinnati, Ohio, to discontinue the production of this product.

Regarding "Treaty Beer"

(statement by Stud Bledsoe, Executive Director, Washington Forest Protection Association)

We are in the national spotlight in the Pacific Northwest because the Indian and the non-Indian people have had the courage to leave behind the racist mentality represented by Treaty Beer. We are in the spotlight because we have made great progress by choosing to work together rather than against one another. We have a different background, but we share a common destiny—to respect one another's rights and to preserve and protect the Pacific Northwest for the benefit and enjoyment of the generations to come. What we do here, let all Americans follow suit.

As representatives of the timber industry, and as members of the human race, we reject the introduction of Treaty Beer into this state. We recognize this brew for what it is. It is hate and prejudice in a can. There is no place for it in this state, or anywhere else. We urge everyone to renounce it.

Treaty beer an obscene package of hate and racism

(press release, April 28, 1988, Seattle Indian Health Board)

The Seattle Indian community is shocked by the news that "Treaty Beer" will be marketed in the State and that local businesses might be involved in the advertising and distribution of this evil brew of hate and racism.

"Treaty Beer" is an obscene package of hate and racism, an abuse of commercial marketing, a racist political action agenda disguised as a consumer product. Treaty Beer and its founder Dean Crist have brought nothing but hatred and violence wherever they go.

(continued on page 12)

Write to:

Hudepohl-Schoenling, the brewer of Treaty Beer is now evaluating their agreement with Stop Treaty Abuse, producers of the beer.

The brewer should have a chance to hear the views of the people of Wisconsin and other states on the issue.

The address and phone number is:

Ken Lichtendahl
Schoenling Brewing Company
1625 Central Parkway
Cincinnati, Ohio 45214
Phone: (513) 241-4344

Write or phone to voice your opinion!

solve Indian treaty rights is an "evil brew of hate and racism," outraged community leaders said here yesterday.

"We recognize this brew for what it is. It is hate and prejudice in a can. There is no place for it in this state," said a statement issued by the Washington Forest Protection Association.

The brew, called "Treaty Beer," was introduced in Washington yesterday by its creator, Dean Crist, President of a Wisconsin-based company called Stop Treaty Abuse Inc. Profits from the sale of the beer will be used to support legislation aimed at limiting treaties that guarantee fishing rights for Indians.

Crist and opponents of the beer held back-to-back news conferences yesterday about the controversial product, which will be on the shelves next week in Pierce County. Washington is only the second state in the United States to sell the beer.

Crist, who described himself as an "ardent" sports fisherman, said he thinks treaties that give fishing

rights to Indians are unfair to other fishermen.

A statement from Gov. Booth Gardner called the beer "a step backward." Republican Sen. Evans, vice chairman of the Senate Select Committee on Indian Affairs, said in a statement that backers of the beer were sending a "message of hate."

JoAnn Kauffman, executive director of the Seattle Indian Health Board, opened a can of the beer at the news conference and poured it into a trash can.

"He (Crist) is lying," she said. "This beer is a lie. In this can is racism and hate and we don't want it in the Northwest."

Crist said he intends to sell Treaty Beer in 40 states that have Indian treaties.

'Treaty beer' smells like a hateful brew

(from *The Seattle Times*, Monday, April 25, 1988)

One of the most unwelcome product news in years is the idea of a Wisconsin man who reportedly plans to bring the markets of this state something called "Treaty Beer."

The creator of the wretched little idea thinks sportsmen will buy and guzzle it, creating profits for use in the political fight against "treaty abuse" that provides benefits to Native Americans. The beer has actually appeared in Wisconsin. There, a Milwaukee-based church group promptly labeled the whole gimmick as racist.

Perhaps there's thought that the Pacific Northwest might be a target market because this is the place that spawned the Boldt decision. That constitutional decision, legally validating treaty rights, apportions fishing harvests between Indians and non-Indians.

For a few years it created some tensions between the races. But what's remarkable here now is that



rights to Indians are unfair to other fishermen.

But religious leaders, elected officials, Indians and community activists labeled the campaign as racist and said Crist is guilty of an "insidious attempt to tear down the spirit of cooperation" that has developed in Washington between Indians and whites.

They urged residents to boycott the beer.

Crist denied that he is racist,



Children tie colored ribbons representing the world's races on a freshly planted "Tree of Peace" in Madison.

Northwest response to Treaty Beer Continued

(continued from page 11)

Last week's press accounts from Wisconsin tell a sad and disturbing story. The week began with prayers, songs and an eagle soaring overhead to start the Indian fishing season and ended in open violence, arrests and jailings. Dean Crist promotes and participates in open violence against Indians.

The Seattle Indian Health Board calls upon the Washington State Liquor Control Board to recognize the racist campaign contained in each can of Treaty Beer and deny its sale within our state. We also call upon the responsible businesses in the State to boycott any participation in the sale or advertising of this product. We call upon Mogelgaard and Associates to put down this evil campaign and refuse Crist's dirty money.

The Pacific Northwest does not need Crist's troublemaking, hatred, and violence and Mogelgaard does not need Crist's sleazy money. We call upon each responsible member of our community to keep this brew of hatred out of our State.

Boycott on Treaty Beer urged

(press release, April 28, 1988, Washington Environmental Council)

The president of the State's most broadly-based citizen environmental organization is urging the public to boycott so-called "Treaty Beer" in Washington State.

David A Bricklin, President of the Washington Environmental Council, said that the "marketing of this product would finance a racist campaign which, if successful, would seriously disrupt environmental work in the State of Washington."

"Treaty Beer" is about to be sold in the State by Dean Crist, president of the Midwest-based "Stop Treaty Abuse Inc."

Crist and his group has been accused of mob violence against Native Americans in the Great Lakes States over the interpretation of treaty rights.

Bricklin said that the Environmental Council and many of its affiliated groups, including sports-

men organizations, have adjusted to the realities of the Boldt decision and other court-ordered mandates affirming minority rights in natural resource issues. "And, in fact," he said, "We have found these assertions, in many cases, to be in the best interests of environmental quality for the State of Washington."

Bricklin referred to the "Timber, Fish, and Wildlife Agreements" which grew directly out of dicta by the U.S. Court of Appeals in Boldt II.



"Without Court recognition that Native Americans have unfulfilled rights—not only to salmon, but to the environmental health of the spawning beds and riparian zones on which salmon depend," Bricklin said, "we would never have had the leverage to coax State agencies and the timber industry into adopting more environmentally-responsive tim-

ber practices."

The Washington Environmental Council is a principal player in the TimberFish and Wildlife Agreements along with the Tribes.

"These are natural ties," Bricklin concluded, "that we in the Council want to strengthen, not see destroyed. So-called 'Treaty Beer' is nothing more than poison in a wellspring of goodwill that has been earned over many years of cooperative work with the Tribes. Washington State citizens should tell Mr. Crist to take his particular brand of toxic waste to the hazardous dumpsite at Arlington where it belongs."

Treaty abrogationists unable to learn important lessons

(statement on Treaty Beer by Bill Frank, Jr., Chairman, Northwest Indian Fisheries Commission, April 28, 1988)

Olympia—"It is gratifying to the tribes that so many different groups and individuals have come

forward to renounce the introduction of Treaty Beer into Washington State. Political leaders, church groups, environmental groups, industry officials...you name it. They have made it very clear that they support Indian rights and that they oppose this effort by anti-Indian extremists to violate the treaties. It is clear to us that reasonable people see the promoters of Treaty Beer for what they really are—finge element radicals who consider Indian land and resources fair game to fill their own pockets.

We have come a long way in the Northwest. Cooperation between the tribes and non-Indians has led to new hope for the great fish resource on which we all depend. The salmon are coming back, and the Indian and non-Indian people are building a new future together. The Indian and the non-Indian can work together. We are proving it through such joint efforts as the U.S.-Canada Salmon Interception Treaty and the Timber-Fish-Wildlife process. Co-management plans are now produced for every fish run, and we are staying out of court.

The treaty abrogationists who are promoting Treaty Beer have not been able to learn the important lessons of recent years. They constantly deny the undeniable—that the violation of treaties is racist. Treaties are valid contracts between the tribes and the United States government. They are protected by the U.S. Constitution and have been supported time and time again by the highest courts.

It is gratifying to the Indian that the people of this great state have learned to respect us, although we are of different backgrounds, and have been able to leave petty differences behind in the interest of building a future together.

The true test will be in the retail stores. If the beer is offered for sale, will the people of this state buy Treaty Beer? We suspect that some will. But we have faith that most will see this product for what it really is—garbage. We have faith that the people of this state will send a message to the rest of the country—there is no place in Washington for racism and bigotry. There is no place here for Treaty Beer. ■

May is "Take Pride in America" Month

The month of May is being designated as "Take Pride in America Month." This provides a splendid opportunity for Department employees and their families to join with Americans of all ages and from all walks of life in renewing our commitment to caring for our public resources.

As you know, the Take Pride in America campaign was initiated to:

- increase awareness of the importance of wise use of public lands and natural and cultural resources;
- encourage an attitude of stewardship and responsibility toward public lands and resources; and,
- promote participation by individuals, organizations and communities in caring for public lands and resources.

Last year, we designated one week in May as Take Pride in America Week. I was impressed by the scope and breadth of activi-

ties in which many of you participated in communities all across the country. This year, we are designating more time to plan and execute stewardship activities. Our 1988 theme, "Take Pride in America: You can Make a Difference," is intended to focus national attention on public lands stewardship efforts initiated by concerned citizens and groups nationwide. I hope you will demonstrate once again your enthusiasm and support for the natural and cultural resources that belong to each of us.

I am proud of our employees who have spearheaded efforts, along with our federal, state, local and private sector partners, in support of this very important initiative. I comment your active involvement and encourage your continued participation because, already, you have made a difference.

Donald Paul Hodel
Secretary of the Interior,
Washington



Linda Dunn, Citizens for Treaty Rights, chats with treaty supporters on the landing of Big Arobr Vitae. The white armband denoted peaceful support of treaty rights. Treaty supporters maintained a presence on many landings.



Neil Kmiecik, GLIFWC inland fisheries biologist, kept smiling despite the rigorous schedule in monitoring spring spearing.

Letters to the Editor

Dear Editor:

As a member of ORENDIA, a group who publicly supports treaties between the federal government and Native American Indians, I recently met David Yamashita, a lawyer from Mt. Vernon, Washington who works with S/SPAWN. Yamashita was in Wisconsin to attend the conference of our local hate group, PARR (Protect America's Rights and Resources).

Yamashita has lived his life under the same cloud of prejudice and racism that he is now supporting. Prejudice and racism have a distinct odor, but Yamashita must be immune to the stench. I realize many Americans exhibit a certain 'ethnocentricity' by becoming involved with groups that proclaim American pride and "equal rights" by standing on the backs of less fortunate people.

I realize the attitudes of an indifferent populace that allows this to happen. However, there is no excuse for a man of Yamashita's intelligence to allow himself to be drawn into groups that base their organizations on fear, ignorance, and greed.

Yamashita, in aligning himself with Wisconsin's anti-Indian people, has aligned himself with a group that, two years ago, did not know the difference between sexual intercourse and the Federal Indian Trade and Intercourse Act; a group that openly wears hats proclaiming "Save A Fish, Spear an Indian."

Yamashita is not aware that anti-Indian people, caught in the web of economic insecurity, have turned their angry uncertainty toward the Northern Chippewa tribes. If he had done his homework, he would know that Wisconsin sells the largest amount of out-of-state fishing licenses in the U.S., and that tourism last year provided the most successful season the northern resorts have seen. So much for economics. Yamashita is helping hold a smoking gun that is ready to backfire. I hope he is ready and willing to accept the consequences for his actions.

Sincerely,
Rose May Korbisch,
Birnawood, WI

Dear Editor:

Why does America continue to act as if Native Americans do not exist? Granted, there is some truth to the idea that many people are too busy with their own lives, paying bills and raising a family, to be concerned with "other people's problems." Others are simply unaware, having never been exposed to their/our history. But I believe there is also a more fundamental explanation, one which will provide a path to not only more enriching relations between Indians and non-Indians, but to better foreign relations as well.

There are two ideas in the field of psychology—Leon Festinger's theory of cognitive dissonance and Carl Jung's concept of projection as a basis for prejudice, that I think will help answer this question. Festinger calls attitudes or mental constructs cognitive elements and said that people strive to have some sense of logical consistency, or consonance among the cognitive elements of their mind. For instance, a person may hold the notion, "We're a good basketball team." If the team goes and loses four straight games, the person has a problem in the sense that they have to resolve two dissonant elements in their mind (one being "We're a good team", and the other being, "We just lost four straight games"). Instead of saying, "Gee, I guess we're not as good as I thought", he (or she) decides the referees were unfair. While this may not be the truth, it resolves the dissonance in a way that allows the individual to maintain their image of themselves. Jung's idea of projection holds that people project onto others qualities they cannot accept in themselves and then discriminate against those people. An example is a man who is sexually promiscuous, feels a little guilty about it and decides, as a consequence, that most women will sleep with anybody. He can't accept his own behavior (the value judgement he places on the perception of himself as being promiscuous), projects it onto women, and then thinks less of them for having "these qualities." In both of these instances, people have deceived themselves to their own detriment and in the process, set in motion a set of behaviors destined to lead to more problems in their interpersonal relations. Nations and groups of people do the same thing.

Americans have traditionally seen themselves as a law-abiding, fair, peace-loving, tolerant, open-minded, freedom-loving people, ready even to lend support to oppressed people seeking to lead the same good life. Our past and present relationship with our Indian brothers and sisters however, is for the most part a travesty of these sacred notions of ourselves. This provides a perfect example of cognitive dissonance. How could America resolve this contradiction? We could ignore the facts or explain them in such a way that they don't seem so bad. We could refer to Wounded Knee as a battle instead of a massacre. We could say it was Manifest Destiny. We could say it was the inevitable conflict between two peoples. We could explain that we didn't really intend to destroy Indian peoples, rather it was part of the white man's burden to civilize a savage culture. We could oversimplify things by saying, about the past, "We were just defending ourselves" and about the present, "Hey, you can be anything you want to be here in America—What are you complaining about?" (The truth to the latter remark is based on the unspoken premise that what you want is to be like the norm in America.) In fact all of these approaches have been part of the American psyche's response to the inconsistency between our beliefs about ourselves and our actions toward American Indians. We have yet to square-up to the truth.

Projection is both a phenomenon of our individual unexamined psychic make-up and also another way we have of unconsciously resolving dissonance. Ours is a very normative culture. We're not supposed to be lazy; we're supposed to have our sexual feelings perfectly under control and in a neat little package; we're not supposed to be aggressive or power-hungry. We're supposed to be hard-working and charitable. But this just isn't a complete picture of who we are, or who most people are. There's a lazy part to all of us; none of us are without "inappropriate" sexual feelings at times; we're all selfish sometimes, and as a nation, we are or at times were aggressive and imperialistic. Since we find it so difficult to accept all of what it means to be us, we project these qualities onto other people. We see Indians as being lazy and frighteningly primitive in their thinking. We see Russians and the communists as evil tyrants, bent on ruling the world. We see blacks as lazy and promiscuous. In the process, we lose the opportunity to see others for who they really are, instead seeing them as the embodiment of all that we find abhorrent. Once we have decided these groups are "bad" and not "one of us," we have another way to justify, when we have the power, of treating them without respect, and when we don't have the power, as with the Soviet Union, of fearing and distrusting them. Since little of this is an accurate picture of reality, it is little wonder that Indian/non-Indian relations often leave so much to be desired and our foreign policy is by and large one embarrassing failure after another. As individuals and as a nation, being unable to integrate the seemingly opposing dimensions of ourselves into an all-embracing whole dooms us to be governed by those very qualities we refuse to recognize. Further, it cheats us of the pleasure we could find in relationships.

It doesn't have to be this way. Increased interaction between peoples helps dispel stereotypes. A sense of respect increases tolerance and understanding of different points of view. Time spent coming to terms with oneself, working to understand and accept the totality of what it means to be oneself, pays dividends in a more compassionate, accurate perception of reality. Heaven knows this would be a better country if America opened its hearts and minds to the wisdom Native America has to offer. Certainly the world would be a safer one if the United States ceased to see itself as the sole paragon of virtue and the Soviet Union as the embodiment of evil on earth.

Sincerely,
Tom Southern
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