



Project
MUSE[®]

Today's Research. Tomorrow's Inspiration.

<http://muse.jhu.edu>

Marked by Fire

*Anishinaabe Articulations of Nationhood in Treaty
Making with the United States and Canada*

HEIDI KIIWETINEPINESIIK STARK

Nenabozho was being brought up by his grandmother.¹

And so by and by he said to his grandmother: “Don’t you know of a place where there are some people.”

“Yes,” he was told by his grandmother. “In yonder direction on the farther shore of the sea are some people.”

“I am curious to know if they do not possess fire.”

“Yes,” he was told by his grandmother; “they do possess some fire.”

Upon this revelation, Nenabozho said that he would go and try to fetch some of that fire. His grandmother warned him that it would be a difficult task, one that he would likely not succeed in. But Nenabozho was determined.

Now this was what he then said afterward: “I will that the sea shall freeze, as thick as the birch-bark covering of the lodge so let this sea freeze.”

It was true that it happened as he had said.

“Now, this is the way I shall look,” he said. “I will that I become a hare.” So accordingly that truly was the way he looked.

Nenabozho had conjured a method for acquiring fire. Across the water, an old man sat constantly working on his net. As the old man had two daughters, Nenabozho thought he would transform himself into a hare, knowing the young girls would take to him in that form. And with this thought, he willed it to be. Then he thought that the lake would freeze, and thus it was so. Nenabozho ran across this lake. He willed those young girls to come find him and to take him into their home. And so it was. The girls placed Nenabozho by the fire so that he could dry. Yet their loud giggling alarmed their father, who came to investigate what his daughters were up to.

“Beware!” they were told by their father. “Have you not heard of the manitous how they were born?² Perhaps this might be one of them.”

When he heard these words of caution, Nenabozho knew he needed to act quickly. He willed a spark of that fire to jump onto him, and so it was. And thus he leaped out the window and began running across the frozen lake. The old man pursued him, but to no avail. Nenabozho ran quickly and soon returned home. But he was much on fire. He pleaded to his grandmother to rub the fire off of him, and she did. And thus they had fire. Yet Nenabozho was marked by this quest. His white fur had turned brown, scorched from carrying the fire across the lake. And so Nenabozho proclaimed, "Therefore such shall be the look of the hare in the summer-time."³

MARKED BY FIRE: DEFINING ANISHINAABE NATIONHOOD

The story, known as "The Theft of Fire," illustrates numerous meanings and teachings crucial to understanding Anishinaabe nationhood. This story contains two discernible points. First, it reveals how the Anishinaabe obtained fire.⁴ Fire, *ishkode*, is a central element in the Anishinaabe worldview. *Ishkode* is the force of the creation of the Earth, reflected in the Earth's molten core. This relationship of fire to creation is, furthermore, mapped in the sky by the northern lights—"jiibayag niimi'idiwag" (they are the northern lights).⁵ The northern lights are considered to be reflections of the ancestors' fires, illuminating the path of souls traveling to the land of the deceased.⁶ Anishinaabe folk etymologies have often identified *ishkode* as the heart of the Earth and of the people and point out its apparent inclusion of the morpheme *ode'*, meaning "heart."⁷ Thus fire appears as a central element that begins with the creation of the Earth, becomes the heart of the nation, and lights the way "home."⁸ Fire, then, appears throughout the cycle of creation, or life.

The centrality of fire within the Anishinaabe worldview is illustrated by its importance in ceremonial practices. Fire is a vital component in many ceremonial practices, which begin with the lighting of a fire and end with its extinguishment. Fire also serves as a conduit to the spirit realm both through the smoke it emits and the items it burns. Fire has the power to carry the prayers and offerings of the Anishinaabe to this realm.⁹ However, spiritual practice and discourse are not the only arenas in which fire, in both form and symbol, are invoked. Fire has also functioned as a powerful metaphor within political discourse.

Within Anishinaabe political discourse, fire has been employed as

a symbolic representation for a variety of concepts, including nation, council, and alliance.¹⁰ This usage is evident in the various names applied to the allied Ojibwe, Odawa, and Potawatomi: the Three Fires Confederacy, the Council of Three Fires, People of the Three Fires, and the United Nation(s) of Chippewa, Ottawa, and Potawatomi.¹¹ Each nation represents a fire—the use of “Three Fires” to demarcate their alliance. This application of the symbol of fire to connote both a nation and an alliance between nations (obtained through a treaty with one another) was expressed in the 1846 treaty negotiations between the United States and the “United Nation of Chippewas, Odawa, and Pottawatommie.”¹²

The Ojibwe, Odawa, and Potawatomi leaders represented themselves as tied to one another. However, they strategically asserted that they could not exclusively be seen as a single people. During treaty negotiations, they reminded the treaty commissioners that the president “cannot collect them,” referencing his inability to make them one people. Yet the Ojibwe, Odawa, and Potawatomi argued that if the president agreed to their terms, outlined in the treaty, then he would “see how many fires will burn”; in this instance, fire operates as an allegory for both the individual nations and the council these nations would collect in to meet the agreements of this treaty.¹³

Interestingly, the United Nation of Ojibwe, Odawa, and Potawatomi were referenced in the treaty as the Potawatomi, with the treaty records stating that this was their “national character.” The treaty record does not indicate why the United Nation of Ojibwe, Odawa, and Potawatomi became identified as the Potawatomi. Perhaps this name was used because a large number of Potawatomi made up the United Nation. However, maybe this collective identity was utilized for another reason. The word “Potawatomi,” *boodewaadamii* in the Anishinaabe language, means “those who keep the fire.”¹⁴ Thus, this collective identity may have been utilized to denote the political alliance across these three nations, their making of a fire.

The second discernible feature within this story is the marking of the hare by his theft of fire. On one level, this component of the story serves to explain animal features. It explains why some hares are brown in the summer and white in the winter. However, the effects of Nenabozho’s theft of the fire, its mark on the hare, can also inform Anishinaabe political discourse. While fire serves to represent nationhood and treaty making (alliance formation), the hare illustrates how nations are

defined and are in turn marked by their treaties and alliances.¹⁵ When a nation enters into an alliance or treaty, it retains its separate, distinct identity in the same way that the hare retains his white fur in the winter. Nonetheless, a nation is also marked or shaped by its alliances with other nations in the same way that the hare in this story is marked by the quest for fire, having brown fur in the summer. Interestingly, both fur colors help hares to adapt and blend into their changing environment.¹⁶ Anishinaabe nationhood and the alliances that they established operated to achieve the same end: the ability to adjust and integrate into an ever-changing environment. Both serve as mechanisms of protection. Understood in these ways, *The Theft of Fire* reveals a worldview that both influences and informs Anishinaabe social, spiritual, and political discourse. As Thomas King pithily reminds us, “The truth about stories is that that’s all we are.”¹⁷

Stories shape how we see and interact with the world. They lend insight into the ways in which we see our communities as well as how we see ourselves within these communities. How, when, and in which context stories are told is as telling of the people as the stories themselves. Julie Cruikshank finds that these sources serve as windows to how the past is constructed and discussed.¹⁸ I argue that stories can serve as a theoretical and methodological lens with which to interpret the treaty record. The historical record of Anishinaabe treaty making with the United States and Canada can not only lend insight into what was said, the promises and commitments made between the various parties, it can also shed light on the hopes and aspirations these nations had for their people. Diplomacy was carried out through the stories told, the customs practiced, and the commitments fulfilled. Treaty making is in many ways the site of nation building, both real and envisioned, what nations were and what they hoped to become.¹⁹

This article examines Anishinaabe articulations of their nationhood when they engaged in treaty making with the United States and Canada in the nineteenth century. Anishinaabe leaders often sought recognition and protection of their nationhood, and thus their sovereignty and land tenure, by engaging with the United States and Canada in treaty making that they hoped would guarantee their status as sovereigns and as proprietors. Throughout the nineteenth century, Anishinaabe articulations of nationhood were varied and complex. A dense web of clans, kinship ties, and loyalties to non-Anishinaabe nations existed within na-

tionhood, not as forces that opposed it. These overlapping networks, to which access to land was crucial, were far more complex than the American or Canadian federal governments wished. They frustrated American and Canadian efforts to impose fixed land boundaries, obtain land cessions, and divide Native nations internally and from one another. In fact, Anishinaabe leaders utilized their alliances to resist the imposition of “fixed” boundaries that tied nationhood to territorial containment.

The term *nation* and its application to Native peoples has received a great deal of attention, both within and outside of the field of Indigenous studies.²⁰ Taiaiake Alfred, in *Peace, Power, Righteousness*, examines the various political struggles facing Indigenous peoples in their quest to regain self-determination. He points out that “indigenous nationhood is about reconstructing a power base for the assertion of control over Native land and life.” Alfred recognizes that “traditional indigenous nationhood stands in sharp contrast to the dominant understanding of ‘the state’: there is no absolute authority, no coercive enforcement of decisions, no hierarchy, and no separate ruling entity.”²¹

While some scholars conflate the term *nation* with *state*, they are not synonymous.²² As David Wilkins notes, a nation is “a social group which shares a common ideology, common institutions and customs, and a sense of homogeneity; controls a territory viewed as a national homeland; and has a belief in common ancestry.” More importantly, Wilkins astutely contends that “a prerequisite of nationhood is an awareness or belief that one’s own group is unique in a most vital sense; therefore, the essence of a nation is not tangible but psychological, a matter of attitude rather than of fact.”²³

This sentiment is echoed by Alfred in his description of Mohawk nationhood. He maintains that “‘Mohawk’ and ‘nationhood’ are inseparable. Both are simply about *being*. Being is who you are, and a sense of who you are is arrived at through your relationships with other people—your people. So who we are is tied with what we are: a nation.”²⁴ Creek scholar Craig Womack similarly asserts that “a key component of nationhood is a people’s idea of themselves, their imagining of who they are.”²⁵

Anishinaabe conceptions of nationhood were and remain expressly linked to their inherent constructions of their identity. During the treaty era their sense of national identity was shaped and constructed by the stories, ceremonies, and practices that ordered Anishinaabe life. Anishinaabe political consciousness, for instance, is illustrated in the story

of the theft of fire as well as in the declarations and expressions of their nationhood throughout their treaty negotiations with the United States and Canada. These articulations are the stories of Anishinaabe nationhood. Like Nenabozho, the Anishinaabe transformed themselves, adapting to their ever-changing environment. Importantly, the stories maintained about Nenabozho often conveyed the importance of change. Anishinaabe nationhood has never been static or fixed. Indeed, no nation can or has survived without undergoing constant change. The Anishinaabe, like the hare, would retain their preexisting political formations and practices yet would also be marked by their engagement with other nations, namely, the United States and Canada. The Anishinaabe have always engaged in the process of transformation, understanding what nationhood has meant for their people while carefully and strategically shifting what it would become, expressing who they were while envisioning what they would be.

“AN IMPROPER INTERFERENCE”:

NEGOTIATING ANISHINAABE NATIONHOOD

Beyond recognizing a collective identity, the Anishinaabe comprise distinct, separate nations (frequently referred to as bands) that span a vast geographic region from the Plains to the Great Lakes.²⁶ They are historically and today a people who cross many political and geographical borders. Anishinaabe people share many beliefs and practices, yet individual nations are influenced by their particular histories, geographic locations, political relationships, and internal conflicts. Anishinaabe nations often entered into treaty negotiations together and chose to express their sovereignty and land tenure through a unified voice. At the same time, Anishinaabe leaders and their treaties with the United States and Canada expressly recognized the separate, distinct interests each nation maintained to the territory under negotiation. An examination of this moment of western “nation building”—as the United States and Canada sought to establish their national status and expand their land base—can reveal how the Anishinaabe utilized this diplomatic forum to assert their own conceptions of nationhood while resisting US and Canadian containment and diminishment of their national character, sovereignty, and land tenure.

Today, many Native nations look to their treaties as the external rec-

ognition of their national character, inherent sovereignty, and reserved rights. Treaty making is a site where the competing conceptions of and claims to sovereignty, nationhood, and land tenure are simultaneously recognized and negotiated. As Joanne Barker has noted, “Nations recognized each other’s status as nations by entering into treaties with each other.”²⁷ Treaty making was the primary apparatus utilized among nations to recognize each other’s national character. International law—defined through the colonial enterprise of territorial expansion and land acquisition—was predicated upon the recognition of treaties as diplomatic agreements between nations.²⁸ Barker argues that “the two primary vehicles that served for the articulation of international legal precepts about nationhood, and so of the sovereignty with which such a character was defined, were the national constitution and the treaty.” She finds that “custom within international law emerged around the treaty as a mechanism for both the exercise of nationhood and the recognition of national sovereignty.”²⁹

Anishinaabe leaders often sought recognition and protection of their nationhood, and thus their sovereignty and land tenure, by engaging with the United States and Canada in treaty making that they hoped would guarantee their status as sovereigns and as proprietors. During the treaty-making process the very meanings attributed to the terms *sovereignty* and *nationhood* were literally being negotiated. Furthermore, treaty making, while having been a long-standing tradition in North America, was also undergoing significant changes. While European nations had “claimed” territories in the seventeenth century, they had limited control over these lands, and the boundaries were largely fictional. Instead, a fluid set of evolving relationships controlled what happened on the ground. The Anishinaabe utilized their long-standing diplomatic practices, which sought to establish and renew relationships that integrated newcomers into the Anishinaabe polity. These practices were also advantageous for nations such as France and Britain, which sought to incorporate the Anishinaabe as “loyal subjects.” While the motives of France and Britain differed from those of the Anishinaabe, the practice on the ground was the same; they each sought to build relationships that tied each to the other.

In contrast, by the nineteenth century, federal Indian policies in the United States and Canada sought to keep Native peoples geographically and politically separate. Indeed, treaties now specifically marked out territories, connecting land cessions to diplomacy in a way that had

not largely existed before. Treaties had previously been utilized by the United States to establish peace and alliances with American Indian nations. By the nineteenth century the treaty process was primarily used as the vehicle for acquiring land. The United States saw itself in distinctly new ways, articulating a national identity through the creation and expansion of the nation-state. Treaty making in Canada followed a similar imperative as the state sought to duplicate western expansion north of the forty-ninth parallel. A critical analysis of the process that gave rise to these diplomatic accords can unearth how the Anishinaabe were negotiating this transformation in the treaty process.

Throughout the nineteenth century, Anishinaabe articulations of nationhood were varied and complex. They sought to mitigate the impacts that US and Canadian nation building would have on their own exercise of nationhood. The Anishinaabe strategically resisted US and Canadian imposition of Western constructions of nationhood that sought to fix and define Anishinaabe national character and rights. Instead, Anishinaabe leaders expressed their own notions of nationhood, which remained flexible and inclusive. They sought to recognize and incorporate their ever-shifting web of relationships, which shaped individual and collective rights and transcended national lines.

Anishinaabe political identity was layered in the nineteenth century and shaped their expressions of nationhood with the United States and Canada. The Anishinaabe were broken into distinct and autonomous Anishinaabe bands and villages, yet they also recognized themselves as members of the larger Algonquian collective.³⁰ This is evidenced in the speeches of Anishinaabe leaders. For example, Chief Flatmouth, at the 1837 treaty negotiations, stated:

My father, I shall say but little to you at this time. I am called a Chief. I am not a Chief of the whole nation, but only of my people or tribe. I speak to you now only because I see nobody else ready to do so. I do not wish to take any further steps about what you have proposed to us, until the other people arrive, who have been expected here. They have not yet come; and to do so before their arrival, might be considered an improper interference, and unfair towards them.³¹

In addition, the clan system shaped Anishinaabe political identity. In her study of the Anishinaabe clan system in the seventeenth century,

Heidi Bohaker found that “they conceived of themselves as related to and having kin obligations toward those who shared the same other-than-human progenitor being.”³² For example, members of the bear clan saw themselves as related to all others who belonged to the bear clan. This system of kinship carried with it certain responsibilities and obligations that facilitated alliances across national boundaries. The clan system remained a critical component of Anishinaabe identity in the nineteenth century and shaped who could access resources and exercise rights.

Connections other than the clan system in the seventeenth century and through the nineteenth century also shaped and facilitated Anishinaabe access to resources and rights. For example, the geographical features of their location also identified Anishinaabe nations. Bohaker states, “In addition to their *nindoodemag*, Anishinaabe peoples had a sense of themselves as members of a small, extended family band who wintered together, as well as a large group of people who inhabited the same region or area (quarter) during the summer season.”³³ Furthermore, Anishinaabe nations had long established alliances with their neighbors, who were at times culturally and politically distinct nations. These relationships were often facilitated around practices that reinforced kinship, such as marriage and adoption.³⁴ Bohaker notes that “these alliances and networks offer important insights into the relationship between geographic space and collective identity; these insights can be understood by observing how people made use of and traveled through the land.” She finds that “in the eastern Great Lakes region, the question of who had access to which land and to which resources, who could pass freely through a given space, and who was subject to taxes or tolls was answered by a complex nexus of kinship connections and alliances. People respected ownership and proprietorship rights of other groups.”³⁵

Kinship assisted in the development of shared access to areas of land as well as political, economic, and social alliances. The clan and other social systems allowed Anishinaabe people to operate across national borders, both political and territorial. In his examination of the social construction of space and identity in the Great Lakes during the seventeenth century, Anishinaabe historian Michael Witgen found that as Algonquian “national” identities took shape, “they remained flexible and even interchangeable”:

The flexibility of social identities that connected these people to one another made the Algonquian country literally like a web. Real and fictive kinship, established through trade, language, and intermarriage, intersected and crisscrossed over a vast space. These ties made it possible to hunt, fish, and harvest rice, corn, and sugar, but access to these resources shifted across time with trade and kinship.³⁶

Witgen argues that the individual and collective flexibility of political autonomy confounded colonial officials who sought to encode Native communities as nations.

By the nineteenth century, US and Canadian officials remained perplexed by the complexities of kinship as they sought to apply Western constructions of nationhood onto the Anishinaabe. Anishinaabe national political autonomy coalesced around a land tenure system that allowed for extended kin to access territories and resources. Kinship, often coupled with a shared identity framed by language, stories, and practices, allowed Anishinaabe nations to facilitate alliances across national lines with other Anishinaabe and Native nations. These alliances became critical for the Anishinaabe in the nineteenth century as they sought to assert their nationhood and land tenure in the face of US and Canadian expansion.

Throughout their treaty negotiations, Anishinaabe leaders sought to express their own conceptions of nationhood, which recognized the political autonomy of each nation, while simultaneously acknowledging their preexisting and ever-expanding social relationships, which dictated territory and resource access across national lines. Numerous Anishinaabe and other Native nations came together to enter into treaties, as these agreements would affect their preexisting relationships. The web of relationships that operated across Anishinaabe nations troubled some treaty commissioners who preferred to dismiss or disregard Anishinaabe sociopolitical formations. Instead, US and Canadian treaty commissioners sometimes conflated Anishinaabe groups into a single polity, neglecting to account for the individual autonomy of Anishinaabe citizens and their nations, seeking to contain and define Anishinaabe nationhood in Western terms. This greatly conflicted with Anishinaabe notions of nationhood, which remained flexible and inclusive. Anishinaabe nationhood allowed for the political autonomy of individ-

uals and nations, which in turn adhered to cultural practices and values that encouraged accountability for the welfare of the collective.³⁷

Anishinaabe leaders, often careful to assert their own conceptions of nationhood, which recognized preexisting social and political relationships and alliances in operation, strategically resisted US and Canadian restrictions of their national character and rights in varied and numerous ways. At times, Anishinaabe leaders utilized their alliances to resist the imposition of “fixed” boundaries that tied nationhood to territorial containment and by continuously asserting themselves as having “one mind.” However, these nations were also cautious to recognize the autonomy of each group, and when a joint treaty no longer served the interests of the participating nations, they often asserted their desires for separate treaties. These varied moments are equally informative about how the Anishinaabe were constructing and asserting their nationhood and land tenure in the face of US and Canadian national expansion.

“WE DO NOT NEED ANY LINE”: ANISHINAABE RESISTANCE
TO “FIXING” THE NATION AND ITS BORDERS

Nationhood is often, though not always, connected to territorial boundaries. The United States and Canada had an interest in establishing and fixing the borders of various First Nations, often emphasizing that fixed boundaries would resolve numerous conflicts that occurred “on the ground.” Yet Anishinaabe leaders sought to resist these constrictions, instead articulating their own flexible conceptions of nationhood. Thus the attempts by these two states to establish and fix Anishinaabe boundaries often resulted in Anishinaabe assertions of their preexisting relations with other nations, which would be affected by these arbitrary lines. These expressions demonstrate how kinship operated across national lines, binding autonomous nations in their obligations to others.

In August 1825 numerous Native Nations assembled at Prairie du Chien “to establish boundaries for the purpose of promoting peace among those tribes of Indians.” Gen. William Clark articulated US motivations at the outset of the proceedings, which brought together numerous nations (particularly the Anishinaabe and the Dakota) who had been formerly engaged in warfare with one another. Clark stated, “Children, Your great Father has not sent us here to ask anything from you—we want nothing, not the smallest piece of your land, not a single article

of your property—we have come a great way to meet you for your own good and not for our benefit.”³⁸

Contrary to Clark’s words, the United States did have an explicit interest in preventing warfare and establishing boundaries between these various nations. Establishing boundaries would expedite US land acquisition by creating neat land parcels and providing a map that the United States could utilize to attain land through the cession treaties that would follow. Peace between these nations also would encourage US settlement west, as expansion had been slowed by US citizens’ fear of these “warring tribes.”

General Clark explicitly connected warfare with a lack of boundaries. He argued, “Your hostilities have resulting in a great measure from you having no defined boundaries established in your county your tribes do not know what belongs to them & your people thus follow the game into the lands claimed by other tribes.”³⁹ His statement failed to take into account the complex nexus of relationships that dictated access on the ground. The truth was more complicated. Warfare between these nations often resulted from there being explicitly defined boundaries, as Native nations challenged one another’s claims.

As the Anishinaabe did not have an extensive shared identity with the Dakota based on language and customs, their kin relationships were facilitated primarily through adoption and marriage. In addition, Anishinaabe and Dakota nations often entered into temporary peace agreements in the winter months to allow for hunting across a “shared” or border region.⁴⁰ Nonetheless, warfare was an active means for nations to increase their land base, pushing against their neighbors. In the same ways that kinship promoted alliances across national lines, obligations to the deceased perpetuated Native warfare across this region, often disrupting social, spiritual, economic, and political alliances in effect across these nations. Thus warfare between these nations had less to do with hunting excursions into neighboring territories and more to do with kin responsibilities.

Clark nonetheless focused on national boundaries and predicted that “this cause will be removed by the establishment of boundaries which shall be known to you & which boundaries we must establish at this council fire.” The Anishinaabe, and indeed the other Native nations gathered at this conference, had varied responses to Clark’s desire to fix boundaries. During the second day of negotiations, many lead-

ers chose not to respond. Nonetheless, an Anishinaabe chief, The Wind, responded to Clark's request by stating, "I wish to live in peace—But in running marks round our country or in giving it to our enemies it may make new disturbances and breed new wars." Another Anishinaabe leader, Shimgaubaw'Assin, echoed this sentiment.⁴¹ Treaty commissioner Lewis Cass responded to these chiefs' concerns for establishing boundaries by asserting the president's willingness to ensure peace between these nations with force if necessary.

Some Anishinaabe chiefs were willing to demarcate boundaries for their lands. Pee-a-guck, an Anishinaabe chief from Saint Croix River, outlined his boundaries, stating, "This is the land I claim for myself & my children." He followed his speech by presenting a map on birch bark that delineated his people's territory. Yet others were unwilling to acquiesce to US impositions on Anishinaabe nationhood that sought to establish fixed boundaries. White Cloud, an Iowa chief, stated, "My Fathers, I claim no land in particular. The land I live on is enough to furnish my women & children—I go upon the lands of our friends the Socs & Focs—we alternate go upon each others land—why should we quarrel about land when we get enough on what we have."⁴²

White Cloud's speech demonstrates the complex relationship between nationhood (the political autonomy of the nation) and land tenure (which encompassed the rights of kin and allies to access resources across national lines), which did not easily fit into US desires to establish rigid boundaries. White Cloud specifically connected land rights to common ancestry:

The Socs Foxs Winnebagos Menomines Chippawas & Pattawatomies are links of the same people—I speak for them as well as for myself My Fathers you see people here apparently of different nations but we are all one. You Socs, Foxes, Winnebago & Menomines—we are one people—we have but one council fire & eat out of the same dish.⁴³

White Cloud utilized the kinship relationships in operation across these nations to resist US interference.

Pumpkin, another Iowa chief, elaborated on the words of White Cloud, stating, "My heart is in the right place—I live with my relations the Socs & Foxes—I have no reason to deny my Brethern." He followed up these words by presenting a map drawn by White Cloud. The archi-

val record unfortunately does not discuss this map in any detail; therefore, it is unknown whether the map encompassed the land of these various nations present or referenced particular claims of the Iowa nation. However, White Cloud's and Pumpkin's speeches were followed by speeches from Winnebago chief Co-ra-mo-nse, who declared that some portions of land were held in common and claimed by multiple groups present, noting that it would be difficult to divide these lands.⁴⁴ Co-ra-mo-nse followed this speech with a brief discussion of individual ownership of lodges and gardens and elaborated that the rivers were common property of all these nations and not the exclusive use of only one.⁴⁵ While he spoke of their common rights to areas, access and regulation of these territories were negotiated through alliances across these nations. These nations simultaneously had distinct, separate interests in land as well as "shared territories."⁴⁶

Land tenure was a complex set of practices and regulations carried out at the individual, local, national, and international levels. This is evident in the varied assertions of land tenure laid out throughout the treaty era. The Anishinaabe recognized and expressed the rights of an individual or family to a specific tract of land, group rights, and areas that were "shared" with numerous nations, along with other articulations of land tenure.

Across and within Native nations, multiple forms of ownership and usufructuary rights existed, and access was determined through a nexus of relationships. This was exemplified in the words of Gambler, an Odaawa chief who spoke about the Three Fires confederacy:

We Three nations Chippewa Pottawatomies and Ottawas have but one council fire—My Fathers You spoke about Lands we travel about in search of [Game (transcription uncertain; might be "Same")]⁴⁷—we also have lands. I never yet heard from my ancestors that any one had an exclusive right to the soil—my chiefs are now in council on that subject and their minds will be made known to you. You (addressing Gov. Cass) know the situation of our Lands & that it would be difficult to divide them—you know we have always listened to your council.⁴⁷

When pressed on which territories each nation claimed, the leaders gathered at Prairie du Chien were able to elaborate on their territorial boundaries. Dispute primarily rested along border regions, buffer zones

between the various nations, that were accessed by both nations.⁴⁸ The difficulty in establishing boundaries expressed by chiefs throughout the Prairie du Chien negotiations perhaps rests more in the system of fixing boundaries on maps that ignored the kinship and sociopolitical systems in place. These relationships enabled various Native nations to exercise a land tenure that, though highly regulated, was flexible to the obligations and responsibilities that kinship carried across national boundaries.

The Menominee chief, Grisly Bear, spoke about kinship obligations when he discussed his claim to land. “But it’s so small that we can’t turn round without touching our neighbors,” he observed. “But we travel about a great deal and go where there is game among the Nations around—who do not restrain us from doing so.”⁴⁹ His speech demonstrates that the Menominee recognized that their neighbors could prevent them from accessing game and resources, but they did not. Kinship and sociopolitical obligations were addressed throughout various treaty negotiations when the treaty of Prairie du Chien was referenced. However, the kinship and sociopolitical obligations that motivated some Native nations to allow access into their territories also served to prevent access into their lands and often led to warfare, most prevalently seen between the Anishinaabe and the Dakota.

The establishment of a line between the Anishinaabe and the Dakota at Prairie du Chien did not end their previous troubles, as US treaty commissioners had suggested it would. Various Anishinaabe chiefs raised concerns regarding these boundaries and their relations with the Dakota after the Treaty of Prairie du Chien was signed. During the August 5, 1826, treaty negotiations, an unnamed chief stated, “I, and these for whom I speak, thank you Father that the line between us and the Sioux is Established. The Sioux also, rejoice that this difficulty is settled. Father The tomahawk is buried by us in the ground.” This chief however, went on to state, “But I find it hard to bury it in my heart.” He discussed the treatment faced by his people at the hands of the Dakota, distraught that a young warrior had his gun broken in his face on his own land by a Dakota. Another chief followed by stating, “Father When I was at the city beyond the Hills, much was said about peace. But between the Sioux and us, there seems to be no peace.” He continued, “We all reflect much on the line.”⁵⁰ The United States’ desire to fix Anishinaabe and other Native nations’ boundaries had not achieved its desired outcome. Making lines onto the land would not eradicate tribal tensions nor resolve their grievances against the United States and Canada.

Other chiefs at this 1826 treaty negotiation expressed their hope in the creation of national boundaries. Chief Maw-zaw-zid stated: "Father We thank our Great Father, that he has been pleased to put our lands in a body. So are the hearts of those rejoiced, whom we call our enemies." Chief Maw-zaw-zid explicitly connected his hope in these boundaries with Anishinaabe relations with the United States: "We bid the advancement and prosperity of the American nation, welcome to our country. We hope the Great Spirit will put strength into their arms, that they may put them out and take us by the hand."⁵¹ Maw-zaw-zid's speech may be less about territorial boundaries and instead indicate his hope and desire in the treaty relationship his nation was establishing with the United States. Anishinaabe interest in the creation and maintenance of an alliance or mutually beneficial relationship with the United States likely motivated many nations to acquiesce to or placate US interests in fixing boundaries. Kinship practices would continue to allow the Anishinaabe to operate across these national lines as it had before.

Much like the Treaty of Prairie du Chien, US treaty commissioners Lewis Cass and Thomas L. McKenney urged the establishment of permanent boundaries between the Anishinaabe and Menominee in the treaty of August 11, 1827—not surprisingly, since Cass had negotiated the Treaty of Prairie du Chien with Gen. William Clark. They stated: "We want to do this, that they may know their own country & that there may be no dispute between them nor between their children, nor between their children's children." They went on to declare: "We wish therefore that a few of the old Chiefs of each nation would meet each other & talk the matter over & settle where the line shall be. The same great Spirit made you all & put you on the same island together & you ought to be able to agree about the *division*."⁵² A Ho-Chunk chief responded to this request by laying out his conception of creation and its relationship to nationhood and kinship. He argued that "since the Great Spirit first placed us upon this earth, the Menomonies our brothers, the Chippeways & ourselves have always hunted together peaceably. We hope still to do so."⁵³ Kinship primarily determined access to resources, shaping Anishinaabe land tenure. The ability of kin obligations to transcend national lines enabled and at times necessitated allied nations to confederate. As kinship obligations transcended national lines, Anishinaabe nations had to consider how these preexisting kin obligations would be impacted by any new treaty partnerships. While recognizing the indi-

vidual autonomy of each nation, these allied polities were also cognizant of their responsibilities to one another as unified peoples. The Ho-Chunk chief elaborated on how kinship had enabled these autonomous nations to operate as one:

The Father of Life made the Earth for the Indian to roam upon—that the Chippeways & Menomonies & Winibagoes might wander wherever they pleased. Since the time that we can first remember the fires of the Chippeways & Menomonies & Winibagoes have been one fire—We have always held each other by the hand. We appeal to the ancient traders to say whether they have not at all times hunted upon our land, whether they have not found us hunting together as brothers. And we hope that we, the Menomonies, Chippeways, & Winebagos will continue to live together like three brothers as we have hither to lived. *We do not need any line.*⁵⁴

“WE ARE ALL OF ONE MIND”: NEGOTIATING SINGLE
TREATIES WITH MULTIPLE NATIONS

Anishinaabe conceptions of nationhood in many ways differed from those of the United States and Canada. As a result of these different conceptions of nationhood, treaty commissioners neglected to understand how sociopolitical relationships shaped Anishinaabe nationhood. Instead, they sometimes conflated distinct groups as one polity when they were gathered to enter into a single treaty. Nonetheless, these various groups, though recognizing a collective identity, saw themselves as distinct, separate nations. Robert Surtees, in his treaty research report for the 1850 Robinson Treaties between Anishinaabe bands and Canada, recognized this important point. He argued that “the Indians were not unified, however. Certainly there were some relations among those who occupied the long shoreline of the two upper Lakes, but the population of some 3,000 persons was nonetheless divided into about two dozen fairly distinct bands. Each had its own band organization with its own chief; and each group restricted its operations to a clearly defined area.”⁵⁵

Nonetheless, Canada and the United States alike preferred to negotiate for tracts of land that often fell under the jurisdiction of numerous Native nations. The treaty record is replete with examples of these two states’ dealings for land in the later treaty periods. While initial treaty

making revolved around the nations brought to the table, with the primary desire to establish “peace and friendship,” as US and Canadian interests turned toward land acquisition in the nineteenth century, they often pursued treaties as a means to extinguish Indian title and sought to bring the Native nations that had an interest in the desired land into the treaty. Alexander Morris, in his report surrounding Treaty One and Two, stated that Canadian treaty commissioner Wemyss M. Simpson “then sent messengers at once to all the Indians within certain bounds, asking to meet him here on the 25th day of July.”⁵⁶ This fact has led some scholars to conflate Anishinaabe conceptions of nationhood with US and Canadian motivations, assuming that these various bands held the land “in common.”

Indeed, at times, various Native nations did assert overlapping interests in territories where either mutual or disputed rights were in operation. But just as often, First Nations gathered to negotiate because their mutual interests in the tract of land under question were not held in common but instead constituted separate portions of land that fell within the boundaries of land desired by the United States or Canada. Thus, when various nations were brought together, they were often careful to respect the autonomy and interests of one another.

Anishinaabe interests in recognizing the individual rights of each band could delay treaty making, as Native nations refused to enter into negotiations until all parties were present. Simpson encountered this in 1871 when he sought to negotiate agreements that have become known as Treaty One and Two with the Plains Cree and Anishinaabe.⁵⁷ Treaty commissioners sometimes perceived Anishinaabe refusal to negotiate as the result of internal tensions between Anishinaabe nations. In his letter regarding Treaty One and Two, Simpson expressed his belief that internal jealousy delayed the negotiations:

Amongst these, as amongst other Indians with whom I have come in contact, there exists great jealousy of one another, in all matters relating to their communications with the officials of Her Majesty; and in order to facilitate the object in view, it was most desirable that suspicion and jealousy of all kinds should be allayed.⁵⁸

Suspicion and jealousy also contributed to the reported delays that faced Treaty Three, or so Crown negotiators assumed.

According to a report penned by Alexander Morris, “the princi-

pal cause of the delay was divisions and jealousies among themselves.” However, even he recognized there was more to the delay than jealousy, noting that “the nation had not met for many years, and some of them had never before been assembled together.” He wrote: “They were very jealous of each other, and dreaded any of the Chiefs having individual communications with me, to prevent which they had guards on the approaches to my house and Mr. Dawson’s tent.”⁵⁹ While Morris read or at least reported these actions as evidence of jealousy, it is clear in the communications throughout the treaty negotiations that the various nations delayed negotiations and set up guards as a means to remain unified and act with “one mind.”

The Anishinaabe’s unified front made it more difficult for Canadian treaty commissions to utilize the various bands’ separate interests to divide them and weaken their bargaining power. Even Morris realized that the bands’ inability to select a higher chief to succeed the many principal chiefs who had passed away threatened negotiations. But what Morris interpreted as a mere matter of jealousy actually reflected the complexity of Anishinaabe nationhood. He saw or at least sought to deal with them as a single polity and not as numerous distinct nations allied with one another and sharing a collective identity as Anishinaabe people while still retaining distinct, separate rights as individual nations.

Treaty records demonstrate that the delay in negotiations resulted primarily from Anishinaabe chiefs meeting in council with one another to agree on the terms and conditions in which they were willing to negotiate the treaty. The Anishinaabe bands asserted their demands, which had been agreed upon in council. Chief Ma-we-do-pe-nais stated: “In regard to the money that you have promised us yesterday to each individual. I want to talk about the rules that we laid down before. It is four years back since we have made these rules. The rules laid down are the rules that they wish to follow—a council that has been agreed upon by all the Indians.” Chief Ma-we-do-pe-nais then made known the demands of the council and assured the commissioners that all the nations were in agreement. Another chief furnished the negotiators with a written copy and reminded them: “We have now laid down the conclusion of our councils by our decisions. We tell you our wishes are not divided. *We are all of one mind.*”⁶⁰

Presenting a unified front was one of many strategies employed by Anishinaabe leaders to maintain their power in the negotiation process.

Morris, aware of the control this provided the Anishinaabe, sought to break down this united front. Morris stated that he would have to report that the Anishinaabe refused to make a treaty, evidenced by what he claimed to be exorbitant demands. However, the Anishinaabe relied on their alliances and refused to be intimidated, with one chief replying, "You see all our chiefs before you here as one mind. We have one mind and one mouth. It is the decision of all of us; if you grant us our demands you will not go back sorrowful; we would not refuse to make a treaty if you would grant us our demands." Morris, attempting to disrupt this unity, stated:

I have learned that you are not all of one mind. I know that some of your interests are not the same—that some of you live in the north far away from the river; and some live on the river, and that you have got large sums of money for wood that you have cut and sold to the steamboats; but the men in the north have not this advantage.⁶¹

Morris reported that the council broke up, and he doubted whether an agreement could be made: "The Rainy River Indians were careless about the treaty, because they could get plenty of money for cutting wood for the boats, but the northern and eastern bands were anxious for one." He concluded that he would only treat with the interested parties willing to accept his terms, "leaving out the few disaffected ones."⁶² Morris was, in fact, willing to alter his conception of Anishinaabe nationhood if it better served his interests. He recognized that the Anishinaabe, though having a collective identity based on shared language, stories, practices, and kin, also were a people whose individual nations had distinct interests based on their geographical location, history, group desires, and more. Anishinaabe nations chose the most advantageous political path. Alliances across Anishinaabe nations often allowed the Anishinaabe to present a unified front against the massive forces of the United States and Canada, but when these alliances countered Anishinaabe desires, they would also seek separate treaties.

"WE ARE BUYING IT AS A WHOLE": US AND CANADIAN
INTEREST IN RECONFIGURING ANISHINAABE NATIONHOOD

It may seem paradoxical that Anishinaabe desires for separate treaties often were motivated by the same desires that drove Anishinaabe na-

tions to assert “one mind.” The cause was often the same: Anishinaabe leaders, wrestling with the changing meanings attached to the language of treaties, asserted their own conceptions of nationhood, which were fluid and flexible. Anishinaabe leaders wanted to preserve the political autonomy of each nation, maintaining a policy of noninterference. Yet they also sought to resist the politically narrow and territorially restrictive notions of nationhood employed by the United States and Canada. Anishinaabe leaders made use of their alliances and sociopolitical relationships when it was advantageous in treaty making. Yet when this strategy no longer served to meet their aim, the Anishinaabe altered their approach, transforming and adapting to the ever-changing political landscape. This can be seen in the negotiations surrounding the October 2, 1863, “Old Crossing” treaty with the Pembina and Red Lake bands of Anishinaabe.

Much like the numbered treaties in Canada, treaty negotiations with US treaty commissioner Alexander Ramsey concerning the Red River Valley were stalled, as the Pembina band had not yet arrived. Unlike Alexander Morris, Ramsey refrained from attributing this delay to jealousy between the bands. Instead, he reported that “it was determined to postpone the opening of negotiations till they came in, as I deemed it important, for obvious reasons of policy and convenience, to unite both communities in one treaty, and avoid, if possible, the separate negotiations to which it was found they were inclined.”⁶³ Yet while Ramsey repeatedly pushed for a single treaty, Red Lake and Pembina bands refused to interfere in one another’s business, recognizing each other’s political autonomy.

Pembina chief Red Bear tactically asserted a policy of noninterference, stating, “I want to wait until the Red Lakers get through.” Ramsey responded by encouraging a single treaty under any means: “This is the first time he has said to me he wished to do business separate from the Red Lakers. I should prefer that they would work jointly with the Red Lakers; but I don’t care how they go at it, so they do something, and do it at once.” As Pembina chief Little Chief asserted that they would not take up business until the Red Lake band had concluded, Ramsey responded by expressing that the United States was interested in buying a piece of land and wanted to know the costs for the whole: “We do not recognize any order of precedence in this thing. We are buying it as a whole, and want to know what they offer in order to know what to do about it.”⁶⁴

US determination to negotiate collective agreements with the separate nations over specific tracts of land countered Anishinaabe interest in noninterference with related and allied nations and these nations' autonomy over their own lands. Little Chief expressed as much to Ramsey: "The reason that I have not spoken heretofore is that I thought I would be in the way of the Red Lakers."⁶⁵ He assured Ramsey that his nation would also engage in negotiations once the Red Lake nation had finished. Governor Ramsey acceded to their desires for separate treaties and met with the Red Lake and Pembina nations individually.

Interestingly, in negotiations with the Pembina band, Ramsey also learned that until recently the Pembina had "held the country in common with the Red Lake Indians; but when they assembled at the Grand Forks last year to make a treaty, they had agreed upon a dividing line."⁶⁶ While these negotiations did not discuss the relationship that facilitated this shared territory, kinship likely encouraged collective access to the area.⁶⁷ Anishinaabe leaders recognized that utilizing their shared relationships to negotiate a mutual treaty would not be advantageous for these nations. Instead, their attention to the recent divisions among the two nations likely proved beneficial for each. Ramsey accused the Pembina of committing depredations on whites, and this new approach allowed the Red Lake band to disconnect themselves from these allegations. Furthermore, the Red Lake band had problems of its own, as division arose between Chief Moose Dung and May-dwa-gun-on-ind regarding whether to enter into a treaty at all. While the Red Lake Anishinaabe shared a national identity, this by no means ensured that internal divisions would not arise in the treaty process. Rarely, if ever, was full consensus attained on whether and how to proceed in a treaty with the United States and Canada.

Anishinaabe negotiators responded in varied ways to US and Canadian efforts to conclude comprehensive treaties over discrete pieces of land, as opposed to dealing with individual bands. Some bands used this to their advantage, aligning their demands and presenting a unified front. Others sought separate treaties and refused to negotiate as one body. In some cases, US and Canadian treaty officials encouraged the bands to present a unified voice. For the July 29, 1837, treaty, Governor Dodge reported that "so many bands of their nation, & from such remote parts of it, had never before, he believed met together, & that he wished them now to advise with each other, and unite and act to-

gether, as one people.” Recognizing the separation of bands, he continued: “Altho’ they were of different bands, they belonged to the same great nation, and their interests were in common.”⁶⁸ Dodge conflated the collective identity of Anishinaabe people with his preferred norm of a single, unified nation. The Anishinaabe recognized their connections as a people yet were strategic enough to also express their individual autonomy. The complex nexus of kinship relations allowed Anishinaabe people to operate across national lines, but it often also motivated the United States and Canada to attempt to consolidate Native peoples and their political interests into a single polity when it served US and Canadian interests.

As parties to the Treaty of 1836 with the United States, the Ojibwe and Odaawa nations nicely articulated the distinction between the collective rights dictated across kin relations and the political autonomy of each nation in a letter to President Andrew Jackson. The United States wanted to relocate the Anishinaabe to lands held by their extended kin, the Chippewa west of Lake Superior. To this they responded:

The Chippewas of that remote northern quarter, are separate from us, by an average distance of about [nine hundred miles], all of which is [however] occupied by Chippewas. They hold separate government over their respective villages, have separate interests, and are excluded wholly from the benefits of the treaty, as they [possessed] no part of the land sold it would be injustice to them, to [unintelligible text] or [unintelligible text] that they should [re-sign] for our residence, a part of their large country, on the headwaters of the Mississippi without an adequate compensation for it. Besides which, they are in an impoverished situation having barely the means of procuring their subsistence by hunting from year to year.⁶⁹

The Ojibwe and Odaawa concluded their letter by encouraging the president to negotiate with the Anishinaabe west of Lake Superior to purchase land upon which they might relocate.⁷⁰

CONCLUSION: MARKING THE NATION

The Anishinaabe, like Nenabozho, were marked by their treaties with the United States and Canada. Every nation is invariably marked by its re-

lationships with other nations. Nations are limited by their agreements with other nations, which often entail various obligations. Much as the United States' and Canada's nationhood entails their recognition of and adherence to their treaties with other nations, including First Nations, Anishinaabe nations were limited by their preexisting alliances with Anishinaabe and other nations when they negotiated treaties with the United States and Canada. These nations had been marked by their alliances to one another. Anishinaabe political identity, which shaped their nationhood in the nineteenth century, was layered as their land tenure systems were dictated by a nexus of relationships. Kin obligations at times necessitated mutual access to shared territories, confounding US and Canadian treaty commissioners who sought to fix Anishinaabe national borders. The Anishinaabe resisted the imposition of Western constructions of nationhood by invoking and utilizing their kin and other sociopolitical alliances, which transcended national lines and would be impacted by treaties with the United States and Canada.

Throughout their treaty negotiations, the Anishinaabe asserted their own conceptions of nationhood, which respected the political autonomy of each nation while concurrently recognizing their obligations and responsibilities to their allied nations. Anishinaabe leaders at times entered into treaties together, utilizing their alliances to assert "one mind" as a measure to increase their bargaining power and incorporate the various autonomous nations that would be impacted by the treaty. When a single treaty did not serve the autonomous needs of the allied nations, they expressed their desires for separate treaties.

Anishinaabe treaties with the United States and Canada were part of a watershed historical moment in treaty making, in which treaties were transforming from diplomatic accords of peace and alliance that sought to contain Native peoples within the boundaries of empire to imperial tools for the creation and expansion of the nation-state, which constructed Native peoples outside of these bounded spaces. The Anishinaabe negotiated these changes by trying to mitigate the impacts of state models that constructed the nation along territorial lines just as Nenabozho, in the form of a hare, sought to allay the impacts of his theft of fire by trying to rub out the fire on his fur, but both were indelibly marked.

The United States and Canada have yet to fully recognize how they were marked by their treaties with Native nations, failing to fulfill their

political commitments and responsibilities outlined in treaties. As Native nations today call upon the United States and Canada to adhere to their treaties, which recognize the national character and sovereign rights of Native nations, perhaps the multitude and complexities of Anishinaabe expressions of nationhood may shed light on how nations bound by their treaties can simultaneously respect the autonomy of each nation while recognizing their mutual responsibilities to one another.

NOTES

I am grateful to the blind reviewers—David Chang, Brian Hosmer, Larry Nesper, David Wilkins, and Michael Witgen—for their generous and insightful comments. Participants of the American Indian Studies Workshop at the University of Minnesota also provided thoughtful comments on early drafts.

1. Nenabozho, often referred to as Original Man, is the central character (trickster) in many Anishinaabe *aadizookaanan* (stories or legends). He is also referred to as Wenabozho. These spellings come from John Nichols and Earl Nyholm, *A Concise Dictionary of Minnesota Ojibwe* (Minneapolis: University of Minnesota Press, 1995), 118.

2. “Manitou” comes from the Ojibwe word *manidoo*, meaning “god, spirit, manitou.” See Nichols and Nyholm, *A Concise Dictionary*, 77.

3. All the dialogue in this story is taken from Truman Michelson, ed., and William Jones, comp., *Ojibwa Texts*, 2 vols., ed. Franz Boas, Publications of the American Ethnological Society, vol. 7, pt. 1 (Leiden: E. J. Brill, 1917), 7, 9, 11, 15. The remainder of the text is my retelling of the story.

4. There have been a number of names with varied spelling for the people who call themselves Anishinaabe and/or Ojibwe. However, as E. S. Rogers notes, “although the Indian groups now referred to as Chippewa, Ojibwa, and Saulteaux descend from closely related bands that were living in a fairly compact area in the mid-seventeenth century, at no time has there been a single distinctive name for these groups alone” (“Southeastern Ojibwa,” in *Northeast*, ed. Bruce G. Trigger, *Handbook of North American Indians*, vol. 15 [Washington, DC: Smithsonian Institution, 1996], 768). The historical record initially labeled these people as Algonquin and Ottawa. Contemporary records primarily utilize the modern local band names, which refer to specific communities and peoples and not the larger group of the Chippewa/Ojibwe, Mississauga, and Saulteaux. Chippewa is the English rendering of Ojibwe, and its usage is primarily in the United States and southern Canada. US federal records and treaties label these people Chippewa. Canadian sources primarily reference these people as

Ojibwe (also spelled Ojibwa and Ojibway). Many of the southeastern Ojibwe are often referenced as the Mississauga. Sauteaux is primarily found in Canadian references on the Ojibwe that encompass many of the people who were historically labeled as the Outchibous. I have chosen to use Anishinaabe, as it is the name used by the people themselves and adheres to contemporary scholarly practice. In addition, Anishinaabe connotes a broader group than some of these aforementioned terms are associated with. As I hope this article indicates, Anishinaabe conceptions of nationhood are complex and multifarious and involved extensive relationships across nations. Thus, while my focus is primarily on those people who refer to themselves as Ojibwe, I use the more inclusive category of Anishinaabe to recognize the broader peoples discussed within this study. For a list of the various spellings and meanings associated with the Anishinaabe people, see Rogers, "Southeastern Ojibwa"; and Robert E. Ritzenhaller, "Southwestern Chippewa," in Trigger, *Northeast*.

5. Nichols and Nyholm, *A Concise Dictionary*, 73.

6. See Frances Densmore and Smithsonian Institution, Bureau of American Ethnology, *Chippewa Customs*, reprint ed., Publications of the Minnesota Historical Society (Saint Paul: Minnesota Historical Society Press, 1979), 74. For information on the paths of souls, see Basil Johnston, *Ojibway Heritage* (Lincoln: University of Nebraska Press, 1976), 103–8.

7. While there is no etymological connection between *ishkode* and the morpheme *ode'* within the linguistic method, folk etymologies (the stories told by speakers based on perceived resemblances and connections) have made this connection.

8. "Home" is used here to mean the land of the deceased.

9. For further discussion of the importance of tobacco and offerings, see A. Irving Hallowell, *Culture and Experience* (New York: Schocken Books, 1967); Densmore and Smithsonian Institution, *Chippewa Customs*; Anton Treuer, *Living Our Language: Ojibwe Tales & Oral Histories*, Native Voices series (Saint Paul: Minnesota Historical Society Press, 2001).

10. Fire has been employed in Anishinaabe political discourse to represent both the nation itself as well as the act of entering into a treaty. The rhetorical symbol of fire has been used to reference the treaty council, while fire has also been utilized in its physical form during the treaty council. See *Documents Relating to the Negotiation of Ratified and Unratified Treaties with Various Tribes of Indians, 1801–69*, National Archives Microfilm Publications, Record Group 75, microcopy no. T-494 (hereafter cited as NAMP), rolls 1–10; Alexander Morris, *The Treaties of Canada with the Indians of Manitoba and the North-West Territories: Including the Negotiations on Which They Were Based, and Other Information Relating Thereto* (Toronto: Prospero Books, 2000).

11. For more information on the Three Fires Confederacy, see James A. Clif-

ton, George Leslie Cornell, and James M. McClurken, *People of the Three Fires: The Ottawa, Potawatomi and Ojibway of Michigan* (Grand Rapids, MI: Grand Rapids Inter-Tribal Council, 1986); Patty Loew, *Indian Nations of Wisconsin: Histories of Endurance and Renewal* (Madison: Wisconsin Historical Society Press, 2001); R. David Edmunds, *The Potawatomis, Keepers of the Fire*, 1st ed. (Norman: University of Oklahoma Press, 1978); Donald L. Fixico, "The Alliance of the Three Fires in Trade and War, 1630–1812," *Michigan Historical Review* 20, no. 2 (1994).

12. *Ratified Treaty No. 247 Documents Relating to the Negotiation of the Treaty of June 5 and 17, 1846, with the Chippewa, Ottawa, and Potawatomi Indians*, NAMP, roll 4:F310–11.

13. *Ratified Treaty No. 247 Documents*.

14. Nichols and Nyholm, *A Concise Dictionary*, 38 (Nichols and Nyholm translate this word simply to mean "Potawatomi"); William W. Warren, *History of the Ojibway People*, reprint ed. (Saint Paul: Minnesota Historical Society Press, 1984), 32.

15. I utilize David Wilkins's definition of a treaty: "A formal agreement, compact, or contract between two or more sovereign nations that creates legal rights and duties for the contracting parties. A treaty is not only a law but also a contract between two or more nations and must, if possible, be so construed as to give full force and effect to all its parts" (*American Indian Politics and the American Political System* [Lanham, MD: Rowman & Littlefield, 2002], 339). Treaty making is a long-standing practice among the Anishinaabe, its origins preceding contact with European nations. Anishinaabe nations entered into numerous treaties with other tribal nations, often formalized through the exchange of wampum, pipes, drums, and other ceremonial items. For additional information, see Leanne Simpson, "Looking after Gdoo-naaganinaa: Precolonial Nishnaabeg Diplomatic and Treaty Relationships," *Wicazo Sa Review* 23, no. 2 (2008).

16. Thank you to Dr. Jill Doerfler for bringing this point to my attention.

17. Thomas King, *The Truth about Stories: A Native Narrative* (Minneapolis: University of Minnesota Press, 2005), 2.

18. Julia Cruikshank, "Discovery of Gold on the Klondike: Perspectives from Oral Tradition," in *Reading beyond Words: Contexts for Native History*, ed. Jennifer S. H. Brown and Elizabeth Vibert (Toronto: University of Toronto Press, 1996), 435.

19. Michael J. Witgen, "An Infinity of Nations: How Indians, Empires, and Western Migration Shaped National Identity in North America," PhD diss., University of Washington, 2004. See Witgen's discussion on the power of naming and mapping (334).

20. For example, see Jace Weaver, Craig S. Womack, and Robert Allen Warrior, *American Indian Literary Nationalism* (Albuquerque: University of New

Mexico Press, 2006); Taiiaki Alfred, *Heeding the Voices of Our Ancestors: Kahn-awake Mohawk Politics and the Rise of Native Nationalism* (New York: Oxford University Press, 1995); Jeff J. Corntassel, "Who Is Indigenous? 'Peoplehood' and Ethnonationalist Approaches to Rearticulating Indigenous Identity," *Nationalism and Ethnic Politics* 9, no. 1 (2003); Tom Holm, J. Diane Pearson, and Ben Chavis, "Peoplehood: A Model for the Extension of Sovereignty in American Indian Studies," *Wicazo Sa Review* 18, no. 1 (2003).

21. Taiiaki Alfred, *Peace, Power, Righteousness: An Indigenous Manifesto* (New York: Oxford University Press, 1999), 47, 56.

22. Walker Connor, *Ethnonationalism: The Quest for Understanding* (Princeton: Princeton University Press, 1994). See chapter 4, "Terminological Chaos ('A Nation Is a Nation, Is a State, Is an Ethnic Group, Is a . . .')," 89–117.

23. Wilkins, *American Indian Politics*, 338.

24. Alfred, *Peace, Power, Righteousness*, 65, emphasis in original.

25. Craig S. Womack, *Red on Red: Native American Literary Separatism* (Minneapolis: University of Minnesota Press, 1999), 14.

26. I utilize the term *band* to refer to the divisions between the Anishinaabe collective. Bands were originally constituted by a number of families that lived together and often became known by their locations, their villages. Today, the Anishinaabe continue to divide along band lines yet maintain a shared identity through common ancestry as Anishinaabe people. These separate bands are primarily recognized as separate nations that maintain their own governments and laws. For example, many Anishinaabe nations were recognized by their band names in their treaties and continue to employ these names today (e.g., Turtle Mountain Band of Chippewa Indians and Red Lake Band of Chippewa Indians). Some bands were brought together in treaty making and/or vis-à-vis a variety of policies and statutes and are dealt with by the United States as a single nation (e.g., White Earth Nation). In Canada many Anishinaabe nations maintain names that pertain to their locations. In addition, "First Nation" is common usage in Canada to refer to Native nations, and many Anishinaabe First Nations do not use "band" as part of their official national name. I primarily utilize the term "nation" in place of band to reference individual bands, as it more accurately recognizes the political autonomy and sovereignty of each band in relation to the Anishinaabe collective.

27. Joanne Barker, "For Whom Sovereignty Matters," in *Sovereignty Matters: Locations of Contestation and Possibility in Indigenous Struggles for Self-Determination*, ed. Joanne Barker, Contemporary Indigenous Issues series (Lincoln: University of Nebraska Press, 2005), 4.

28. Felix S. Cohen, "The Spanish Origin of Indian Rights in the United States," *Georgetown Law Journal* 31, no. 1 (1942); Robert A. Williams Jr., *The American Indian in Western Legal Thought: The Discourses of Conquest* (New

York: Oxford University Press, 1990); David E. Wilkins, "A Constitutional Conundrum: The Resilience of Tribal Sovereignty during American Nationalism and Expansion: 1810–1871," *Oklahoma City University Law Review* 25, nos. 1 and 2 (2000).

29. Barker, "For Whom Sovereignty Matters," 4.

30. For further discussion, see Helen Hornbeck Tanner, "Ojibwa," in *Encyclopedia of North American Indians: Native American History, Culture, and Life from Paleo-Indians to the Present*, ed. Frederick E. Hoxie (New York: Houghton Mifflin Company, 1996).

31. *Ratified Treaty No. 223 Documents Relating to the Negotiations of the Treaty of July 29, 1837, with the Chippewa Indians*, NAMP, roll 3:F550.

32. Heidi Bohaker, "Nindoodemag: The Significance of Algonquian Kinship Networks in the Eastern Great Lakes Region, 1600–1701," *William and Mary Quarterly* 63, no. 1 (2006): 26.

33. Bohaker, "Nindoodemag," 36. For a discussion of Sault Sainte Marie as one such gathering site that tied various groups to one another, also see Harold Hickerson, *The Chippewa and Their Neighbors: A Study in Ethnohistory*, ed. George and Louise Spindler, Studies in Anthropological Method series (New York: Holt, 1970), 39–41.

34. For additional information regarding how these relationships were facilitated, with particular attention to the practice of the Feast of the Dead, which tied various groups to one another, see Harold Hickerson, *The Chippewa and Their Neighbors: A Study in Ethnohistory* (New York: Holt, Rinehart and Winston, 1970).

35. Bohaker, "Nindoodemag," 42.

36. Michael Witgen, "The Rituals of Possession: Native Identity and the Invention of Empire in Seventeenth-Century Western North America," *Ethnohistory* 54, no. 4 (2007): 641, 646–47.

37. For a discussion on Indigenous individual autonomy and the responsibilities of an individual to the collective, see Russell Barsh, "The Nature and Spirit of North American Political Systems," *American Indian Quarterly* 10, no. 3 (1986).

38. *Ratified Treaty No. 139 Documents Relating to the Negotiation of the Treaty of August 19, 1825, with the Sioux, Chippewa, Sauk and Fox, Menominee, Iowa, and Winnebago Indians and part of the Ottawa, Chippewa, and Potawatomi of the Illinois Indians*, NAMP, roll 1:F712, F724.

39. *Ratified Treaty No. 139 Documents*, roll 1:F726.

40. Patricia Albers and Jeanne Kay, "Sharing the Land: A Study in American Indian Territoriality," in *A Cultural Geography of North American Indians*, ed. Thomas Ross and Tyrel G. Moore (Boulder, CO: Westview Press, 1987).

41. *Ratified Treaty No. 139 Documents*, roll 1:F726, F727, F728–29. Shim-

gaubaw'Assin stated: "My Fathers have taken a great deal of trouble to collect their Red children together and to keep them in peace. But I am afraid it will not be good. The Young men are bad & hard to govern tho there are some respectable chiefs among them."

42. *Ratified Treaty No. 139 Documents*, roll 1:F731, F723.

43. *Ratified Treaty No. 139 Documents*, roll 1:F735.

44. *Ratified Treaty No. 139 Documents*, roll 1:F735–36. Co-ra-mo-nse states: "I have a small section of country of which I wish to tell you. It is where I was born & now live. It commences at our valley on Lake Winnebago. The lands I claim are mine & the nations here know it is not only claimed by us but by our Brothers the Socs & Foxes Menomines Iowas *Illinois* & Sioux they have *owned* it in common—it would be difficult to divide it—it belongs as much to one as the other" (F737). "My Fathers I did not know that any of my relations had any particular Lands—it is true everyone owns his own lodge & the grounds he may cultivate—I had thought the Rivers were the common property of all Red Skins & not used exclusively by any particular nation" (underlined sections were difficult to read; thus this transcription may be in error).

45. *Ratified Treaty No. 139 Documents*, roll 1:F736.

46. Albers and Kay, "Sharing the Land."

47. *Ratified Treaty No. 139 Documents*, roll 1:F737.

48. Albers and Kay, "Sharing the Land."

49. *Ratified Treaty No. 139 Documents*, roll 1:F739.

50. Unnamed chief, *Ratified Treaty No. 145 Documents Relating to the Negotiation of the Treaty of August 5, 1826, with the Chippewa*, NAMP, roll 1:F861.

51. Unnamed chief, *Ratified Treaty No. 145 Documents*, roll 1:F862.

52. *Ratified Treaty No. 148 Documents Relating to the Negotiation of the Treaty of August 11, 1827, with the Chippewa, Menominee, and Winnebago Indians*, NAMP, roll 2:F5.

53. *Ratified Treaty No. 148 Documents*, roll 2:F17.

54. *Ratified Treaty No. 148 Documents*, roll 2:F17, emphasis added.

55. Robert J. Surtees, "Treaty Research Report: The Robinson Treaties," Treaties and Historical Research Centre, Indian and Northern Affairs Canada. Originally published in Ottawa by Indian and Northern Affairs Canada, 1986. http://www.ainc-inac.gc.ca/pr/trts/hti/Trob/index_e.html, 3–4.

56. Morris, *The Treaties of Canada*, 27.

57. In a letter from Wemyss M. Simpson regarding Treaty One and Two to the secretary of state in November 1871, Simpson stated: "At this preliminary conference Henry Prince [chief of the Swampies and Chippewa] said that he could not enter upon any negotiations, as he was not empowered to speak or act for those bands of Indians not then present" (Morris, *The Treaties of Canada*, 35).

58. Morris, *The Treaties of Canada*, 38.

59. Morris, *The Treaties of Canada*, 47–48, 54.
60. Morris, *The Treaties of Canada*, 58, 60, emphasis added.
61. Morris, *The Treaties of Canada*, 62–63.
62. Morris, *The Treaties of Canada*, 65.
63. President's message, January 7 and 8, 1864, "Treaty of October 2, 1863 with the Red Lake & Pembina bands of Chippewas," Indian Treaty Files (S.R. 38B–C9), 7, RG 46, National Archives.
64. Treaty of October 2, 1863, 32.
65. Treaty of October 2, 1863, 33.
66. Treaty of October 2, 1863, 36.
67. Albers and Kay, "Sharing the Land."
68. *Ratified Treaty No. 223*, roll 3:F557.
69. *Ratified Treaty No. 201 Documents Relating to the Negotiation of the Treaty of March 28, 1836, with the Ottawa and Chippewa Indians*, NAMP, roll 3:F371. Also see president's message, April 1, 1836, "Treaty of March 28, 1836 with the Ottawas and Chippewas," Indian Treaty Files (S.R. 24B–C6), RG 46, National Archives. All words placed in brackets indicate that the transcription is uncertain.
70. *Ratified Treaty No. 201 Documents*, roll 3:F372.