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Fish in the Lakes, Wild Rice, and Game in Abundance: Testimony on Behalf of Mille Lacs Ojibwe Hunting and Fishing Rights

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On 13 August 1990 members of the Mille Lacs Band of Ojibwe filed a lawsuit against the State of Minnesota for interfering with the hunting, fishing, and gathering rights that had been guaranteed to them in an 1837 treaty with the United States. In order to interpret the treaty the courts had to consider historical circumstances, the intentions of the parties, and the treaty's implementation. The Mille Lacs Band faced a mammoth challenge. How does one argue the Native side of the case when all historical documentation was written by non- Natives? The Mille Lacs selected six scholars to testify for them. Published here for the first time, Charles Cleland, James McClurken, Helen Tanner, John Nichols, Thomas Lund, and Bruce White discuss the circumstances under which the treaty was written, the personalities involved in the negotiations and the legal rhetoric of the times, as well as analyze related legal conflicts between Natives and non-Natives. Justice Sandra Day O'Connor delivered the 1999 Opinion of the [United States Supreme] Court.

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