TESTIMONY OF DR. ALICE LITTLEFIELD
ON H.R. 1575
BEFORE THE HOUSE NATURAL RESOURCES COMMITTEE
JUNE 13, 2007

Mr. Chairman and Members of the Committee:

I am Dr. Alice Littlefield, Professor Emerita at Central Michigan University and a cultural anthropologist. I have been working as a researcher with the Burt Lake Band of Ottawa and Chippewa Indians for several years. I appreciate this opportunity to testify.

In my 35 years at Central Michigan I taught courses on American Indian cultures and read widely on the history and culture of Michigan Indians. I also carried out research projects in the ethnohistory of Michigan tribes, resulting in several publications focusing on their experiences in the Nineteenth and Twentieth Centuries. These activities brought me into contact with members of several of the Michigan tribes in both the Lower and Upper Peninsulas. With regard to the federal acknowledgment process, I have worked with two of the tribes: the Huron or Nottawaseppi Band of Potawatomis, whose relationship with the federal government was reaffirmed by the Bureau of Indian Affairs (BIA) in 1995, and the Burt Lake Band, whose reaffirmation bill is under consideration by this Committee.

In my comments today, I wish to focus on two issues worthy of your consideration. The first of these is the nature of traditional political organization in the Michigan tribes. The second issue involves the historical fluidity of band membership within the Michigan tribes. In these two respects I believe that the Office of Federal Acknowledgment has held the Burt Lake Band to standards not consistent with the organization of the Michigan tribes, historically and into the Twentieth Century.

Historians and anthropologists are quite consistent in describing the historical political organization of Michigan's Algonquian tribes, including the Ottawas, as characterized by considerable independence of local communities. According to Johanna and Christian Feest, writing in the Smithsonian *Handbook of North American Indians*, leadership in Ottawa communities involved "little coercive authority". During the Anglo-American period, "the tribe consisted of several largely autonomous local segments made up of several villages each, which rarely took joint action." Within each village there were commonly several chiefs (some of them women) whose "authority with the tribe was small" although both missionaries and government officials attempted to strengthen the power of cooperative leaders (Feest and Feest, 1978, pp. 772-786). Substantially similar comments are made by other experts about Michigan's Ottawas and about the linguistically-related Potawatomi and Chippewa/Ojibwa tribes (see Appendix).

The Burt Lake Band demonstrates a great deal of continuity with this pattern. In the treaty negotiations of the Nineteenth Century the Cheboygan or Burt Lake Band negotiated reservations separate from those of other Ottawas. In the Treaty of Detroit of

1855, the Band was represented by As-sa-gon who, according to the eminent historian Richard White, was not a chief but was known for his skill as a negotiator. Such were his skills that he was asked to speak for all the Ottawa bands engaged in the negotiations. Yet he alone among the Ottawa representatives at Detroit refused to sign the treaty, saying he had no authority to do so without consulting the rest of the Band. Cheboygan agreement to the treaty was not secured until 1856 (White, *The Burt Lake Band: An Ethnohistorical Report*, n.d. p. 29-35). These events are consistent with the description of traditional Ottawa leaders as having representative rather than coercive authority.

After the Burnout in 1900 the Burt Lake Band continued to operate largely by consensus and without formally chosen chiefs. When agent Horace Durant arrived in 1908 to compile official rolls of the Ottawa bands, however, he was easily able to identify the Cheboygan/Burt Lake Band leaders. It appears that throughout the Twentieth Century individuals assumed leadership in areas for which they were suited by education and experience, with leadership largely dependent on the willingness of others to support them. This pattern can be seen in the efforts of the Band to pursue claims against the United States as well as in such internal matters as rebuilding and maintaining their church and school on Indian Road after moving there from the Point. With no tribal land, little wealth, and few well-educated members, the Band kept few written records. Given their past experiences, they had reason to be skeptical of U. S. willingness to recognize their needs. Yet they did approach the federal government on several occasions throughout the Twentieth Century, events which are documented in detail in the materials submitted to the OFA.

It appears that the OFA regulations, or at least the current interpretation of those regulations by the OFA staff, view political systems as authentic only if they involve greater coercive authority over members than is characteristic of the Ottawa tradition. In my view, the Burt Lake pattern of political activity during the Twentieth Century is substantially similar to that of the Huron Band of Potawatomis, with whom I have also worked, and whose tribal status was reaffirmed by the BIA in 1995. Similar patterns of political activity and leadership, with no greater evidence of membership support, were accepted as valid evidence of political continuity in the latter case. In the Burt Lake case, however, OFA staff expressed doubt in almost every instance that leaders were acting on behalf of anyone but themselves. There is a glaring lack of consistency in the two decisions.

Also, the OFA found that because some Burt Lake members, including some former leaders of the Burt Lake Band, joined the Little Traverse Bay Bands since 1995, Burt Lake no longer meets their criteria. Yet other Michigan tribes with similar patterns of membership fluidity have had their federal acknowledgment reaffirmed within the past fifteen years.

Historically, it is clear that tribal and band memberships in Michigan were quite flexible and not determined by rigid rules of descent. Intermarriage among bands and tribes was common, with descendants often having a choice of residence among several villages where they had relatives. Networks of such ties were of great importance in facilitating trade and alliances in the pre-treaty period and continued to play a role in the political processes of band cooperation in more recent times.

In the course of the Nineteenth Century membership in the Cheboygan/Burt Lake Band fluctuated, as when the Cheboygan chief Chingasamo and some of his followers left Burt Lake for Canada during the Removal Era. After the Burnout some Burt Lake Ottawas moved to other Ottawa communities, while other Ottawas married into Burt Lake. Starting in 1948 and continuing for several decades, the Burt Lake Band cooperated off and on with other Ottawa bands in pursuing claims stemming from the 1836 Treaty of Washington. Nonetheless, they never lost their identity as a separate political and social entity. That identity continues in spite of the decision of some Burt Lake members to join Little Traverse Bay Bands in the last few years.

During the 1990s, the reaffirmation of three Potawatomi bands in Michigan within a short time -- the Pokagon Band in 1994, the Huron or Notawaseppi Band in 1995, and the Gun Lake or Match-e-be-nash-she-wish Band in 1996 -- provided a significant number of southern Michigan Indians having multiple ancestry with choices of tribal affiliation. Movements of individuals from one to another of these groups has not prevented them from being seen as separate and distinct tribes. I was therefore surprised to see the OFA argue that the change of membership since 1995 on the part of people from Burt Lake precluded acknowledgment of the Burt Lake Band.

In summary, several Michigan bands with patterns of leadership and membership fluidity substantially similar to those of Burt Lake have been reaffirmed either by the BIA or by Congress since 1994, including several landless bands and most of the other Ottawa bands signatory to the Treaties of 1836 and 1855. Positive action by this Committee can correct the inequality of treatment and provide the Burt Lake Band with the same federal status. Based on my experiences with Michigan tribes, I believe that they are deserving of no less.

Appendix: Expert Commentary on Political Organization among Algonquian Tribes (Ottawa, Potawatomi, and Chippewa/Ojibwa) of Michigan

Ottawa

Johanna E Feest and Christian F. Feest, "Ottawa." *Handbook of North American Indians*, Vol. 15, *Northeast*, pp. 772-786. Washington, DC: Smithsonian Institution, 1978.

> "Each of the independent subgroups and each of the villages had its own chiefs who had apparently little coercive authority" (777).
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> "During the Anglo-American period the tribe consisted of several largely autonomous local segments made up of several villages each, which rarely took joint action" (782).
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> " … there were several village chiefs for each village. … Their authority with the tribe was small, although both missionaries and government officials were interested in strengthening the power of cooperative leaders. Female chiefs are also mentioned" (782).

Cheboygan/Burt Lake Band

Richard White, *The Burt Lake Band: An Ethnohistorical Report on the Trust Lands of Indian Village.* 96 pp. Undated manuscript submitted by the Burt Lake Band to the Office of Federal Acknowledgment.

> "As-sa-gon, the delegate of the Burt Lake Band of Ottawas [in the 1855 treaty negotiations] … does not appear to have been either a chief or a headman, but instead was selected for his skill as a negotiator. The delegates did not come as sovereign heads of state, but rather as emissaries with limited power. As As-sa-gon explained to Manypenny: 'Father, the chiefs here present are delegates appointed by those they have left behind them. They were sent to get as far as possible the views of Government relative to this treaty …' " (29).
>
> "The independence the Burt Lake band demonstrated in the treaty councils would change little in the years following the treaty [of 1855]. When the band shared a common interest with the other Ottawas, however, local leaders would still often act in concert with the other groups around Little Traverse. … (59).
>
> "This political cooperation with other bands was supplemented and sustained by considerable intermarriage, but still *the Burt Lake band, more than any other Ottawa band, managed to remain separate and distinct* [emphasis added] (59).

> “The Burt Lake band remained separate from what became the Little Traverse band. Agents consistently referred to them as the Burt Lake or Cheboygan band while the other bands faded from the record. … this retention of old band identity and independence was unusual and set them apart from the other Ottawas” (60).
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> “Just as band organization persisted much longer at Burt Lake than elsewhere, so did traditional band chieftainship. Ke-che-go-we remained band chief into the 1860s and then was succeeded by Joseph Wa-bwe-dom. The agents continued to recognize these men as chiefs and referred to them as such in their correspondence during the 1880s. In the early twentieth century, after the band was burned out … chieftainship appears to have become more diffuse; the chiefs now formed something of a council. When in 1908 Horace Durant was compiling rolls of the Ottawa and Chippewa bands for the payment of claims case money, he consulted the leadership of the Burt Lake band … [Durant’s notes reveal] that the government still recognized the persistence of both the band and its native leadership (60-61).”
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> “Band members remained around Burt Lake supporting themselves by logging and, when that declined, by basket weaving and other Indian art work. There were twenty Indian families in Burt Township in 1935, poor but still an identifiable community” (95).

Potawatomi

James A. Clifton, “Potawatomi,” *Handbook of North American Indians*, Vol. 15, *Northeast*, pp. 725-742. Washington, DC: Smithsonian Institution, 1978.

> “There is no suggestion of an established, hereditary office of tribal ‘chief’ at this time [1600s], although the principal men of the major clans might occasionally have recognized or nominated a strong man from a larger village as temporary leader of the whole for war or intertribal negotiations. … The presence of a tribal chief rendering decisions on the basis of formal authority is not indicated or suggested in these very important, tribal-level decisions [i.e., talks with the French trader Nicholas Perrot]. (730).
>
> “Relations within villages were as profoundly egaliatarian as they were between villages, the position of *wkəma* ‘leader’ in a village involved ceremonial deference, but little effective power. … As Metea, the civil chief of a large village north of Fort Wayne, carefully pointed out … he was obligated to repeat to his council of warriors all questions he was asked and his responses and that there were things he could not speak about without first securing their permission” (732).

> "The pattern of decision making within the village in the 1800s seems to have been like that described by Perrot in 1670, with very similar social roles, procedures, and values involved" (732).

Chippewa/Ojibwa

Robert E. Ritzenthaler, "Southwestern Chippewa," *Handbook of North American Indians*, vol. 15, *Northeast*, pp. 743-759. Washington, DC: Smithsonian Institution, 1978.

> "The aboriginal Chippewa-Ojibwa had a classless, egalitarian society, not highly organized. However, there were people of importance and prestige who achieved positions earned as the result of outstanding abilities as warriors, civil leaders, religious leaders, or shamans" (753).

Algonquian Tribes of the Western Great Lakes

Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815.* New York: Cambridge University Press, 1991.

> "In our attempts to understand these [social] bonds, the conventional units of discourse about Indians – tribes with distinct territories and their chiefs – are misleading. … What is clear is that, socially and politically, this was a village world. The units called tribes, nations, and confederacies were only loose leagues of villages. … The entities the French called nations, and which were later called tribes, thus had only the most circumscribed political standing" (16-17).

> "The [French-Indian] alliance essentially merged the French politics of empire with the kinship politics of the village. The men – French and Algonquian – who translated one politics into the other were the people the documents refer to as chiefs. Frenchmen so often used the term *chief* as a generic tag for any Indian who showed signs of having influence within his own society that trying to give the word an operational meaning is hopeless. There was no more an office of chief in Algonquian societies than there was in French society. The men, and sometimes women, of influence whom the French most often took for chiefs were *okamas*, or village civil leaders" (37).

> "Leaders in the alliance were thus often leaders in their own society as well. . . . But Algonquian village leaders, unlike … French officials, were not rulers. The French equated leadership with political power, and power with coercion. Leaders commanded; followers obeyed. But what distinguished most Algonquian politics from European politics was the absence of coercion" (37).

“To be a chief within a village seemed to many French observers a thankless task. … Villages were not homogeneous; they contained members of different lineages, clans, and families. The chief intervened to mediate quarrels between them, but they were under no obligation to listen to him. Chiefs and elders deliberated on what course a village should pursue, but no one was obliged to obey them. Chiefs were men with large responsibilities and few resources. But chiefs were also widely acknowledged as men of influence; they were not the same as other men (38).

“Alliance chiefs among the Algonquians did not claim the power to command. They always needed the consent of their councils” (39).