ANISHINABE KWEWAG



Introduction: Hope springs eternal

The Great Lakes are the largest body of fresh water in the world. Not merely a resource, they are a necessary life-force. However, prevailing resource management practices have failed: people, communities, plants, animals, and the water of our Great Lakes are poisoned with toxins at unparalleled levels.

Increasingly, resource-managers are recognizing the value of participatory management practices. Despite purported efforts to shift management practices towards public inclusion, and in spite of public campaigns of Anishinabe women to raise the ecological alarm, they continue to be left out of the fray which may lead to dire consequences; legally and ecologically.

Successful participatory management depends on quality relationships. Litigation is expensive and depends on the adversarial system, which undermines and frustrates efforts at meaningful inclusion of Anishinabe women. By understanding and honoring the unique needs and legal rights of the Anishinabe a partnership is possible that will both ameliorate current degradation and develop a strategy to ensure the availability of Great Lakes services for generations to come.

I have proposed a frame-work which could be a first step in increasing the efficacy of Anishinabe in protecting the Great Lakes as well as increasing the efficiency and effectiveness of existing Great Lakes



Literature Review: Two ships passing in the night

Legal scholarship is focused primarily on litigation as a means for increasing tribal efficacy to manage resources linked to treaty rights and of increasing government accountability to act in accordance with their trust-obligation to the tribes. (Royster 1991, LaDuke 1994, O'Neill 2009)

Participatory resource management scholars, while advocating for increased public participation, there are few resources acknowledging the unique rights and responsibilities that government owes to tribes. (Qiu 2006, Hand 2007, Wilmsen 2008) Furthermore, efforts to give Native communities a greater voice in management are often met with great political resistance and can be highly divisive. (Royster1991, Borrows 1997, Hand 2007, O'Neill 2008) The heart of which is resistance by the public at large to accept that Natives have a greater right to hunt, fish, and trap, than non-Natives. Natives are not mere citizen of a State; rather, they are separate sovereign who secured their rights, independent of and superior to the rights of mere citizens, through treaties. (Royster 1991, Single & Fletcher 2006, Hand, 2007, O'Neill 2008)

Missing, are participatory management models that take the unique legal status of the tribes into account, and the political-will to implement them.

Keepers of Ecological Knowledge & Protectors Of The Great Lakes Water

Kristen M. Gutierrez-Conroy, Michigan State University-College of Law

Proposed Anishinabe Participatory Management Thought-Framework

Mutual Knowledge, Mutual Validity

Dominant Cultural Perspectives & Great Lakes Management



Scientific Method

of Ecological Knowledge



Fundamental Goals

- Resource Management
- Economic Development - Personal Property Protection

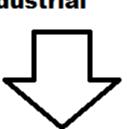


Rules, Regulations & Laws

- State/Provincial

Permissible Water Uses

- Scientific/Research
- Agricultural - Fisheries



Management Priorities

- Maintenance of minimum level of
- water quality - Development of infrastructure (drains, reservoirs, canals)

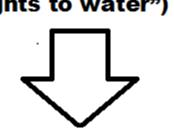
Anishinabe Cultural Perspectives & Great Lakes Management

Gender and Clan Division of Labor

Development of ecological knowledge base on careful observations of natural cycles human/resource relationship preserved

Anishinabe Women are Recognized Waterkeepers

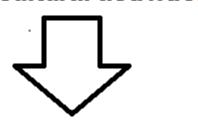
- Anishinabek Women's Water Council **Water Declaration of the First Nations of** Ontario. ("Indigenous women are the holders of the rights to water")



Fundamental Responsibilities

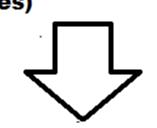
- Maintain water quality and ecological

- **Protect community livelihoods** - Preserve cultural activities



Tribal Practices & Traditions

- Tribal Codes(Exp: Little Traverse Bay Bands of Odawa Indians Waganakising Odawak Tribal Code of Law, Title IV Natural Recourses)



Restrictive Water Regulation

Situational restrictions on fishing and

- Taboos against misuse Maintenance of water quality and
- ecosystem informed by an understanding of natural flows and ecosystem
- Use of riparian pants for ceremonial and medicinal purposes

Historically, Native American's knowledge of the environment has been discounted as mystical or supernatural; it is neither. This knowledge is based on careful observations on natural cycles and tends to be qualitative in nature and highly localized.

This knowledge is different from scientific ecological knowledge which is based on empirical measurements of natural cycles; however, each has its strengths and weaknesses suggesting a valuable partnership between them. (Kimmer 2000)

Structural Grounding of Knowledge Protects Against Anishinabe Cultural & Intellectual Exploitation

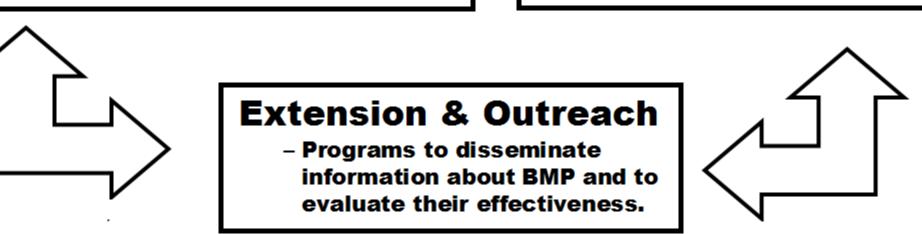
Proposed Anishinabe Participatory Management Model opening up the process to public scrutiny. Participatory practices

Collaborative Institutional Structure

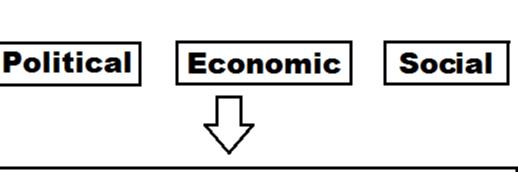
Structure which allows for Great Lakes States and **Provinces, Federal Agencies, Recognized Tribes** with Treaty rights to Great Lakes Water or related activities that implement Great Lakes Management policy.



Great Lakes Ecosystem Knowledge Base



Proposed Anishinabe Participatory Decision Model



empower participating entities to

develop, evaluate, and implement

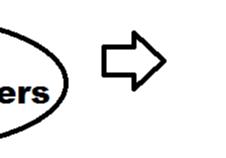
best management practices (BMP).

Conditions extending decisions makers' interests beyond the physical Great Lakes Ecosystem Determines priorities and limits of decision makers.

Ecological Biophysical **Physical Condition and Capacity** of the Great Lakes Ecosystem Determined by traditional scientific investigation

Great Lakes Ecosystem Knowledge Base





Partners Plans

Activities

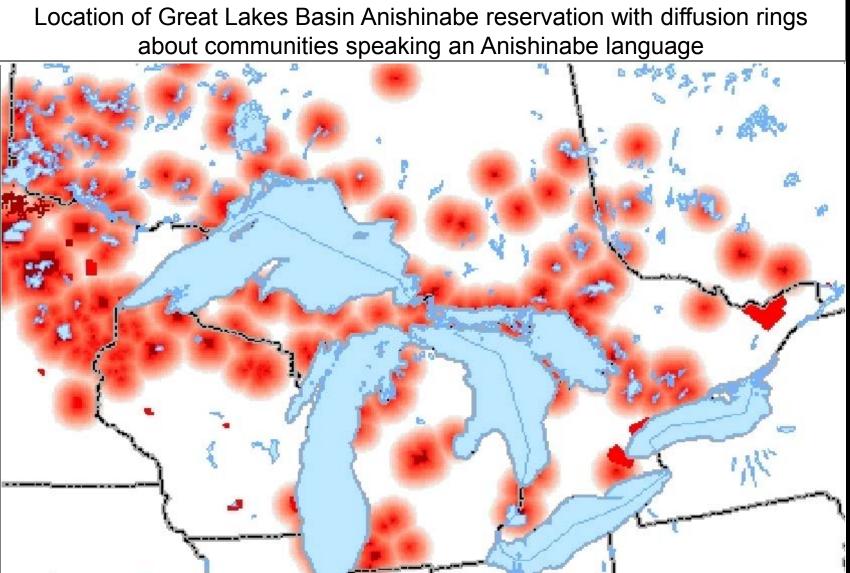
Policies

Development of a Great Lakes Ecosystem

Implications: 'Kwewag Maajaawag' or 'Women in Motion'

Great Lakes resource management is already conducted in partnership between the Great Lakes states/provinces, and federal governments, with the assistance of The Great Lakes Indian Fish & Wildlife Commission. However, as demonstrated by Anishinabe grandmother Josephine Mandamin who walked 17,000 kilometers around the Great Lakes to raise awareness about water issues carrying a copper pail with her along with the message that "the water is sick," managers are no doing a good enough job. Too often women are excluded from making management decisions. Superficial participatory management

U.S. Environmental Protection Agency's Great Lakes Areas of Concern Map (updates June 2010) Canadian AOCs ♣ Delisted U. S. AOCs



does not lead to the positive benefits believed to flow from Participatory Management schemes. Great Lakes Managers must go further and ensue that Anishinabe Kwewag 's knowledge and interests are meaningfully incorporated with the authenticity of their own voices.

management structures. The voices of these women, I believe, have the power to: 1) increase the efficient use of agency resources by more narrowly and accurately identifying Areas of Concern; 2) reduce government waste by more accurately allocating the appropriate resources by improving the administrative process for cite selection; 3) improve the level and depth of stakeholder participation; and 4) ultimately improve The Great Lakes holistically.

Natives have argued for and won greater Native control over on-reservation resources, but continue to be excluded entirely, superficially included in the early planning stages, or considered as an afterthought in off-reservation resource management. Public participation in Great Lakes management decision making: 1) legitimized agency decisions; and 2) increases accountability by have the potential to yield more successful outcomes because institutions, decision makes, developers, and resources would be grounded in local needs and realities. (Qui 2006, Wilmsen 2008)

To ensure such grounding, insider knowledge, especially detailed local environmental knowledge, is necessary. Anishinabe Kwewag have been recognized, from time immemorial, as keepers of water and have acquired significant experience with the Lake's unique environmental traits and sensitivities. Because of Anishinabe Kwewag unique knowledge and experience, a successful approach is incumbent upon their direct and meaningful participation in Great Lakes Recourse management decision

Furthermore, by placing Anishinabe Kwewag directly in decision-making position, the management structure itself must be structured in a way that protects the Anishinabe community from cultural and commercial exploitation. As holders of all the accompanying knowledge and they should remain so without institutional pressure to surrender it to outside decision-makers.

Great Lakes Ecological Knowledge-Base Development Model

Scientific Method **Data Acquisition**

Market

Ashinibe Knowledge Data Contextualization

- Assess and weigh data Set research priorities



Defined Conditions & Capacities of Physical Ecosystem

superior Anishinabe rights to **Great Lakes aquatic resources** Legal frame-work limits agency political-

Regulatory recognition of

vulnerability and allows for accountability in honoring Anishinabe treaty rights

Increases the ability of managers to resist pressures from powerful industry stakeholders that historically enjoy greater weight in decision making



Meaningful Intuitional inclusion of Anishinabe Waterkeepers

Increase awareness of how women may be

affected by policies and practices Increase in understanding of how ecosystems, animals, humans, communities may be affected by specific policies and practices

Knowledge-Base which couches physical knowledge in a socio-political context that strikes equitable balances between stakeholder interests

Selected References

Catherine A. O'Neill, Environmental Justice in the Tribal Context: A Madness to EPA's Method, 38 Envtl. L.

Wilmsen, Negotiating Community, Participation, Knowledge and Power in Participatory Research, PARTNERSHIPS FOR EMPOWERMENT: PARTICIPATORY RESEARCH FOR COMMUNITY-BASED NATURAL RESOURCE MANAGEMENT, 1-21 (Carl Wilmsen, William Elmendorf, Larry Fisher, Jacquelyn Ross, Brinda Sarathy & Gail Wells 2008).

queline Phelan Hand, Protecting the World's Largest Body of Fresh Water: The Often Overlooked Role of Indian Tribes' Co-Management of the Great Lakes, 47 Nat. Resources J. 815 (2007).

ohn Borrows, Living between Water and Rocks: First Nations, Environmental Panning and Democracy, 47 U Toronto Press 417-468 n.4 (1997)

Judith V. Royster, Environmental Protection and Native American Rights: Controlling Land Use Through Environmental Regulation, 1-SUM Kan. J.L. & Pub. Pol'y 89 (1991). The model I propose provides a way to inform our Robin Wall Kimmerer, Native Knowledge for Native Ecosystems, 98 J. Forestry 4-9 n.8 (2000).

Environmental Futures, 5 Col. J. Int'l Envtl. L. & Pol'y 127 (1994)

Wenona T. Singel & Matthew L.M. Fletcher, Indian Treaties and the Survival of the Great Lakes, 2006

Winona LaDuke, Endangered Peoples: Indigenous Rights and the Environment: Traditional Knowledge and

Zeyuan Qiu, Multi-Criteria Decision Analysis for Integrated Watershed Management, USING MULTI-CRITERIA DECISION ANALYSIS IN NATURAL RESOURCE MANAGEMENT, 93-118 (Gamini Hearath & Tony Prato 2006).

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