

Towards Recognition and University-Tribal Healing
Oshkigin Noojimo'iwe,
Naġi Waŋ Petu Uŋ Ihduwaś'ake He Oyate Kiŋ
Zaniwicaye Kte

Renewing Systems Landscapes Through Traditional Indigenous Management Practices

March 2023 // Prepared by The TRUTH Project

# Oshkigin Noojimo'iwe, Nagi Wan Petu Un Induwas'ake He Oyate Kin Zaniwicaye Kte Executive Summary

Oshkigin Noojimo'iwe, Naġi Waŋ Petu Uŋ Ihduwaṡ'ake He Oyate Kiŋ Zaniwicaye Kte, which roughly translates to the spirit that renews through fire heals the people in Ojibwe and Dakota languages, is the final report of the Towards Recognition and University-Tribal Healing (TRUTH) Project, funded by the Andrew W. Mellon Foundation to research University-Tribal relations from an Indigenous perspective. Moving at a speed that fosters trust-building in the wake of irreparable harms, the TRUTH Project centers relationality and Indigeneity.

In partnership with the 11 recognized Tribes in Minnesota, TRUTH meets one of the calls in the June 2020 executive orders released by the Minnesota Indian Affairs Council (06262020-02 and 06262020-03)

Drawing on academic literature, financial, legislative and archival records, as well as Indigenous oral histories, this report highlights the ongoing struggle for recognition of Indigenous rights and sovereignty, focusing on persistent, systemic mistreatment of Indigenous peoples by the University of Minnesota.

#### Findings indicate that institutional harm has taken many forms since 1851, including:

#### Genocide

The Founding Board of Regents committed genocide and ethnic cleansing of Indigenous peoples for financial gain, using the institution as a shell corporation through which to launder lands and resources.

#### Forced removal

Members of the Founding Board of Regents used their positions in government to pass anti-Indigenous legislation that benefited them and the institution financially.

#### Land expropriation

The University of Minnesota has benefited from multiple land grabs. To date, TRUTH has <u>mapped</u> 186,791 acres of land that Congress granted Minnesota between 1851 and 1868.

#### Wealth transfer and accumulation

In addition, many resources have been extracted from land grab lands retained by the UMN, notably the timber and mining industries.

- The 2020 Permanent University Fund (PUF), which includes mineral leasing, timber, land sales, royalties on iron, etc. totaled: \$591,119,846.
  - The PUF was investing in colonial municipalities from very early on in Minnesota's history as a state. Those
    municipalities were able to use PUF money for capital projects, and they paid interest back into the PUF.
    This circulation of wealth did not benefit any of the Tribal Nations whose land those municipalities occupy
    today.
  - Without adjusting for inflation, the revenue created by iron and taconite mineral leases between 1890 and 2022 totaled \$191,875,315.
  - Exploitation and commodification. Indigenous knowledge, culture and practices have been usurped without adequate acknowledgement. In addition, harmful research practices have been perpetrated by UMN faculty and researchers for nearly two centuries.

#### **Revisionist history**

The term "land grant" is a revisionist narrative that attempts to cover up the harm perpetrated against Indigenous peoples.

#### Indigenous erasure

The University of Minnesota has failed to adequately teach the correct history of this land, resulting in the perpetuation of a lack of knowledge of Tribal sovereignty, Indigenous rights, and benefits of diverse environments among UMN graduates and Regents alike.

In light of these findings, the institution must formally recognize the harm and genocide committed against Native American peoples, including the theft of language, culture, community, and land that has led to the depressed social determinants of well-being among Indigenous peoples including education, healthcare, and housing.

We call on the Board of Regents and University of Minnesota leadership to take concrete, meaningful, and measurable steps toward healing through a comprehensive approach that combines reparations, truth-telling, policy change, and transformative justice processes. This includes centering the perspectives and voices of Indigenous peoples, recognizing and respecting Indigenous sovereignty, providing resources and support for language and cultural revitalization, and ensuring access to healthcare and education.

The report concludes with detailed recommendations for university leadership in the following areas:

#### Land Back

The Board of Regents must commit to annual review and rematriation of Indigenous lands.

#### Reparations in Perpetuity

The Morrill Act stipulates that the Permanent University Fund must be held in perpetuity, as the beneficiary of perpetual wealth made from Indigenous genocide, UMN must commit to perpetual reparations to Indigenous peoples.

#### **Diverting PUF Streams**

Engage in economic justice, including committing part of the annual investment returns of the Permanent University Fund in a way that gives back to Native Americans, in perpetuity.

#### Representation

The Board of Regents must adopt measurable policies that remedy the lack of Indigenous representation in administration, tenure-track faculty, staff and students on all UMN campuses.

#### Commitment to Education as Individual and Tribal Self-Determination

Full cost of attendance waiver for all Indigenous peoples and descendants regardless of state of residence.

#### Enact Policies that Respect Tribal Sovereignty and Cultural Heritage

Board of Regents must enact new Indigenous Research policies that respect the sovereignty and treaty rights of Indigenous peoples. The Board must also call for Indigenous curriculum requirements for all degree programs so future graduates are prepared with this knowledge. UMN must also conduct a systemwide inventory of human remains and items related to Native American Cultural Heritage.

#### Sites for Future Research

Institutional commitments to fully funding research that continues to explore TRUTH and ways that UMN can be in better relation with Indigenous peoples.

#### **Meet Trust Obligations**

As a federal land grant institution, UMN has trust responsibilities to Indigenous peoples codified by law and upheld by the Supreme Court.

This report's name, Oshkigin Noojimo'iwe,
Naĝi Wan Petu Un Ihduwaŝ'ake He Oyate Kin Zaniwiçaye Kte, is
a call for a metaphorical burning of policies and practices that
have been harming people and the land,
a series of controlled burns that promote the
transformation and renewal of the institutional landscape.

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Sich Sine Sico 14 el one Narring errebran ene Serl 11/2 00 This report on the TRUTH Project is the product of many, for that we are humbly grateful.

We would like to first acknowledge our ancestors for sharing and passing down the stories of our creation and the teachings that have guided us for generations. We begin with their progress. We would like to acknowledge the land / Mother Earth for all that she has given and continues to give, and for all that has been forcibly taken from her. We wish to create space for further research that honors the Tribes who have been forcibly removed from this place now known as Minnesota.

This project would not have begun if it were not for Professor Emeritus and now Regent, Tadd Johnson. His vision, wisdom, guidance, and support have been the lifeblood of this project. Chi miigwech to Regent Johnson for his lifelong leadership in Indian Country. He has battled relentlessly for the rights of Native Americans.

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We would like to thank all of those who have given space to and protect space for this project, especially everyone at the Institute for Advanced Study.

With this truth-telling, we offer places within the institution for prescribed burns, a metaphorical use of healing fire that brings about institutional policy shifts. Through the spirit of fire, we seek reinstitution of other Indigenous practices that will create space for renewal. In the fertility that comes in the wake of fire, may the system become an ecosystem that will support the generations of people who come after us.

The TRUTH Project

## THE TRUTH PROJECT

#### Introduction

The University of Minnesota recently began taking the initial steps of a long journey towards healing through a commitment to creating mutualistic relationships with the 11 federally recognized Tribal Nations who share geography with Minnesota. One of these steps was restoring the traditional Indigenous land management practice of controlled burns on unceded Fond du Lac lands.[1] Beginning with the founding Regents' formation of colonial political and education systems in Minnesota, traditional Indigenous practices were outlawed. Institutions like UMN replaced traditional knowledge with Western systems that continue to benefit the lumber industry to the detriment of both the land and Native populations.

Prescribed burns, decisions made collectively about when and where to use controlled fire as a mechanism of renewal, have been used by Indigenous peoples of this region to steward the land and offer rich, fertile grounds that support ecological biodiversity.[2] In the reclamation of this practice, there is a resurgence of species that have nourished and sustained populations since time immemorial.

It is in this spirit of fire that we also seek systems renewal. For seven generations, the University of Minnesota has undermined Tribal sovereignty and Indigenous self-determination, using genocide and land expropriation to transfer and accumulate the wealth of Tribal Nations. UMN has participated in the exploitation and commodification of Indigenous knowledge systems. UMN developed and taught revisionist narratives that attempt to conceal the systemic harms perpetuated against Indigenous peoples to the financial benefit of the institution. In its actions, UMN created an environment that centers Western values of capital gain over the health of the land and the people. It has created a system that lacks the elements necessary to sustain diversity. It has created an environment where Indigenous peoples have the lowest social determinants of well-being.

We seek an environment where Indigenous peoples can thrive.

The Towards Recognition and University-Tribal Healing—TRUTH—project is a grassroots, Native-organized, Native-led, community-driven research project that offers multiple

- [1] Boerigter, "Ojibwe Firefighters Restore Fire to the Cloquet Forestry Center."
- [2] Northrup and Panek, "Understanding Oshkigin Spirit of Fire (Panel Discussion)."

recommendations on how the University community can be in better relation with Indigenous peoples.<sup>3</sup> Few universities had ever considered the contemporary impacts of the land dispossession that created the Morrill Act of 1862 until Robert Lee and Tristan Ahtone published, "Land Grab Universities" and Minnesota Indian Affairs Council (MIAC) called for such an accounting of Mni Sóta Makoce's land grab.<sup>4</sup>

In March 2020, *High Country News* published an exposé about land-grab universities (referred to as such throughout this document) that touched a deep nerve and catapulted this issue to mainstream attention, nationally. In Mni Sóta Makoce, Indigenous people are bringing this conversation to the forefront and situating this issue within the ancestral homelands of the Oceti Sakowin, and later the Anishinaabeg people. As the original people, we are from and of this land. The land has a relationship with us that is characterized by balance, longevity, and care. This relationship was ruptured, in large part, by the state of Minnesota and its institutions, like the University of Minnesota, which existed prior to statehood, and was created to encourage white settlement using genocide and ethnic cleansing in pursuit of Indigenous land dispossession.

In June 2020, two executive orders were released by MIAC which brought Tribal-University relations to the local level. The first order is concerned with the Repatriation of American Indian human remains and funerary objects (06262020-02) and the second order is concerned with fulfilling the University's obligations to Minnesota's 11 tribal governments (06262020-03). Both orders detail a painful history and current harm to be redressed by the institution. In summary, the "Minnesota Indian Affairs Council Seeks Immediate Action from University of Minnesota to Address Exploitation of American Indian Nations and People" where the goal is to build a "long-term relationship based on trust and mutual respect."

Shortly thereafter, the University of Minnesota received a Just Futures grant from The Andrew W. Mellon Foundation, a portion of which was used to fund TRUTH. The TRUTH Project seeks to highlight the governmental, community, and individual experiences that Indigenous peoples have been exposed to through their relationship, or lack thereof, with the University of Minnesota.<sup>5</sup>

TRUTH is just one of many recent studies that examine how land expropriation and the commodification of humans and more-than-human relatives is the basis of western wealth

<sup>&</sup>lt;sup>3</sup> See 2020 MIAC resolutions, in Appendix and online at <a href="https://mn.gov/indianaffairs/miacresolutions.html">https://mn.gov/indianaffairs/miacresolutions.html</a>.

<sup>&</sup>lt;sup>4</sup> Lee and Ahtone, "Land-Grab Universities."

<sup>&</sup>lt;sup>5</sup>CURA and Resilient Communities Project. "TRUTH: Project History."

and the wealth of many universities.<sup>6</sup> In the months following the HCN article, scholars began looking into their own institution's past.<sup>7</sup> Native American and Indigenous Studies' Spring 2021 volume was centered on articles relating to land grab universities' pasts, presents, and futurisms.<sup>8</sup>

#### Locating this Space

The University of Minnesota Twin Cities campus sits in the urbanization of what was once a lush river valley, approximately midway between two places central to Dakota cosmology: Owamniamni (colonially known as St. Anthony Falls) and Bdote, the place of Dakota creation (near the spot occupied by Fort Snelling). Many university buildings overlook the Mississippi River. Haha Wakpa (The Mississippi River) is the earthly manifestation of the Milky Way, where this world and the spirit world intersect. It is why Dakota burial mounds are located along riverways, so the people can return to the stars.<sup>9</sup>

Bdote, the confluence of the Minnesota and Mississippi Rivers, was a place Dakota women traveled to, to give birth. The water, herbs and plants found near the islands here aid in birthing and healing processes, and with the help of these medicines, they brought their children into the world at their place of genesis: Bdote. Dakota people emerged from the earth at Bdote. Unci Maka gave birth to them here. Dakota people were created by and from this land.<sup>10</sup>

The sacredness of Dakota birth, life, and death was violently interrupted with the arrival of European settlers, who used domination and dispossession to feed their insatiable desire

<sup>&</sup>lt;sup>6</sup> Baldwin, "When Universities Swallow Cities;" Yang, *A Third University*; Stein, "A Colonial History;" Nash, "Entangled Pasts;" Lee and Ahtone, "Land-grab Universities".

<sup>&</sup>lt;sup>7</sup> For example: MIT, "Indigeneity at MIT"; Public History Project, "On Listening"; Cornell University, "Assessing Cornell University's Response"; The Ohio State University, "Grappling Land Grant Truth"; The University of California System, "Indigenous People's Day Resolution"; Fanshel, "The Land in Land-Grant: Unearthing Indigenous Dispossession in the Founding of the University of California."

<sup>&</sup>lt;sup>8</sup> Lomawaima et al, "Editor's Introduction;" Harvey, "The Wealth of Knowledge;" Roediger, "Morrill Issues;" Palmer, "Drawing a Line;" Brousseau, ""Unrefutable Responsibility": Mapping the Seeds of Settler Futurity and Seeding the Maps of Indigenous Futurity."; Akee, "Stolen Lands"; Feir and Jones, "Repaying a debt? The performance of Morrill Act university beneficiaries as measured by Native enrollment and graduation rates."; Brayboy and Tachine, Myths, erasure, and violence: The immoral triad of the Morrill Act."; Kertész and Gonzales, ""We Grow the Ivy": Cornell's Claim to Indigenous Dispossession."; Gavezzi, "Reckoning with the Original Sin"; Stewart-Ambo, "The Future Is in the Past"; Pleasant and Kantrowitz, "Campuses, Colonialism, and Land Grabs before Morrill"; McCoy et al, "The Future of Land-grab Universities."; Ahtone and Lee, "Looking Forward."

<sup>9</sup> Rock "We Come from the Stars."

<sup>&</sup>lt;sup>10</sup> Stately, "Pazahiyayewin's Story of Bdote."

for land acquisition. By 1858, the United States made 12 treaties with the Tribes in Mni Sóta, often through coercive and violent means, seizing more and more land with each negotiation.<sup>11</sup> All of these treaties were broken by the United States.<sup>12</sup>

In late summer of 1862, the U.S. still had not upheld their treaty obligations, resulting in famine. Tensions between settlers and Natives flared. War broke out. More than 500 settlers and countless Dakota lives were lost. At the war's end, more than 300 Dakota were tried and convicted of war crimes. Abraham Lincoln ordered the hanging of 38 Dakota men in the largest mass execution in U.S. history. Governor Ramsey initiated settler citizen bounty payments of up to \$200 to those with proof of the murder of a Dakota person. Abraham Lincoln ordered the hanging of 38 Dakota men in the largest mass execution in U.S. history.

On November 7, 1862, the U.S. Army forcibly marched Dakota, mostly women, children, and elderly people, 150 miles from the Cansa'yapi, or the Lower Sioux Agency in Morton, Minnesota, to the concentration camp, Ft. Snelling, located near Bdote. It was winter. They were not allowed to take any belongings, such as suitable clothing or provisions. Along the way, settlers attacked and threw rocks and boiling liquids, murdered Dakota babies, and raped Dakota women.<sup>15</sup> Bdote, the place of Dakota genesis, became a place of genocide.<sup>16</sup>

The Dakota Removal Act of 1863, a law still on the books today, was signed into law by President Lincoln and enforced by Minnesota Governor Alexander Ramsey and Senator Henry Sibley, both founding regents of the University of Minnesota (UMN).<sup>17</sup> This law resulted in the exile of most Dakota people from Mni Sóta Makoce. Many Dakota survivors were put on ships and sent to reservations far from their homelands, separated from their source of food, their economy, and their sacred cultural spaces. Families were torn apart.<sup>18</sup>

Anishinaabeg (Ojibwe, Chippewa) also call this land home. Anishinaabeg trace their roots to the East Coast, near the mouth of the Saint Lawrence River. The many bands of Anishinaabeg peoples began to move westward due to a prophecy telling them to travel until they came upon lands where food grew from the water. The migration inland took place over many centuries, causing bands to separate, reconnect, and settle in various locations along the way, including what is now known as northern Minnesota. Other UMN

<sup>&</sup>lt;sup>11</sup> MNHS, "Minnesota Treaty Interactive Map."

<sup>&</sup>lt;sup>12</sup> See MNHS, "Broken Promises," and MNHS, "The US-Dakota War."

<sup>&</sup>lt;sup>13</sup> See Holocaust and Genocide Studies, "US-Dakota War."

<sup>&</sup>lt;sup>14</sup> Routel, "Minnesota Bounties On Dakota Men."

<sup>&</sup>lt;sup>15</sup> MNHS, "Forced Marches and Imprisonment."

<sup>&</sup>lt;sup>16</sup> Garagiola and Bernier, "#LandBack."

<sup>&</sup>lt;sup>17</sup> Minnesota Legal History Project, "1863 Indian Removal Acts."

<sup>&</sup>lt;sup>18</sup> Minnesota Legal History Project, "1863 Indian Removal Acts."

campuses (Crookston, Duluth, Morris) are situated on lands taken through coercive treaties with Anishinaabeg peoples.<sup>19</sup>

The Northern Cheyenne once controlled territory that extended from Minnesota to the Rocky Mountains. Then, the Northern Cheyenne began to migrate west in the 1680s before finally being relocated to the Northern Cheyenne Indian Reservation in 1884.

The Winnebago trace their ancestral roots to central Wisconsin and northern Illinois. The tribe signed their first treaty with the United States government in 1816 and successive cession treaties that placed the Winnebago in Minnesota by 1832. Fervor and public sentiment to remove Indians from the exterior boundaries of the State of Minnesota hit an all-time high after the Dakota Conflict. Due to this, and in spite of the fact that the Winnebago had remained neutral in the conflict, the Treaty with the Winnebago, 1837 was nullified by the U.S government and the Winnebago were forced from Minnesota, forever.

Throughout this document, the terms American Indian, Native American, and Indigenous Peoples are used interchangeably to refer collectively to the peoples whose nations share geographical proximity to the United States and/or experiences with U.S. imperialism, and whom settler-colonial institutions persistently under-resource. While this can result in similar resource gaps, it is important to recognize each Tribal Nation's unique context when helping students access resources.

In addition, intentional acknowledgement of cultural and political distinctions must be consistently centered when creating a list of programs for American Indian students across the University of Minnesota system. There are different acronyms that are used now to describe historically underrepresented groups; such as Black, Indigenous, and People of Color (BIPOC), or People of Color and Indigenous (POCI); however, American Indians have a political status that is significantly different from Blacks or African Americans, Asians, Native Hawaiians or any other Pacific Islanders, or any other racial classification. The political status of American Indians, particularly of federally recognized Tribal Nations and their Tribal members, including in Minnesota, is recognized and affirmed by the U.S. Constitution's Supremacy Clause, treaties, U.S. & Minnesota statute, federal & state executive order, federal court decisions, and administrative regulations. The political status recognizes inherent rights of American Indians that are distinct from other racial demographics. The history of the formation of the University of Minnesota as a land grab institution with the consequence of genocide, exile, and subjugation of the Dakota,

<sup>&</sup>lt;sup>19</sup> See Minnesota Humanities Center, "Relations: Dakota & Ojibwe Treaties."

Anishinaabe, Cheyenne, and Winnebago (Ho-Chunk), and other Indigenous Nations also brings more to bear on this distinction of identification and circumstance.

#### 172 Years of Silence and Erasure

The people responsible for Dakota genocide and exile were the men who created this institution, through a series of violence-backed land cessions, treaties, and war. Every single person at the University of Minnesota is a benefactor of these policies written more than 150 years ago. Indigenous peoples had thriving communities before European settlement. It was an intentional action by the early Regents to build the University in these places. The Dakota are the original peoples of this land where the Twin Cities campus has settled. This research shows that the choice to locate UMN so close to the Dakota people's place of creation and other sacred sites was just one of several strategic political maneuvers taken by members of the founding Board of Regents that together equate to ethnocide and genocide.

In acknowledging the ethnocide and genocide of Indigenous peoples, we also must acknowledge that universities also have roots in the enslavement of Black and brown people. The infrastructure of the United States was founded through the abuse of enslaved Black and Brown People to construct and maintain the development of colonial structures procured through the ethnic cleansing and genocide land dispossession of Indigenous peoples. The University of Minnesota is no different, and founders have roots in proslavery groups. Though this report centers the founding of the University through the ethnic cleansing of Indigenous peoples in Mni Sóta Makoce, we implore the University of Minnesota to also publicly examine and redress instances of injustices perpetrated against other peoples.

At a University of Minnesota Board of Regents meeting in October 2022, two years into the TRUTH Project, Vice Chair Steve Sviggum made comments about the University of Minnesota Morris campus asking if UMN Morris had become "too diverse." Regent Sviggum had received correspondence from white people saying they were uncomfortable with that level of diversity. These letters have never been made public.

<sup>&</sup>lt;sup>20</sup> Lehman, *Slavery's Reach*.

<sup>&</sup>lt;sup>21</sup> See video at UMN, "October 22 Board of Regents."

According to statistics from the University's Institutional Data and Research (IDR), the Morris campus is predominantly white (54%). The Morris campus was once an Indian residential school, and recently bodies of Native American children taken from their families and forced to attend were discovered in unmarked graves.<sup>22</sup> If anyone should feel discomfort, it is the descendants of boarding school survivors attending UMN Morris. More details on the Morris campus are available on page 44.

Sviggum's anti-Indigenous ideologies are nothing new to the UMN Board of Regents. UMN was twice opened with profits from expropriated Native lands. Many of these funds continue to collect interest and will do so in perpetuity. This report includes a content analysis of Board of Regents records from 1851 to 1868. Our findings indicate a concerted effort by the founders of the University to commit acts which equate to genocide.

This history has been buried deep within the Earth, under the banks of the river Haha Wakpa in the University archives. On the surface, stories of pioneer discovery and innovation are propagated over the Indigenous narratives that have existed on this land since time immemorial. These one-sided stories have attempted to erase Indigenous culture and knowledge to benefit the settler state. Moreover, economic analyses show a perpetual transfer of wealth from Indigenous communities to Settler communities through the University of Minnesota.

Many of us are in a moment where we are resisting and reconsidering the design of the systems that have been built; they are systems in which we all participate and through which we relate to each other. As a collective, we are facing a global pandemic, climate catastrophe, racialized violence, and so on. In doing so, we are confronted with harsh truths of division and of painful histories each day. We uncover that we are not in right relation with each other, in large part due to the systems of power we've built and due to the histories we hold. What becomes clear is that systems are conducive to harm, harm to bodies and to the earth; and this harm is unevenly distributed. This is a pattern held throughout history, especially within the geo-political nation of the United States. As we seek solutions that we can all live with (we mean this quite literally), we must contextualize how we got to this place of inequity, divisiveness, and rancor.

In this pursuit, we must call into question an institution that has been quietly unexamined, but loudly touted as an entity meant to serve the greater good: the Land-grant university. Universities that have been granted land through acts like the Morrill Act or the Nelson Act have often been praised and celebrated as agents of "progress." But what has not been

<sup>&</sup>lt;sup>22</sup> Bui, "Native American Students Want."

publicly considered is how these revisionist narratives conceal the truth of how that land was acquired and what this means in relation to the Indigenous people who lived on and cared for this land since time immemorial. This has been privately considered by Indigenous people, but through the mechanisms of settler colonialism, the conversation and repressive history of Tribal-University Relations has been effaced.

To deepen and further this conversation, this report explores Tribal-University relations past, present, and future, and how we might fulfill this ambitious goal of getting in right relation. You will be presented with many dimensions of this issue throughout the 172-year history of the institution. Nothing here is meant to be the answer, but rather if we are asking the right questions throughout:

- How might this institution serve as a site of healing rather than harm?
- How do we redress the inequities created through genocide and repression of Indigenous people and culture?
- How do we repair where settler occupation has erased Native lives, culture, and histories by exploiting Native lands and resources while displacing Indigenous people?



We hope to remind those reading this that countless stories have been lost due to colonization and removal. Much of the history that has been preserved has been about us instead of in our words. Because of that erasure, the labor of having to recover and re-introduce these stories about our past is difficult. It will take a continuation of community discussions and research among our Tribal Nations and relatives to ensure that our stories are always given an equitable space.

-Andy Vig, Margo Prescott, and Javier Avalos, SMSC Report

# TRIBAL NATIONS' PRESENTATIONS and REPORTS

Throughout the TRUTH Project, Indigenous research standards have been used to uplift Indigenous ways of knowing, learning, researching, analyzing, evaluating, and sharing information. TRUTH was designed to center and build community. This intentionality allowed the project to remain fluid, resilient, and led to the decolonization of research practices and creation of data sovereignty procedures both within and outside the circle of the project. TRUTH researchers have begun the long process of identifying methods of healing institutional harms. Our Nations are strong, our people resilient, and when we come together, we combine our strengths.

Honoring Indigenous methods of oral storytelling, on May 16th and 17th 2022, TRUTH Researchers gathered at the Humphrey School of Public Affairs for a two-day symposium. They shared their experiences, findings, and recommendations to an audience of Tribal and University leaders.

Below are links to the presentations.

Cansa'yapi Lower Sioux Indian Community.

President Robert Larsen

<u>Gaa-waabaabiganikaag White Earth Nation</u>
Jamie Arsenault

Gaa-zagaskwaajimekaag Leech Lake Band of Ojibwe Laurie Harper

Shakopee Mdewakanton Sioux Community

Misi-zaaga'iganiing Mille Lacs Band of Ojibwe

Miskwaagamiiwi-Zaagaiganing Red Lake Nation

Nah-gah-chi-wa-nong Fond du Lac Band of Lake Superior Chippewa
Kami Diver

<u>Pezihutazizi / Oyate Upper Sioux Community</u> Samantha Odegard

<u>Tinta Wita Prairie Island Indian Community</u> Suzelle Sandoval Bellanger

Zagaakwaandagowininiwag Bois Forte Band of Chippewa and Gichi-Onigaming Grand Portage Band of Lake Superior Chippewa Jaylen Strong



Leech Lake Band of Ojibwe

# TRUTH Project Report

### "Mewinzha iko-ingitiziimag ingii-waa-wiindamagoog iko gaa-izhibimaadiziiwaad wa'aw anishinaabeg..."

(A long time ago, my grandparents told me how (we)Anishinaabe lived).

This was how my grandpa began an answer to my questions regarding how he grew up. He was born in 1919 and spent much of his formative years with his grandfather at Buck Lake, north of what is now known as Cass Lake. As he said this part to me in Ojibwemowin, his eyes had the faraway look and I knew he was reaching back through his memories and into his childhood. What he shared with me through that interview, and really throughout my whole life, has impacted and guided me through raising my own children and how I view the world around me, and very specifically our homelands of Leech Lake Reservation. One topic he spoke about during that interview process was the dams that are throughout Leech Lake Reservation and the impacts they've had on our family's ability to thrive and survive. As a grandmother myself, I am realizing the need to share our family's stories with my own grandchildren, in hopes that they pick up where we leave off and that they understand how truly loved they are, not only by their grandparents but also by our ancestors. I will attempt to answer the research questions that are listed later in this report, based upon research and interviews through the University of Minnesota while also upholding my ancestral teachings that, for whatever reasons, Ojibwe elders throughout Minnesota and Wisconsin chose to share with me.

When this research opportunity was presented to me, I reached out to several employees of Leech Lake Band of Ojibwe. What I thought of as a great opportunity to finally gain unfettered access to research information that had rarely, if ever considered us, let alone asked us if we wanted to contribute or participate in the University of Minnesota's research was definitely not viewed in the same opportunistic light. I received responses such as, "Tell the U of M to leave us the hell alone and leave our manoomin alone and quit researching us and our rice without our permission and knowledge," and, "Why does Leech Lake have to write a research report on the egregious harms the University of Minnesota has perpetuated upon us, when they already KNOW and have ignored us since before Minnesota was even a state?" As the responses came in, I realized that a lot of us carry the intergenerational traumas and pains of our ancestors and did not view the research opportunity as favorable or an opportunity to tell our story through our own lens. So, I turned inward and thought back to my own family history and the traditional knowledge as well as the traditional ecological knowledge that has been passed down intergenerationally. And I thought about the disruptions of that historical knowledge and the heart wounds that my grandfather carried with him, due to the dams placed on Leech Lake and Lake Winnibigoshish. Without stepping on any other departmental (Leech Lake Band of Ojibwe's Division of Resource Management and Human Services Division), toes, I determined that researching the impacts of the dams at Leech Lake and Lake Winnibigoshish was the best way to begin to tell of the roles the University of Minnesota played in the harms perpetuated against the Leech Lake Reservation Ojibwe people and how impactful and harmful and disruptive their research has been.

<sup>&</sup>lt;sup>1</sup> (personal interview, Alvin Staples, April, 1995).

#### **Brief history of Leech Lake**

The Mississippi Headwaters are located in northern Minnesota in the Leech Lake Nation's ceded territory of 1855. The Treaty of Washington of 1855 established the Leech Lake Reservation and also designated "chiefs" or headsmen of the Ojibwe whom the federal government said had the authority to sign on behalf of the Ojibwe people. This was contested by the Mille Lacs anishinaabeg as they had no representation in the treaty negotiations of 1855. It is worth noting here that until this time, the Ojibwe did not have a "chief" system, as known by the now contemporary history. The governance of Ojibwe people was consensus and everyone, including women, were part of the decision making and advising. Often times, the decisions were made after days of deliberation, as each clan community had to agree, which is why the "chiefs" were designated and recognized by the federal officials in the treaty of 1855. For the Anishinaabeg, balance and representation was key to being stewards to the land and each other and no voice was ever silenced.2

#### **Brief Minnesota History**

Minnesota's legal identity was created in 1849 as the Minnesota Territory and it became a State on May 11, 1858. The federal government recognized the Ojibwe, (Chippewa is a bastardized word of the colonizers language; Ojibwe/Ochipway and will be written throughout as Ojibwe rather than Chippewa) in their treaties with the

#### **Research Questions**

Did the U of M play a role in the research, building, and design of the dams?

What role did the U of M play?

Did the U of M and the Army Corps consider Leech Lake needs and manoomin in research, building, design, and operation of the dams?

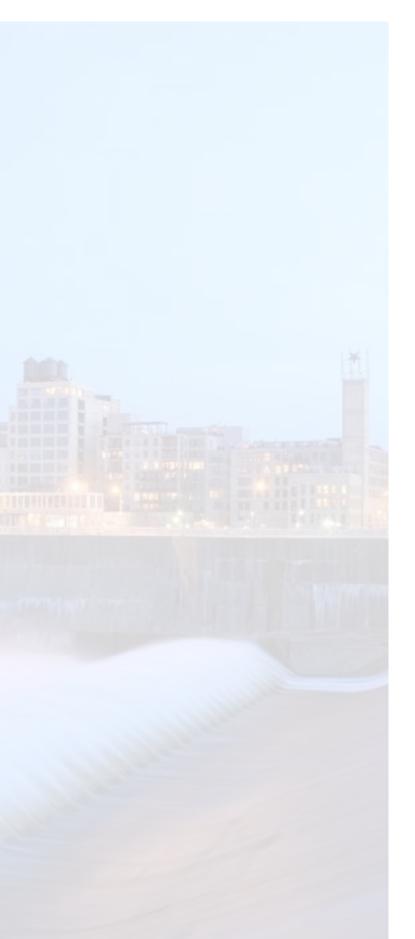
#### Research statement

The impact of dams on manoomin beds, role of the University in changing water near Leech Lake Reservation

Ojibwe (Treaties of 1837, 1847, 1854, 1855), long before Minnesota's legal identity was created. It should be noted that Ojibwe people, as well as other indigenous nations, were dealing with onslaught after onslaught with the Federal government as well as with the Minnesota Territory. Each land cession was not a one-time deal, but kept coming and coming. My ancestors were dealing with internal disputes amongst the Ojibwe bands, land cessions that continued to diminish their land base and access to traditional areas of sustenance AND to traditional burial places. In addition to misunderstandings created by treaty negotiations that were presented to them in the English language and had to be translated to Ojibwemowin for understanding.

<sup>&</sup>lt;sup>2</sup> (personal conversation, J. Shingobe, East Lake, Minnesota, May, 2000)

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### Intertwined history of Minnesota and University of Minnesota

The passage of the Rivers and Harbors Acts of June 14, 1880 and August 2, 1882 authorized the construction of dams at each of the six Mississippi River Headwaters lakes for the purpose of "augmenting Mississippi River flow for navigation." The lakes affected by the acts are Winnibigoshish, Leech, Pokegama, Sandy, Cross and Gull. All six of which are located in the ceded territory of the 1855 Treaty that established the Leech Lake Reservation and Mille Lacs Reservation. As stated previously, the Ojibwe at Mille Lacs protested this signing as they did not have representation from their bands at the negotiations. One of the signers/negotiators for the federal government was Henry M. Rice, who was served on the Board of Regents for the University of Minnesota, 1851 –1859. Henry M. Rice was a fur trader, who lobbied for the bill to establish Minnesota Territory (the Louisiana Purchase). Rice also served as a delegate in the 33rd and 34th Congress from March 4, 1853 til March 4, 1857. Rice not only signed the treaty of 1855, but also lobbied for amounts to be paid, as he said the Ojibwe owed thousands of dollars from the collapsed fur trade. The Ojibwe were "allowed credit" almost unlimited credit, as long as they maintained land.<sup>5</sup>

<sup>&</sup>lt;sup>3</sup> Treaties matter website at: https://treatiesmatter.org/relationships/business/furtrade

Ojibwe people found it increasingly difficult to pay down their debt and when the fur trade collapsed, due to over trapping, fur traders, including Rice, became treaty negotiators and Ojibwe people began selling their lands to get out of debt. Fur traders kept the majority of the money due to their government connections and seats held as congressional members. Rice was invested in the timber industry and profited from logging Ojibwe land. of Rice maintained his political connections with Washington, DC and as a United States Commissioner during 1887 – 1888, continued to negotiate treaties with Indians.

#### The Dams

The Leech Lake Reservoir Dam or Federal Dam as it is known as by locals, is located in Cass County, Minnesota. It is one of six Headwaters Reservoirs dam sites that are historically significant due to navigation, commerce, tourism, the Ojibwe people and U.S. Indian policy in Minnesota in the late 19th century.

The Library of Congress' website claims that the dam enhanced navigation and aided in the commercial development of the Upper Mississippi River. It also mentions that the dam had a devastating impact on my ancestors that lived on the shores of Leech Lake. My ancestors fought for a century with the U.S. government over the damages of flooding of our tribal lands that included traditional harvesting areas for manoomin, berries and other wild plants and our burial sites. The Library of Congress refers to this as "the inundation of tribal lands and property." This researcher had to look up the difference between the words flooding and inundation. The definition preferred by the Advancing Earth and Space Science of inundation is: the process of a dry area being permanently drowned or submerged. That is an accurate portrayal of what occurred to my ancestors that lived on the shores of Leech Lake.

What is not clearly stated is that Federal Dam did not have the continued economic success for the Ojibwe people that it had for the non-native settlers and colonizers that were further south along the Mississippi River, such as the burgeoning settlements of Minneapolis and St. Paul. The research conducted in the 1800's had more to do with saving the flour mills at Minneapolis and transporting and floating timber (stolen from the Ojibwe lands) down the Mississippi River, as it was more cost effective than taking them by horse and trailer or by rail. It really was more about the already populated metro area, than it was about wild, untamed north that was inhabited by my great- grandparents. A timeline of planning the Dams on and near the Leech Lake Reservation is as follows:

- 1869 St. Anthony Falls (in present day metro area) nearly collapsed due to excessive water levels and excessive tunneling
- 1881 Construction on Lake Winnibigoshish begins
- 1882 Leech Lake Reservoir Dam & Pokegama Falls Dam begins
- 1884 construction of Lake Winnibigoshish & Leech Lake Reservoir Dams are complete
- 1885 Pokegama Falls Dam is completed

 $<sup>^{3} \ \</sup>text{https://www.loc.gov/item/mn0391/\#:} \\ ``:text=Significance\%3A\%20The\%20Leech,lands\%20and\%20property' \\ (a) \\ (b) \\ (c) \\ ($ 

#### Relationships

The University hosted the Army Corps of Engineers on its Minneapolis campus for many years at the St. Anthony Falls Laboratory. Furthermore, that same lab conducted numerous studies for the Army Corps of Engineers. Those studies show no evidence that the Laboratory ever took the interests of the Leech Lake Band of Ojibwe, nor of American Indian people into account. Leech Lake Band of Ojibwe were not raised in the reports, as if we did not exist **The impacts of the dams being built on and near our waterways of what is now Leech Lake Reservation, has been felt inter-generationally.** 

The way that the University of Minnesota has continuously worked to shape Minnesota is critical to picturing the dams in the broad picture. The University has tried to shape Minnesota in a way that works against American Indian people. It is not just about the dams, it is that the dams are part of a whole process of re-imaging Minnesota into a place where Ojibwe people are just part of the past.

When we begin by looking at the dams on Leech Lake and Lake Winnibigoshish and Pokegama Dam, we can place them as one part of the bigger story of Minnesota that the University of Minnesota has strived to build.

The building of Federal dam has been destructive to the Leech Lake Band of Ojibwe, on so many levels. By inundating traditional manoomin beds, it caused starvation for my ancestors. In a time when Ojibwe were already dealing with theft of their annuity payments through timber and fur barons controlling and manipulating treaty negotiations, my ancestors were grieving the loss of sustenance of our main staple, loss of traditional berry and other wild food places and the loss of our ancestral burial grounds near the waterways. The Federal Dam completely changed the landscape, making traditional homesites and burial sites inaccessible. While none of these effects were caused by just the University, the University of Minnesota supported the work of the Army Corps of Engineers in the management of the dam.

#### Shifting the big picture

Failure to consider what the Leech Lake Band of Ojibwe people have to do with what the University of Minnesota's Board of Regents in the 1880's clearly thought was their larger mission: build a northern Minnesota that was focused on timber and mining. The University supported the Army Corps of Engineers, and forest products laboratories and forestry departments and so many other capitalist endeavors that profited only certain kinds of people – non-indigenous businesses and non-natives that wanted to settle in Northern Minnesota.

The University of Minnesota's silence about Leech Lake Band of Ojibwe and other indigenous tribal nations in the University's lab's reports, and in the University's Civil Engineering work about dams, the work of the University in forestry, speaks loudly. It tells Leech Lake Band of Ojibwe, that the University of Minnesota wanted to build a Minnesota with no place for Ojibwe or Dakota or any other indigenous people.

In looking at the University of Minnesota's support for the Army Corps of Engineers in managing the dams, we are able to see just a glimpse of how the Leech Lake Band of Ojibwe were damaged by the University of Minnesota's continual erasure of us.

#### **Research Outcomes/Expectations**

The work has only just begun. Tribal nations throughout Minnesota need continued access to archival materials and reports throughout the full University of Minnesota system. University of Minnesota needs to uphold its duty to educate Minnesotans about our shared tribal-state history through required undergraduate coursework that builds knowledge and understanding of tribal governments, tribal sovereignty, and our collective history. All graduate students in fields of public policy, business or law will be required to take graduate or law school courses of the same nature.

We need a minimum of two Minnesota Indigenous people on the Board of Regents. With the most recent retirement of the Regent from the 8th Congressional District, Leech Lake Band of Ojibwe recommends the appointment of Tadd Johnson, Bois Forte tribal enrolled member to this seat. In the 171-year history of the University of Minnesota, there has never been an enrolled member of a Minnesota Indian tribe on the Board of Regents. Of all of the land stolen from the Minnesota tribes, that helped build the University of Minnesota and thirty-four other Universities, this is opportunity for the University of Minnesota to begin to make right by the Ojibwe and Dakota people. Tadd Johnson will bring honor and integrity to the role of a Board Regent and we whole-heartedly support this appointment. There should always be a minimum of two Board of Regents that are filled by tribally enrolled Minnesota Ojibwe or Minnesota Dakota people.

The University should ensure that the Marvin J. Sonosky Chair of law and public policy be used to fund American Indian law and policy scholarship to honor the work of Mr. Sonosky.

Another piece that the University can improve upon: genuinely offer to work on repairing relationships with Leech Lake Band of Ojibwe and other tribes throughout the State. There were individual meetings that I had with various departments of the University throughout this research, that didn't care if they had a positive working relationship with us. I was told by three different departmental representatives/staff/professors, that they tried to contact Leech Lake, but didn't get a response. When I asked who exactly they reached out to and how, and shared with them the new email addresses (firsname.lastname@llojibwe.NET), they just shrugged it off. The attitudes from some, not all, university staff was as if they were doing me a favor by deigning to meet with me.

And finally, my ancestors had the foresight to think generationally and adhere to what their grandparents taught them, through oral histories, that have often been relegated to "story-telling," by University systems. Ojibwe history is oral history that has been handed down generationally and very intentional in the transmission of it from grandparent to grandchild. Our indigenous knowledge and ways of being and knowing are just as valuable in our tribal communities as they are in that University setting. Our traditional knowledge that we carry within us and our knowledge of the world around us is older than the State of Minnesota and the University system. It is time to welcome our ways of seeing the world into those academic settings, as our teachings go back to when the Anishinaabe were put on this earth from the stars.



Shakopee Mdewakanton Sioux Community

# TRUTH Project Report

The Shakopee Mdewakanton Sioux Community is a federally recognized, sovereign Dakota Tribe located southwest of the Minneapolis/St. Paul area. Our Community is built on seven Dakota values that guide our actions and shape who we are as a people.

#### Seven Dakota Values

Wócekiya – Prayer
Wóohoda – Respect
Wówauŋṡidaŋ – Caring and Compassion
Wówahbadaŋ – Humility
Wóksape – Wisdom
Wóokiya – Generosity and Helping
Wówicaka-Honesty and Truth

With these values as a guide, the Shakopee Mdewakanton Sioux Community believes in being a good neighbor and it is within that belief that we participate in the TRUTH project. The TRUTH project aims to provide an opportunity for Minnesota's 11 Tribal Nations to tell their stories in respect to the University of Minnesota's history with Native people in what became known as Minnesota. The University of Minnesota should recognize that many of our relatives are not within the boundaries of this state. Our Oceti Sakowin relatives should also be given the opportunity to share their stories, since their experience has also been significantly altered by the colonization that is, in part, represented by the University system. Their exclusion from this project serves as a continuation of an agenda to define who we are by non-Dakota people. Today, the tribal governments and communities of the Oceti Sakowin are located throughout the Upper Midwest of the United States, which includes Minnesota, North Dakota, South Dakota, Nebraska, and Montana, as well as and Alberta, Manitoba, and Saskatchewan in Canada. The Oceti Sakowin consists of:

#### Tribal governments and communities of the Oceti Sakowin

Mdewakaŋtuŋwaŋ: Dwellers of the Spirit Lake
Wahpetuŋwaŋ: Dwellers Among the Leaves
Sisituŋwaŋ: Dwellers of the Fish Lake
Ihaŋktuŋwaŋna: Little Dwellers at the End
Ihaŋktuŋwaŋ: Dwellers at the End
Títuŋwaŋ: Dwellers of the Prairie
Wahpekute: Shooters Among the Leaves

The TRUTH project should not simply serve as an attempt to gather a list of experiences that Native people have endured in the University of Minnesota system. Rather, it should express how institutions like the University have consistently been built to exclude and exploit Native people. Many of those institutions that have served to oppress our people are connected outside of the University of Minnesota itself. We hope to remind those reading this that countless stories have been lost due to colonization and removal. Much of the history that has been preserved has been about us instead of in our words. Because of that erasure, the labor of having to recover and

re-introduce these stories about our past is difficult. It will take a continuation of community discussions and research among our Tribal Nations and relatives to ensure that our stories are always given an equitable space. More funding for projects will allow for healing to begin and be sustained in the long-term. However, this can not only be a place to recount our history. People have only seen us through the lens of the past for too long and we must advocate for how this system must change to be more inclusive of Native people.

In order to understand how the University of Minnesota has been inextricably linked to the people and institutions that have historically oppressed us, we need to look no further than the name of the University itself. The word Minnesota is derived from the Dakota words Mni Sóta, which translates to milky, white water and is the traditional name for the Mni Sóta Wakpa, which is today called the Minnesota River. The boundaries of Minnesota are a colonial construct created by land speculators and politicians. Dakota people would not have recognized these boundaries and the name was adopted as a way to pay homage to the Dakota people without their inclusion and in name only. The memorial in part reads:

"to show a proper regard for the memory of the great nation, whose homes and country our people are now destined soon to possess, we desire that it should be so designated."

The word Minnesota is derived from the Dakota words Mni Sóta, which translates to milky, white water and is the traditional name for the Mni Sóta Wakpa, which is today called the Minnesota River.

The Minnesota Territory was formed under the Organic Act of 1849 and established on March 3, 1849, cementing the name that was formed by the men who were in their words "destined to possess" our homelands and would later seek to remove us from them. The newly formed position of Territorial Governor would be filled by Alexander Ramsey. Years before Minnesota would achieve statehood, the University of Minnesota was founded by the newly formed Territorial Legislature and a Board of Regents was established to articulate a vision for the University. The Board of Regents is selected by the Legislature and is therefore inherently linked to the government of Minnesota. The original Board of Regents are familiar to Dakota people for their work in the fur trade, land speculation, and their efforts to fight our people during the U.S Dakota War of 1862.

Office of the Minnesota Secretary of State. Organic Act of 1849. https://www.sos.state.mn.us/about-

minnesota/minnesota-government/organic-act-of-1849/.

4 University of Minnesota. Board of Regents: Role of the Board. https://regents.umn.edu/role-board.

On March 6, 1852, the Territorial Legislature adopted Memorial No. VI, a Memorial to President Millard Fillmore to request 2 that the Federal government adopt the name "Minnesota River" for what was at the time called St. Peters River.

Minnesota Legislative Reference Library, Minnesota Governors, 1849-Present, https://www.lrl.mn.gov/mngov/gov. University of Minnesota. Board of Regents: History of the Board of Regents. https://regents.umn.edu/history-boardregents#: ":text=In%201861%2C%20the%20University%20suspended,1867%2C%20when%20the%20University%20reopened

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Founding Board of Regents <sup>5</sup>

Isaac Atwater
Joseph W. Furber
William R. Marshall
Bradley B. Meeker
Socrates Nelson
Alexander Ramsey
Henry Mower Rice
Henry Hastings Sibley
Charles Kilgore Smith
Franklin Steele
Nathan C.D Taylor
Abram J. Vorhes

MINNESO

Some of the names that made up the initial Board of Regents are memorialized throughout Minnesota. As Dakota people we named our homes and the landscape after the resources provided to us by Ina Maka (Mother Earth), such as Canhasan Paha (The Hills with Whitish Bark), Makato (Blue Earth), or Mni Ia Táηka (large or great water). Some of our homes were named for where our villages were located, such as Tiηta Outηwe (Prairie Village). Many of the names associated with the Regents are from one of Minnesota's 87 counties, parks, streets, statues, or other ways of honoring the "pioneers" of Minnesota. Much like the shape of Minnesota, the counties are reflective of political and economic concerns and the naming of them is mostly done out of patronage to the powerful people at the heart of the systems that were designed to oppress Native people. Some of the names do reflect the stories and traditions of Native people. These names were also put into place to "honor" those people that would one day be but a distant memory of the past. Some of the same people would also become leaders of the newly formed Minnesota Historical Society, which was formed by the Territorial Legislature on October 20, 1849. Sibley, Meeker, Ramsey, Rice, and Steele would end up serving as founding members of both the University of Minnesota and the Minnesota Historical Society.7

University of Minnesota. Historical List of Regents. https://regents.umn.edu/sites/regents.umn.edu/files/2 021-

<sup>03/</sup>BOR%20Historical%20List\_Table\_March\_2021.pdf.

Minnesota Territorial Legislature, 1849.
 https://www.revisor.mn.gov/laws/1849/0/General+Law
 s/Chapter/42/pdf/.
 Ihid

Throughout the treaty years, some of the most prominent leaders of the University of Minnesota enriched themselves with the resources of our homelands. For example, the fur trade granted Henry Hastings Sibley significant wealth, while the animals that Native people depended upon were overhunted, destroying the delicate balance that is essential to care for our home. The fur trade is sometimes seen as a period of relative peace, goodwill, and mutual benefit between Native people and Europeans and later Americans. However, this period would prove disastrous as we suffered from new contagious diseases, declining animal populations, and the increasing conflict with other tribes as Native people were continuously shifted from landscape to landscape as manifest destiny became reality. Franklin Steele was involved in trading goods on credit to Native people, a practice that would continuously drive-up debts. Having less land meant that our people had to become more reliant on western ways of farming and the selling of lands to cover the costs of goods needed to survive. When the fur trade began to decline in the 1840s, the interest of the state moved towards the next extractable resource, the land.

Before Minnesota would achieve statehood, the leaders of the state, and the University of Minnesota had already begun acquiring lands from the Anishinaabe and Dakota people. For Dakota people, the first treaty was signed in 1805 for a piece of land that would be designated for a fort, which would become Fort Snelling. Only two of the seven Dakota leaders that were present signed the agreement and were misled as to the true intent of the agreement. It was not until 15 years later that the fort was built, but the push for Dakota lands would continue through the treaty process. In 1837, a treaty was signed giving up the first portion of Dakota lands within the future state boundaries. It would also be the first treaty that included lands upon which the University of Minnesota stands today. Traders would later claim they had debts built up from past interactions, so treaty payments never went as far as they should. The encroachment of settlers, strong government pressures, and an uncertainty about the future set off a chain reaction that would result in the loss of more of our homelands.

Many Dakota people did not want to give up lands but the government would not take no for an answer, leading some treaty negotiations to stretch on for days. The Dakota experienced the largest loss of land in 1851 and were placed on a small strip of land along the Minnesota River, including the rest of the land where the modern-day University of Minnesota -Twin Cities sits today. Another founding regent of the University, Henry Mower Rice, was involved in the negotiations along with Ramsey and Sibley. Negotiators ensured that their debts and those of their friends were taken from the Dakota by signing an additional document that would come to be known as the "the Tradels' papers."

<sup>&</sup>lt;sup>8</sup> Rodney C. Loehr. "Franklin Steele, Frontier Businessman." Minnesota Historical Society, 1946. Pg. 311 http://collections.mnhs.org/MNHistoryMagazine/articles/27/v27i04p309-318.pdf.

<sup>9</sup> University of Minnesota. Radio Station KUOM. 1949. "The Sioux Treaty." University of Minnesota Libraries, University Archives., Accessed May 03, 2022. https://umedia.lib.umn.edu/item/p16022coll171:2025. This radio program in part depicts the 1851 Treaty. The depiction features a racist portrayal of Little Crow and shows how generations of Minnesotans were taught about Native American history.

MNOPEDIA. Henry Mower Rice (1816-1894). https://www.mnopedia.org/person/rice-henry-mower-1816-1894

<sup>11</sup> Lucile M. Kane. "The Sioux Treaties and the Traders." Minnesota History Vol. 32,2, 1951. http://collections.mnhs.org/MNHistoryMagazine/articles/32/v32i02p065-080.pdf

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Being one of Minnesota's first U.S Senators, Rice was also involved in the formation of a program that would allow the United States government to issue land scripts in exchange for un-surveyed federal lands. The 1851 Treaty also paved the way for the University to get nearly 50,000 acres of land to financially support the institution, which was deferred to ensure that the maximum benefit could be achieved for the University as laid out in an 1853 Regents report to the Legislature. <sup>13</sup>

"The two townships of land donated by Congress to the University, have not yet been located. It was thought advisable to defer the location till after the ratification of the Indian Treaties, in order that wider range might be afforded to make a selection most favorable to the interest of the institution. The matter is of great consequence to the interest of the University, and will receive the attention of the Regents as early as practicable."

Although 1858 is typically recognized as the year Minnesota achieved statehood, to the Dakota, it meant another treaty and more broken promises. Our people traveled to Washington D.C. and were pressured to negotiate against a government more concerned with the acquisition of land than the well-being of our people.

As conflict between the Dakota people and the United States government began, Alexander Ramsey, acting as governor, would appoint Henry Sibley as a commander of forces to fight the Dakota people. Throughout the conflict, Governor Ramsey encouraged the idea of removing the Dakota people from Minnesota. In a speech to the Legislature on September 9, 1862, he advocated that "The Sioux Indians of Minnesota must be exterminated or driven forever beyond our borders." Even after the six-week conflict had ended in Minnesota, Sibley continued to pursue and fight against our people in the Dakota Territory. Between September 28 and November 5, 1862, a rapid and unfair series of trials were held at Camp Release and the Lower Sioux Agency with as many as 42 cases being heard in a single day. Legal representation to help the Dakota navigate the system that would decide their fate was not allowed and the evidence was lacking. When President Lincoln received the names of the condemned prisoners, he ordered "the full and complete record of their convictions" for review. Because of the manner in which the trials were conducted, Lincoln's review lowered the number of condemned from 303 to 39 with one being reprieved. The review was not done in favor of seeking out justice for the Dakota, but rather to quiet angry settlers. After the trials concluded, the condemned were marched to Mankato, while a group of 1,658 Dakota were marched to Fort Snelling. Most of the Dakota that were marched to Fort Snelling were women, children, and elders. Many people died along the way or soon after their arrival at the camp. There is not an approximate number because the government didn't treat the Dakota as people.

<sup>&</sup>lt;sup>12</sup> Lucile M. Kane. "The Sioux Treaties and the Traders." Minnesota History Vol. 32,2. 1951. http://collections.mnhs.org/MNHistoryMagazine/articles/32/v32i02p065-080.pdf.

<sup>&</sup>lt;sup>13</sup> Kendra Anderson, Ashlyn Behrman, Catalina Grimm & Franklin Pulkrabek. "The Legacy of a Land Grant: The University of Minnesota Reckoning with a History of Land Acquisition and Indigenous Displacement." December 22, 2021. https://storymaps.arcgis.com/stories/68c189902c5e4997a69ccc8f4f059951.; According to an early history of the University, Franklin Steele also donated the first piece of land that the University accepted. John Gilillan, John Bachop. Minnesota Historical Society. https://www.loc.gov/item/18018933/.

<sup>&</sup>lt;sup>14</sup> Exhibit panel D.10.b.4.a. pg. 88

<sup>&</sup>lt;sup>15</sup> William Millikan. "The Great Treasure of the Fort Snelling Prison Camp. Minnesota Historical Society <sup>16</sup> Ibid.

At Mankato, 38 Dakota men were hung on December 26, 1862, in the largest mass execution in United States history. The United States government continued to pursue the Dakota through a bounty system. The largest payout was for the Dakota Itaŋcaŋ Taoyate Dúta, who was gunned down near Hutchinson, Minnesota in July of 1863, while picking berries with his son. His bounty was worth \$500. Other leaders such as Śákpedaŋ and Wakan Óżaŋżaŋ were also pursued by the government. They were drugged, kidnapped, and brought to Minnesota for their trials. Ultimately, they were hanged on November 11, 1865, at Fort Snelling. Together, the condemned men are often referred to as the 38 plus 2. Most of the Dakota that surrendered or were captured ended up at Reservations in Crow Creek and Santee. Proper burials were not given for the Dakota that died on the way. In cases when someone died along the river, the body was simply tossed from the boats. Some Dakota were allowed to stay in Minnesota, while others returned to our homelands throughout the late 1800s. After decades of deceit our exile was made into law in 1863. During this time, numerous business deals and laws that would benefit the University, both directly and indirectly, were put into place.

While our people were imprisoned at Fort Snelling, those who had benefited from enriching themselves at the expense of Native people continued to do just that. Franklin Steele gained the contract to provide provisions for the prisoners, which allowed him access to a list of prisoners. A contract that he was able to obtain from his relationship with Henry Sibley (Steele's brother-in-law). He utilized this information and opportunity to purchase land scripts at a vastly reduced price, which he later used to purchase mining and timber lands out west. Those funds were eventually joined with others to form the Northwestern National Bank in Minneapolis. These interconnected relationships between economic, political, and societal interest are of at least an indirect benefit to the University. The University directly benefited from the enactment of the 1862 Morill Act, which allowed the selling of land to fund the University. This law would serve as an important financial tool for the University because the 1860s marked a time of financial hardship resulting in the institution suspending operations. The University would eventually resume operations within the decade, but for our people, that removal can never be fully recovered.

Being removed from our homelands was only the beginning of our oppression. Reservations were established in such a way to sever close family ties and split up friends and families on undesirable land. The government wanted the Dakota to assimilate to Western ways of life, creating laws like the Dawes Act were set in place to strip the Dakota of their land and culture. The Dakota were not allowed to travel off reservation land unless it was for approved business, such as the purchasing of a plow horse. Request to visit families on another reservation or children in boarding schools was routinely rejected because the Indian Agents knew that breaking families apart was a proven assimilation tactic.

Leaving the reservation could result in punishments or jail time.

<sup>&</sup>lt;sup>17</sup> Exhibit panel D.10.b.4.a. pg. 88

<sup>&</sup>lt;sup>18</sup> William Millikan. "The Great Treasure of the Fort Snelling Prison Camp. Minnesota Historical Society

<sup>19</sup> Ibid.

<sup>20</sup> lbid

<sup>21</sup> Land Grab Universities. https://www.landgrabu.org/. This law was enacted a little more than a month from before the outbreak of the U.S Dakota Conflict.

<sup>22</sup>University of Minnesota. Board of Regents. https://regents.umn.edu/history-board-regents.

By restricting the Dakota and other tribes to small pieces of land, the United States government could separate the people and even take additional lands away from Native people and sell it to private owners or back to the government. For years, the government tried to encourage the Dakota to convert to Christianity and the ways of the Church. With settlers and missionaries moving closer to Dakota camps, the agents had more control and could force schooling, farming, and other Western ways through the support of missionaries.

Boarding schools were another tactic the government used to try and eradicate Dakota culture. Boarding schools were also referred to as residential schools and assimilation schools; however, they were essentially concentration camps for Native children. This is a system that the University of Minnesota knows well. The boarding school at Morris was administrated by the Sisters of Mercy order of the Catholic Church and later the United States government from 1887–1909.<sup>23</sup> Dakota children were separated from their parents and sent to boarding schools all across the United States with the mentality that school officials could "Kill the Indian and Save the Man." One of the first acts the school officials did was cut off the long hair from all of the children. Having long hair is an important part of Native culture and cutting one's hair usually only occurred when a loved one died. Children were also forced to wear uniforms and dress in western styles with all their Native clothing stripped away on their first day. The living conditions at boarding schools were horrible and authority was strict. Children were not allowed to speak Dakota and would be punished if caught doing so. Classes taught the Western ways of society and students were required to perform farming work and other manual labor. The children often suffered from disease, homesickness and for a lack of proper care. The children were traumatized for life never to be the same again. The effects of which are still being felt today through the loss of our language, cultural ways, and kinship ties. We are hesitant to embrace the Western education system that treated our children in this way. Some teachers, ministers, and nuns, abused the children and would get away with it because no one listened to the cries of abuse. Many children died at these schools and are still there. Some remains have been returned, but to this day remains are still being discovered.

Throughout the twentieth century, there have been many important changes through the legal system that have helped to expand the rights of Native people, but there have also been many challenges. In 1924, the Indian Citizenship Act allowed Natives living in the United States to finally become citizens. During this time, the University of Minnesota was building monuments to the "Pioneers" of Minnesota. They did this by building Pioneer Hall in 1928. Some of these "pioneers" distinguished themselves in the minds of the University by fighting against the Dakota during the U.S Dakota conflict, such as Charles Flandreau. Others such as Joseph Brown made their wealth in the fur trade that began to alter the lands and natural resources that sustained our people for generations. In 1934, the Howard-Wheeler Act or the Indian Reorganization Act was passed paving the way for Native Communities to adopt constitutions and practice their inherent right to sovereignty. We have continuously strived to not only preserve our sovereignty, but also our language.

<sup>&</sup>lt;sup>23</sup>[University of Minnesota: A Unique Campus History. https://morris.umn.edu/about/unique-campus-history.

<sup>&</sup>lt;sup>24</sup> University of Minnesota Libraries. "Letter to Weeklies, 1929–1932" https://conservancy.umn.edu/handle/11299/50905. Pg 145.

The University of Minnesota has a long history of using the phrase Ski-U-Mah. In 1884, Rugby captain John W. Adams believed that he overheard Dakota canoe racers at Lake Pepin, Minnesota yell "Ski-oo." Mah was added later to complete the chant "Rah-Rah-Rah-Ski-U-Mah-Minn-So-ta." This phrase was supposedly derived from the Dakota language meaning "victory." The Dakota word for victory is Woohiye. Ski-U-Mah has no basis in our Dakota lapi. Our words have intention and meaning that may be lost for those that do not live by our ways. We've made great strides in restoring our language, but continue to see mistranslations and misattributed words that supposedly describe who we are. The University of Minnesota has greatly benefited from the sale of merchandise featuring this phrase. Has the University of Minnesota used any of those funds to help Native students?

"Ski-U-Mah is disrespectful to our language and serves as a misrepresentation of who we are as Dakota people. Seeing a crowd of people chant this word is like hearing a verbal mascot."

-Andy Vig Shakopee Mdewakanton Sioux Community Member and Director at Hoċokata Ti

The University of Minnesota at this time was seeking to "study" Native people in a way that included placing us in the past, without agency, and without our voices. Classes such as those housed at the College of Pharmacy in the early 1930s sought to teach our plant knowledge as transmitted by "Indian medicine men and women." Our plant knowledge shared without our voice fuels misunderstanding about our ways and encourages people to appropriate those traditions for their own. Classes and "displays" such as these encourage the "medicine man/woman" stereotype that created a pan-Indian misrepresentation of Native ways. Our rights to religious freedom were not equal to that of other American citizens until the passage of the American Indian Religious Freedom Act of 1978, which was a huge victory for all Native people. This law allows Natives to freely practice their spirituality and cultural lifeways, which are supposed to be basic rights for Americans.

In 1990, the Native American Graves Protection and Repatriation Act, (NAGPRA), was passed to protect burials, human remains and funerary objects from further destruction and display. These protections are necessary for the final resting places of our ancestors. The University proclaimed in the 1940s that "American Indians don't resent the white man digging into their ancestor's past" while documenting field work near Red Wing. That fieldwork was led by University of Minnesota professor Lloyd A. Wilford. This type of mentality has led to private collectors holding great pride in their collections and taking it upon themselves to care for funerary objects, remains, and other ceremonial objects that should have been left alone. The Mimbres Collection at the Weisman Art Museum and the University's inability to repatriate these items as of yet contributes to the painful legacy that archeologists have with the Native community. This is especially true as more Native students and professionals have entered the museum field in the hopes of being able to add our voices within institutions that were built to remember us as a people of the past and silence our stories.

 $<sup>^{26} \</sup>hbox{University of Minnesota. "Ski-U-Mah." https://cla.umn.edu/music/ensembles/marching-band/history-traditions/ski-u-mah.}$ 

<sup>&</sup>lt;sup>27</sup> Ibid pgs 227-228

<sup>28 1948</sup> July-October Press Release. https://conservancy.umn.edu/handle/11299/50966.

Contemporary times have seen some improvements for Native students within the University of Minnesota system. This is because Native people have led efforts to help give students opportunities that our ancestors were not given. Throughout the years, our Community has focused on several areas of collaboration with the University of Minnesota, such as language, natural resources, medical advances, legal support, and academics. For example, in 2015, the SMSC made a \$1 million donation to the University of Minnesota as part of the tribe's \$11 million Seeds of Native Health campaign to improve Native American nutrition nationwide. The tribe's work focused on three key components –grant–making, research, and advocacy – to support tribal food and agriculture policy, community-based nutrition programs, and research that supports the goal of improving dietary health for Native people. We're hopeful that this will help to reverse years of food scarcity for Native people that has resulted in the reliance on foods that promoted diseases like Diabetes and Heart Disease.

The Shakopee Mdewakanton Sioux Community has sought to help support decolonizing efforts at the University of Minnesota wherever possible, while at the same time recognizing that the University of Minnesota is inherently colonial. The Tribal Nations Plaza was a contributed towards recognizing that the University is on Dakota land. In 2008, the tribe established the **Shakopee Mdewakanton Sioux Community Endowed Scholarship with a gift of \$2.5 million** in order to recruit and retain talented Native American students with demonstrated financial need. The SMSC donated an additional \$500,000 to the scholarship program in 2017. More than 200 Native American students have received an SMSC scholarship since the program began. We recognized that all Native students should be given the chance to remove financial barriers from their education. These are barriers to opportunity that have affected Native people for generations and we encourage the University to expand their tuition program to all Native students, regardless of tribal affiliation. These students are the future of our Tribal Communities and we must increase support and resources for them. Our values and ancestors are with them.

"We were here before there was a University, before there was a state and we provide a presence to the state even today."

-Stanley Crooks, Former SMSC Chairman at the grand opening of Tribal Nations Plaza on August 17, 2009.





TRUTH Project Report Red Lake Nation

## The University of Minnesota and the Red Lake Band of Chippewa Indians: A Brief Analysis

### **EXECUTIVE SUMMARY**

### **Brief Red Lake History**

The Red Lake Band of Chippewa Indians is the sovereign body that governs the affairs of the Red Lake Anishinaabeg. The Red Lake Nation is located on aboriginal homelands in what is now known as Northern Minnesota and is currently comprised of 825,654 acres. The Old Crossing Treaty was our first treaty with the United States Government and was negotiated in 1863 by Alexander Ramsey. In 1889 Tribal Leaders successfully refused the Dawes Allotment Act holding our ancestral lands in common. Today, there is an eleven member Tribal Council, three officers that are elected at large, and two representatives from each of the four communities: Little Rock, Red Lake, Redby, and Ponemah. The Red Lake Nation is not apart of the Minnesota Chippewa Tribes (MCT). In addition, there are seven hereditary chiefs that serve in an advisory council role to the Tribal Council. The Red Lake Nation is often referred to as a closed reservation, and also rejects public law 280 meaning that laws are made by the Tribal Council, and enforced by the Tribal Council, and Federal Courts. It is decreed that "the Red Lake Tribal Council will preserve, protect, and maintain our land base, natural resources, health and welfare, cultural heritage, language, and traditions to ensure our children and future generations will continue to have the resources to live as sovereign people."

### **Project Background**

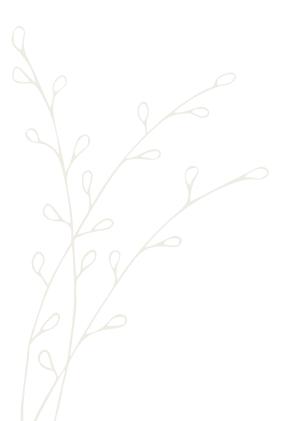
In October 2018 Dr. William Freeman visited the Red Lake Tribal Council with information about medical research by researchers at the University of Minnesota involving young children receiving kidney biopsies from the Red Lake Indian Reservation during the 1960s. A little less than two years later High Country News ran an article about Land Grab Universities and one of them was the University of Minnesota. Shortly thereafter the Minnesota Indian Affairs Council passed a series of resolutions calling on the University of Minnesota to examine more closely their relationship that they have had with Tribal Nations. In lieu of these events it sparked a regained interest in the medical research that was presented by Dr. Freeman, and this was the main research area that I had coming into the Towards Recognition of University Tribal Healing (TRUTH) Project in my role as a Tribal Research Fellow appointed by the Red Lake Tribal Council in November of 2021.

- 1 https://mn.gov/indian-affairs/tribal-nations-in-minnesota/miskwaagamiiwi-zaagaiganing-red-lake-nation.jsp
- <sup>2</sup> https://www.redlakenation.org/wp-content/uploads/2019/12/old\_crossing\_treaty.pdf
- <sup>3</sup> https://www.redlakenation.org/tribal-history-historical-photos/
- 4 see reference 1
- 5 see reference 1
- 6 see reference 1
- 7 see reference 1
- 8 https://www.redlakenation.org/
- 9 https://www.startribune.com/land-seizures-unethical-research-university-of-minnesota-confronts-troubled-history-with-tribal-nati/600041972/
- 10 https://www.hcn.org/issues/52.4/indigenous-affairs-education-land-grab-universities
- 11 https://mn.gov/indian-affairs/assets/U%20Of%20M%20Tribal%20Partnership%20Resolution\_tcm1193-560532.pdf

### **EXECUTIVE SUMMARY**

### **Key Findings**

Through this research there were six separate medical research studies identified that took place between 1953 and 1971, five of which had various levels of involvement by the University of Minnesota. Based on the information gathered it is unclear whether the children that were hospitalized at the University of Minnesota to undergo kidney biopsies were made aware of the risks associated with skin and renal kidney biopsies, or whether their consent was in writing. It is also unclear why the University of Minnesota would choose to continue adding children affected with acute glomerulonephritis into the research study, instead of treating the disease when the second outbreak occurred. It was also identified that there is at least 338.88 acres of land of half breed scrip from the 1863 Old Crossing Treaty that is currently owned by the University of Minnesota - Board of Regents in the area of Crookston, MN.



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### **ACKNOWLEDGEMENTS**

Chi-Miigwech (Thank You) to all those who have contributed to the TRUTH Project, and for bringing forth information and research that was critical to the interactions that the Red Lake Nation has had with the University of Minnesota. A special thank you to the Red Lake Tribal Council for supporting this project. A sincere Thank You to Dr. William Freeman for presenting this information to the Tribal Council bringing to light very serious issues that affected children of our nation. Miigwech to the anonymous person who shared their story to be included in this report. Chi-Miigwech to everyone who has dedicated time to conversate about the contents of this report, and have provided critical feedback in writing this document. This research would not have been possible without support and collaborations across systems.

### **ABSTRACT**

The purpose of this research is to better understand the historical relationship between the Red Lake Nation and the University of Minnesota. The data gathered for this report was done at the University of Minnesota archives, from primary and secondary sources, through networking with Tribal Programs, and more. Throughout the report you will find materials relating to the medical research done by the University of Minnesota on young children from the Red Lake Nation. This report also includes information as it relates to half breed scrip from the Old Crossing Treaty and current land ownership by the University of Minnesota in the Crookston and Grand Forks region. This document can be used as a basis to begin future conversations in addressing the contents of this report and make further determinations as to the legitimacy of the consent procedure involved in the studies, and to assess the validity and nature of the acquisition by the University of Minnesota in acquiring what was at one time half breed scrip. In addition, there are several recommendations and considerations outlined below to keep in mind for future research studies.



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### Summary of Medical Research at Red Lake

In 1953 the Red Lake Indian Reservation experienced its first outbreak of acute glomerulonephritis. <sup>13</sup> Acute Glomerulonephritis is the sudden swelling of small regions of the kidney known as glomeruli and are responsible for the filtering of blood which prevents the body from removing excess fluid and waste products through their urine. In the 1950s it was generally recognized that scarlet fever and streptococcal infections of the upper respiratory tract were common precursors of acute glomerulonephritis.<sup>15</sup> On August 14, 1953 a report was submitted to the Branch of Health, Bureau of Indian Affairs and the National Office of Vital Statistics which stated "You will notice that the monthly report for July lists five cases of scarlet fever. In the previous month, two such cases were noted on the reservation. These cases were the first seen at Red Lake in five years. There has been nothing unusual about these cases except that in two in-stances there were no pharyngeal symptoms or signs. These two cases did, however, show marked pyodermatous lesions which had been present for a week or more before the outbreak of the scarlatiniform rash." In the following two weeks after submitting this report there was 16 cases of scarlet fever and 24 cases of acute glomerulonephritis. <sup>17</sup> On September 10th, 1953 there were 22 cases of scarlet fever, and 38 cases of nephritis on the Red Lake Indian Reservation. <sup>18</sup> Over the course of the next two months this number rose, and on November 8, 1953 there were 63 confirmed cases of nephritis. 19 The figure below highlights the week by week incidences of the cases:

### Cases of Glomerulonephritis<sup>20</sup>

WEEK BY WEEK INCIDENCES

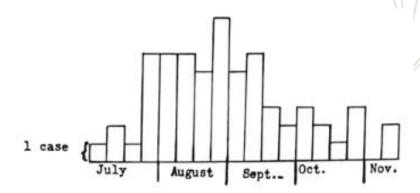


Fig. 1, Week-by-week incidence of glomerulonephritis.

<sup>13 (</sup>Minnesota Medicine, Volume 37, Number 7, page 479)

<sup>14 (</sup>https://www.dovemed.com/diseases-conditions/acute-glomerulonephritis/)

<sup>15 (</sup>Minnesota Medicine, Volume 37, Number 7, page 479)

<sup>16 (</sup>Minnesota Medicine, Volume 37, Number 7, page 480.)

<sup>17 (</sup>page 479-480)

<sup>18 (</sup>Minnesota Medicine, Volume 37, Number 7, page 480)

<sup>19 (</sup>Minnesota Medicine, Volume 37, Number 7, page 480)

<sup>20</sup> Minnesota Medicine, Volume 37, Number 7, page 480

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Only children were affected in this outbreak, the youngest was fifteen months old and the oldest was thirteen.<sup>21</sup> During this outbreak a two year old died on the sixth day of his illness, which was the fourth day of his hospitalization.<sup>22</sup> It was concluded by Cecil R. Reinstem that "mass prophylaxis with benzathine penicillin aborted, within two weeks, an epidemic of nephritis apparently caused by a previously unidentified strain of the beta hemolytic streptococcus, group A, with strongly nephritogenic properties. Acute glomerulonephritis, therefore, is a preventable disease."<sup>23</sup>

A decade after the Red Lake Epidemic of 1953 the survivors were examined by Perlman, ct al. and the researchers found the survivors to be free of chronic nephritis.<sup>24</sup> However, the prevalence of pyoderma and the occurrence of endemic acute nephritis was observed, and it presented the researchers with an opportunity to examine the epidemiology of skin infections.<sup>25</sup> From February 1964 through August 1965, 25 field trips were made in three week intervals by a team of investigators to two Minnesota Indian Reservations, the Red Lake Indian Reservation and the Leech Lake Reservation.<sup>26</sup> On every examination the nature, location, and extent of lesions were recorded and the parent, if available, or the child was specifically questioned about manifestations of acute nephritis, and acute rheumatic fever.<sup>27</sup> There were 270 children enrolled over the course of this 18 month study, in 85% of the children lesions were present and were usually covered with a thick crust which surprisingly constrained pus.<sup>28</sup>The skin lesions were then cultured by puncturing the pustules or lifting the crusts with hypodermic needles.<sup>29</sup> During the period of this study there were seven instances of acute proliferative glomerulonephritis which was proven by renal biopsy only two of these instances was nephritis clinically overt.<sup>50</sup>

In continuing the research of the two previous studies, a group of healthy preschool children were initiated in July, 1966 to be studied. During the first two weeks of July, 1966, approximately 100 children between the ages of three and six attending the "Operation Headstart" programme were given an initial physical examination, including blood – pressure determination, was performed on all children.

Urine testing was conducted every week throughout the period of July through December 1966. In addition to the weekly urinalysis the children were examined and cultured on a bi-weekly basis. During the last week of July, 1966, four children were admitted to the Red Lake Hospital with clinical manifestations of Nephritis over the next five months 21 additional children developed nephritis, nine of which were from the Headstart Programme. Despite the relative mildness of hematuria in 15 of 25 cases, renal biopsies were still conducted. The frequency of pyoderma recovery of type – 49 streptococci from skin lesions of nephritis patients was striking in both outbreaks. 31

<sup>21</sup>Minnesota Medicine, Volume 37, Number 7, page 480

<sup>&</sup>lt;sup>22</sup>Minnesota Medicine, Volume 37, Number 7, page 481

<sup>&</sup>lt;sup>23</sup> Cecil R. Reinstein, Epidemic nephritis at Red Lake, Minnesota, The Journal of Pediatrics, Volume 47, Issue 1, 1955, Pages 25–34, ISSN 0022–3476, https://doi.org/10.1016/S0022-3476(55)80120-5. https://www.sciencedirect.com/science/article/pii/S0022347655801205

<sup>&</sup>lt;sup>24</sup>Perlman, L.V., Herdamn, R.C., Kleinman H., and Vernie, R. L: Poststreptococcal glomerulonephritis, J.A.M.A., 194:63, 1965.

<sup>&</sup>lt;sup>25</sup>Skin Infections and Acute Nephritis in American Indian Children, Department of Pediatrics, University of MN Medical School, and the MN Dept of Health, pg. 263

<sup>26</sup> ibid.

<sup>&</sup>lt;sup>27</sup> ibid. pg. 263-264.

<sup>28</sup> Skin Infections and Acute Nephritis in American Indian Children, Department of Pediatrics, University of MN Medical School, and the MN Dept of Health, pg. 265.

<sup>&</sup>lt;sup>29</sup> Ibid. pg. 263.

<sup>30</sup> lbid. pg. 272.

<sup>31</sup> Epidemic Acute Nephritis with Re-Appearance of Type-49 Streptococcus, The Lancet. Saturday 14, 1967, pg 787-788.

According to Table 1 there were 31 children who were suspected of having acute nephritis and were subdivided into three groups: Group 1: Biopsy - Proved Nephritis which included 21 children, Group II: Probable Nephritis (No Biopsy) which included four children, and Group III: Biopsy Negative (by Light Microscope) which included six children; all of the patients included in Group 1 were studied at the University of Minnesota Hospitals. <sup>32</sup> There was one patient of special interest (case 2) because she apparently experienced a second attack of acute nephritis and upon reviewing her medical records it revealed that in December 1959 she was admitted to the hospital with edema, oliguria, and gross hematuria however there was no evidence of chronic changes in the renal biopsy exam that was obtained in 1966. 33 It is noted that most of the cases of acute nephritis during the 1966 outbreak were clinically mild, which is in contrast to the 1953 epidemic where a majority of the patients were hospitalized. <sup>54</sup> In addition, there were follow-up biopsies in eleven patients four weeks after the initial study revealed that there was a significant reduction of the acute nephritic process. 55 It is noted that through this research it has been possible to study the light, immunoflurorescent and electron microscopic abnormalities in an epidemic of acute glomerulonephritis. <sup>56</sup> Additionally, an analysis of the attack rate took place July through June 1967 examining 600 children, 102 of which were determined by researchers to be qualified for the study.

These 102 children were observed at three week intervals where a urinalysis was conducted; they were also grouped separately by the site where the Type 49 infection occurred which were: skin, throat, skinthroat. There were five cases of biopsy-proven acute nephritis, however three additional children had probable acute nephritis, both were a part of the skin infection group. This is the first prospective study to indicate that the infection of the skin may play a direct role in the pathogenesis of acute nephritis. Besides the site of infection nephritis developed more significantly in children younger than 6.5 years of age, thus in the outbreak of 1966 on the Red Lake Indian Reservation skin lesions infected with Type 49 Streptococci carried a risk of renal complications.

32Kaplan EL, Anthony BF, Chapman SS, Wannamaker LW. Epidemic acute glomerulonephritis associated with type 49 streptococcal pyoderma. I. Clinical and laboratory findings. Am J Med. 1970 Jan;48(1):9–27. doi: 10.1016/0002–9343(70)90094-x. PMID: 5415409, pages 10–11.

33ibid, 18-19

34ibid, 20

35Fish AJ, Herdman RC, Michael AF, Pickering RJ, Good RA. Epidemic acute glomerulonephritis associated with type 49 streptococcal pyoderma. II. Correlative study of light, immunofluorescent and electron microscopic findings. Am J Med. 1970 Jan;48(1):28–39. doi: 10.1016/0002-9343(70)90095-1. PMID: 4906107, page 29.

36 ibid, 35-36.

37 J Clin Invest. 1969;48(9):1697-1704. https://doi.org/10.1172/JC1106135,pg 1699.

38 ibid, 1698-1699.

39 ibid, 1700.

40ibid, 1702.

41 ibid. 1702-1703.

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Beginning in July 1969 weekly visits were made by researchers from the University of Minnesota for a nine – week period to forty – four individuals from five families that were participating in a subsequent follow up study from the epidemic of 1966. During the 9-week period of this study, it was found that 705 of the 2305 cultures taken were positive for group A streptococci, and is consistent with the view that skin acquisition was a primary predisposing factor to pyoderma.<sup>42</sup>

A controlled study was initiated during the summer of 1971 at Red Lake to determine whether benzathine penicillin would decrease the incidence of streptococcal impetigo and to explore the effect of the drug on the acquisition of this on normal skin. This study included 78 children from 18 families with a history of experiencing this problem, and found that the incidence of skin lesions were significantly reduced during a six-week follow up period after penicillin therapy. The heads of families were interviewed by one or more of the authors fully explaining the study and written permission for inclusion of the children was included. The present study may provide some useful information when designing programs to prevent streptococcal skin infections in civilian or military personnel.

### Committee on the use of Human Volunteers

During the mid 20th century there were several conversations being had in the medical community about research protocols that involved human test subjects. The Tuskegee research study began in 1932 enrolling 600 African American men to track the full progression of Syphilis and researchers provided no effective care as the men died and in the mid 1960s Peter Buxton found out about the experiment and expressed to supervisors that it was unethical, and informed them that this research was funded by the Public Health Service. The Nuremberg Code was introduced in 1946 involving medical ethics and research protocols that used human subjects. In 1964 the World Medical Association made the Declaration of Helinski that stated the mission of the physician is to safeguard the health of the people.

The first known instance of a committee on the use of humans in medical research at the University of Minnesota is in 1959 where the Dean of the College of Medical Sciences, Robert B. Howard established an Advisory Committee on Use of Human Volunteers in Medical Research in March, 1959. According to the Alan McCoid papers the responsibilities of the committee were to formulate policies on the use of humans in medical research, and to consult with varying agencies on the appropriate boundaries to be placed on research practices. 51

<sup>42</sup> Dudding BA, Burnett JW, Chapman SS, Wannamaker LW. The role of normal skin in the spread of streptococcal pyoderma. J Hyg (Lond). 1970 Mar;68(1):19–28. doi: 10.1017/s0022172400028461. PMID: 5266583; PMCID: PMC2130791. (page 19)

<sup>43(</sup>Ferrieri, Patricia, et al. "A Controlled Study of Penicillin Prophylaxis against Streptococcal Impetigo." The Journal of Infectious Diseases, vol. 129, no. 4, 1974, pp. 429–38. JSTOR, http://www.jstor.org/stable/30061871. Accessed 10 Jan. 2023.) 44ibid.

<sup>45</sup> ibid, 430.

<sup>46</sup> ibid, 436.

<sup>47</sup> https://www.history.com/news/the-infamous-40-year-tuskegee-study

<sup>48</sup> https://pubmed.ncbi.nlm.nih.gov/12166467/#:~:text=The%20Nuremberg%20Code%20is%20a%20foundational%20document%20in,challeng e%20and%20only%20slight%20modification%20in%20decades%20since.

<sup>49</sup> https://history.nih.gov/display/history/helsinki

<sup>50</sup> https://conservancy.umn.edu/handle/11299/54523

<sup>51</sup> https://conservancy.umn.edu/handle/11299/54518

In 1960 there was an item included on the agenda for a University of Minnesota Board of Regents meeting titled "Procedure for Review of Medical Data on Human Volunteers in Certain Research Projects" which broadened the responsibilities of the committee beyond just the medical sciences and stated:

The Health Service had been asked to do physical examinations on certain research subjects (human volunteers) who might incur unknown illnesses or disabilities as a result of scientific experiments. Dr. Boynton had considered one such request with Dr. Howard and his associates, since the Medical School has a committee to deal with problems growing out of medical research. It was asked if the University should make use of this committee for the purpose of obtaining advance approval for involvement of human subjects in research which might affect the health of the individuals. Since there appeared to be agreement concerning the need for this work, and on the appropriateness of the referral made, the President asked that the Medical School committee assume the responsibility, at least until there is reason to review the matter. <sup>52</sup>

On February 8, 1966 a memo was sent from William H. Stewart Surgeon General of the Public Health Service to the Heads of Institutions that were conducting research with Public Health Service Grants it stated that any type of review involving human subjects should assure: the rights and welfare of the individuals involved, the appropriateness of the measures used to secure informed consent, and of the risks and potential medical benefits of the investigation. The University of Minnesota College of Medical Sciences on March 21, 1966 then sent a memo to the Department Heads and Directors of the School of Nursing, School of Public Health, and University Hospitals informing them of the memo that was received in February by the Surgeon General and of the additional responsibilities associated as well as naming the committee that will review all projects that include human volunteers in the research.

At a meeting held by the Advisory Committee on Use of Human Volunteers in Medical Research on June 7, 1966 the committee responded to an application in relation to the study at Red Lake by Dr. Lewis Wannamaker that included the following "The consent procedure should be more clearly identified. The committee feels that consent to do renal and skin biopsies should be in writing and that it should include an explanation that the biopsies are for research purposes. The question of who is in charge when Dr. Wannamaker is away should be clarified." On July 19, 1966 another meeting was held by the Advisory Committee on Use of Human Volunteers in Medical Research where they discussed a new directive from the Public Health Service. This policy statement was sent on July 1, 1966 and was a continuation of the memo that was sent in February by the Surgeon General regarding Policy and Procedure Order 129, "Investigations Involving Human Subjects, Including Clinical Research: Requirements for Review to Insure the Rights and Welfare of Individuals." 57

<sup>52</sup> https://conservancy.umn.edu/handle/11299/54518

<sup>&</sup>lt;sup>53</sup> Received March 2nd,1966 U of M

<sup>54</sup> Memorandum March 21 1966, University of Minnesota College of Medical Sciences from Robert B. Howard, M.D., Dean

<sup>55 (</sup>Meeting Minutes June 7, 1966, Committee on the Use of Human Volunteers)(find additional source)

<sup>&</sup>lt;sup>56</sup> (Meeting Minutes July 19, 1966, Committee on the Use of Human Volunteers, dated July 21st 1966)(find additional source)

<sup>57</sup> https://history.nih.gov/download/attachments/1016866/Surgeongeneraldirective1966.pdf

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It was discussed at the July 19th meeting by the committee that they will not interpret this directive to mean that consent needs to be obtained in a written form and in some cases can consist of a statement by the investigator that consent was obtained verbally. Anthony and Wannamaker presented an application which stated: This project involves taking renal biopsies, but these are required for best management of the patients and consent of the parents will be obtained. The application is approved. At a meeting on October 13, 1966 Arthur R. Page presented an application to the Committee on the Use of Human Volunteers - Studies of Patients with Acute Glomerulonephritis which stated "The plan is to hospitalize children from the Red Lake Indian Reservation at University Hospitals for care of acute glomerulonephritis associated with an epidemic now in progress. The committee approved this proposal. The chairman is to write a letter to Dr. Page suggesting that the consent form state more clearly that research as well as patient care is involved. It also appeared that the form as it now stands minimizes the risk more than is actually justified. The possibility of accidents associated with renal biopsy should be stated. The radiation dosage is acceptable.

In September of 1966 President Meredith O. Wilson appointed an All - University Committee on the use of Human Volunteers to be chaired by Dr. Ivan Frantz. One of the committees first tasks was to create "an established policy and plan for surveillance to insure the protection of the welfare and rights of human subjects in research investigations"—an institutional assurance statement to "cover both the general principles of safeguarding human rights and welfare in the conduct of research and the specific points of the Surgeon General's policy" and that the University was required to submit this policy to the United States Public Health Service no later than November 1, 1966 however, the University of Minnesota received an extension to November 21, 1966. On November 18, 1966 the "Statement of Policy and Procedures at the University of Minnesota with Regard to the Use of Human Subjects in Investigation" was presented by Professor Alan H. McCoid of the Law School that it was "Voted, on the recommendation of the Vice President, Academic Administration, the Vice President, Business Administration, and the President, to approve the policy statement covering the use of human volunteers in medical and other types of research, with the understanding that the procedures which are incorporated into the policy statement will be used at the present time only as required in contracts and grants financed by the United States Public Health Service. It is further understood that there will be additional study on the need and feasibility of expanding the use of the procedures to investigations sponsored by others."

<sup>58</sup> Meeting Minutes July 19, 1966, Advisory Committee on the Use of Human Volunteers, letter dated July 21, 1966

<sup>59</sup> Meeting Minutes July 19, 1966, Advisory Committee on the Use of Human Volunteers

<sup>60</sup> Meeting Minutes October 13 1966, Committee on the Use of Human Volunteers, Memo dated October 19 1966

<sup>61</sup> Letter dated 9/20/1966 from Wilson; sent to Richard Anderson, Donald Cowan, Ivan Frantz, Edward Gross, Richard Jordan, Homer Mason,

<sup>62</sup> Alan McCoid, Maynard Reynolds, Murray Rosenberg, and Robert Wirt; Clinical Research Committee folder, Allan H. McCoid papers, https://archives.lib.umn.edu/repositories/14/resources/1232

<sup>63</sup> https://conservancy.umn.edu/handle/11299/54521

<sup>64</sup> https://conservancy.umn.edu/handle/11299/198

The "Institutional Assurance on Investigations Involving Human Subjects, Including Clinical Research," which included the "Statements of Policies and Procedures at the University of Minnesota with Regard to Use of Human Subjects in Investigation" were distributed along with a memo on February 2, 1967 that stated it was specifically decided to postpone an university-wide policy because federal policy to that point was specific to Public Health Service-funded research, and, "because of the seriousness of the issues involved, the committee decided to postpone any effort to establish a University-wide policy applying to projects not supported by the Public Health Service until the faculty has had an opportunity to consider the matter and make suggestions. The need for some kind of review seems to be generally recognized. Furthermore, the application of a uniform procedure, unrelated to the source of financial support, appears desirable."

The information provided in this section is meant to provide a brief snapshot of history involving Human test subjects, and University of Minnesota Policy in the years around the time of the Medical Research at Red Lake. For a more detailed history of Institutional Review Boards in the United States please read Behind closed Doors written by Laura Stark where she explains decision making in hospitals, universities, health departments, and other institutions.<sup>66</sup>

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### Critical Responses to the Research on Red Lake Children

In light of recent events around the use of human volunteers the medical community was reflecting on their practices and in 1974 there was multiple correspondence between Dr. Lewis Wannamaker, Dr. E.W Ziebarth, President of the University of Minnesota, Regent George Rauenhorst, and the Committee Against Racism regarding the medical research that took place on the Red Lake Reservation. On August 13, 1974 Dr. Wannamaker sent a letter to the University of MN President E.W. Zeibarth which enclosed various materials relating to Red Lake including a letter stating "We were well received yesterday at Red Lake by the head of the hospital, Mr. Al Lotku and by the Chairman of the Tribal Council Mr. Roger Jourdain." In a letter dated August 14, 1974 from Dr. Zeibarth to Regent George Rauenhorst it states that "We are indeed sorry that events revolving around Red Lake and two crises in the medical area made it seem unwise for us to try to meet today. In a letter from Dr. Wannamaker to the Committee Against Racism on August 16, 1976 was a request to discuss the reports prepared by them titled "Exploitation on Red Lake Indian Reservation" and "Medical Research for the U.S. Military Carried out on the Red Lake Indian Reservation." A letter dated August 22, 1974 to Dr. Wannamaker from the Committee Against Racism discusses that a meeting between the two is not agreeable at this time, and further states that "the intentions of the health CAR are to stop the racist research by working with the Indian Community, and to work with them to eliminate the impetigo problems from the children. This illustrates the institutionalization of the racism, because when a volunteer organization has to eliminate a problem that a professional team of investigators has been paid ½ million dollars to study, something is wrong, with the research itself, the granting institutions, or the health care institutions, etc."71

67 University Archives - 000005841, Box 157 of 449, President's Office

70 ibid.

### Story of a Survivor

On August 16, 2022 an interview took place with a survivor from the first outbreak of nephritis in 1953. Verbal consent was obtained, and the contents of this paragraph are authorized by the interviewee to be included in this report. The conversation began with asking her to share a little bit about herself. She expressed that she is a mother, a grandmother, and a great grandmother. As a young girl she recalls her mother not working until they were older and when she did start working she was an aide at the Head Start. She recalls that her father wasn't around that much, but that he worked at the Mill. She also shared that they lived next to her grandpa in a two bedroom home, that they didn't have running water, and they had an outdoor toilet. She shared that her mom always had a garden with lots of potatoes, carrots, radishes, and they ate mostly fish, and game growing up.

She expressed that most children on the reservation would swim a lot during the summer months, and she was no exception. That summer she recalls getting sores from the lake, but expressed that it may have also been from bites from insects. These were open sores, and there were at least three of them. She shared that she was hospitalized in Bemidji for two nights in 1953 and remembers being sent from the Red Lake Hospital. Reflecting on her childhood she knew that she had nephritis, and shared that her two younger brothers also had it and recalls other Red Lake children being hospitalized there as well. She remembers that her parents were not able to be there with her as they had no vehicle to travel to Bemidji.

As a family she expressed that they didn't talk about the outbreak much, and only mentioned it on one occasion, and also that the outbreak had been termed Red Lake Nephritis in later years. She explained that she had at least 30 years of chronic problems with Urinary Tract Infections, and the presence of blood in her urine. On December 2, 2021 she recalls passing a very large kidney stone, and about a week later urinating blood. After further consultation with a urologist they discovered a mass on her right kidney and a biopsy was conducted on December 27, 2021. On January 4, 2022 the doctors informed her that the mass on her right kidney was cancerous and that it would have to be removed. On March 21 they removed the kidney, and upon removal found that the mass had been on the outside. At the time of the interview on August 16, 2022 she expressed that she is doing good now, and wants her story to be shared. The story to be shared.

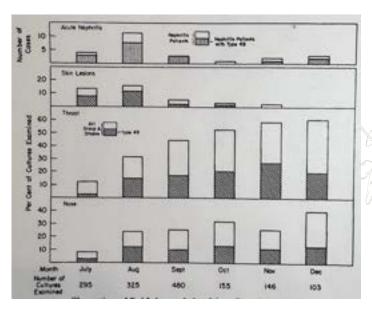
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### Key Finding from the Medical Research

The University of Minnesota Committee on the Use of Human Volunteers received three applications involving the researchers conducting skin and kidney biopsies on young children from the Red Lake Indian Reservation. On two separate occasions the committee made similar recommendations regarding the consent procedure. The first occasion occurred June 7, 1966 in which the committee responded to Dr. Wannamaker that the consent procedure should be more clearly indicated, that the consent to do renal and skin biopsies should be in writing, and that the purpose of the biopsy is for research purposes. <sup>73</sup>The second occasion occurred October 13, 1966 in which the committee responded to an application from Dr. Page titled Studies of Patients with Acute Glomerulonephritis in which the committee approved the proposal to hospitalize young children from the Red Lake Indian Reservation but the chairman was to write a letter suggesting that the consent form states more clearly the research and that patient care is included, and that it also appeared the form as it currently is minimizes the risk more than is actually justified, and that the potential of accidents associated with renal biopsies should be stated.<sup>4</sup> As shown in the graph below by October 13, 1966 several kidney biopsies at the University of Minnesota had already taken place based on when the confirmed cases of nephritis happened as shown However, based on the three examples of the meeting minutes provided from the Committee on the use of Human Volunteers, and the simultaneous occurrence of children having positive cases of nephritis and being hospitalized at University of Minnesota hospitals to undergo kidney biopsies it is unclear whether patients, or their families were made aware of the risks associated with skin and renal kidney biopsies, or whether their consent was in writing. It is evident that more documentation needs to be gathered to make that determination.

### Cases of Glomerulonephritis

MONTH BY MONTH INCIDENCES



73 Meeting Minutes June 7, 1966, Committee on the Use of Human Volunteers. Memo dated June 15, 1966 74 Meeting Minutes October 13 1966, Committee on the Use of Human Volunteers, Memo dated October 19,1966) 75 Epidemic Acute Nephritis with Re-Appearance of Type-49 Streptococcus, The Lancet. Saturday 14, 1967, pg 788

### University of Minnesota - Crookston

Prior to the TRUTH Project, Kade Ferris was investigating the 1863 Old Crossing Treaty. <sup>76</sup> More specifically, the half breed scrip and the 160 acre parcels of land that were associated with them. Some of these parcels are located in the area of Crookston, Minnesota and Grand Forks, North Dakota. Upon further research it was identified that at least 338.88 acres of land of half breed scrip from the 1863 Old Crossing Treaty is currently owned by the University of Minnesota - Board of Regents and images from the KMZ file created by Kade Ferris are pictured below. 77 The half breed scrip patent numbers are 90, 211, and 385 and the University of Minnesota Board of Regents Polk County Land holding parcels are 49.00102.00 (77.94 acres), 49.00109.00 (9.66 acres), and 49.00096.00 (251.28 It is unclear at what point in history the University of Minnesota acquired these parcels of land, but according to a document obtained from the BIA dated 1970 it states that "In such instances, a matter of Chippewa Half-Breed scrip could be a key legal issue. For example, under the provisions of treaties signed in 1863, mixed blood Red Lake and Pembina Chippewa Indians were entitled to scrip, which could then be exchanged for 160-acre allotments of land in North Dakota and Minnesota which had been ceded to the tribes. Scrip was issued between 1867 and 1882. Descendants of those mixedblood Red Lake and Pembina Chippewas are dependent upon the archives for proof of their right to inherited ownership of such Indian homestead lands." 79 More information needs to be gathered to determine the validity of these land acquisitions by the University of Minnesota Board of Regents.

HALF BREED SCRIP & CURRENT LAND OWNERSHIP 80 81

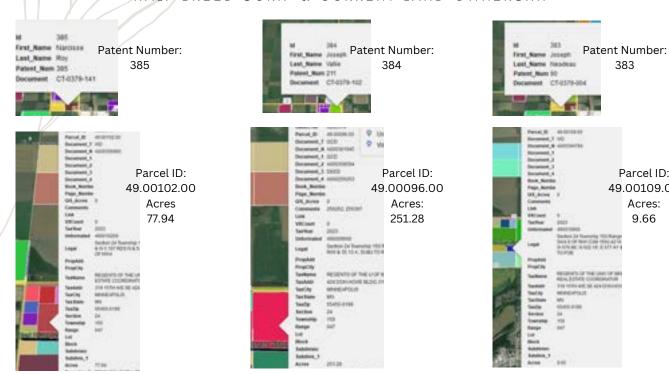
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76 http://collections.mnhs.org/MNH istory Magazine/articles/15/v15i03p282-300.pdf77 Ferris, Kade (2023) halfbreed.shp and Crookston\_Ownership.shp. Unpublished KMZ files. 78https://gis.co.polk.mn.us/Link/jsfe/index.aspx 79 https://www.bia.gov/as-ia/opa/online-press-release/indian-records-never-out-date 80see reference 77 81 see reference 78

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### Other greas of research that were identified

In the 1950s Helen Parker Mudgett conducted a series of interviews with people from our community and included recordings from individuals such as Louis Stately, and Dan Raincloud which discussed various historical events and topics pertaining to the history of Red Lake. In addition, various people across the country had contacted her for advice on history related to treaties. In continuing this area of research her finding aid at the University of MN will be revised to reflect the abundance of information in her collection.

### Considerations for future research

From the limited time and funding for this project and the amount of information that has been gathered in such a short period of time; there is a need to continue gathering research particularly as it pertains to the medical research that was conducted by the University of Minnesota, and the half breed scrip from the 1863 Old Crossing Treaty in which the University of Minnesota retains ownership of several hundred acres of land. When continuing this research it should consider:

- The interplay of the various historical events between the Red Lake Nation and the United States, the state of Minnesota, and other political entities that formed the foundations of the interactions between Red Lake and the other governments
- The implications of the Citizenship Act of 1924, which formally made Native Americans citizens of the United States
- Political Climate of the Time
- The implications of the state of Minnesota's historical actions toward the Red Lake Nation and the University of Minnesota's varied involvement throughout history
- Intent and motivation of the entities who funded the studies
- The basis of the apparent double standard when University of Minnesota researchers conducted research on Native American children, versus the standards employed when studying non-Native subjects

### Conclusion

In 1953 the first outbreak of acute glomerulonephritis occurred on the Red Lake Indian Reservation, during this epidemic a child the age of two died. 83 little over 10 years later medical researchers from the University of Minnesota had planned to conduct biopsies on young children from Red Lake.<sup>84</sup>They enrolled approximately 100 children into the "Headstart Programme" for this study. 85 During this follow up study an outbreak of acute glomerulonephritis occurred when four children were hospitalized at the Red Lake Hospital. The week by week incidences of the disease were similar in both epidemics. <sup>86</sup> Based on the information gathered in this report it is unclear whether the parents of the children that were hospitalized at the University of Minnesota to undergo kidney biopsies were made aware of the risks associated with skin and renal kidney biopsies, or whether all those that underwent biopsies had given their consent in writing. In addition, researchers that were involved in the epidemics of 1953 and 1966 of acute glomerulonephritis on the Red Lake Indian Reservation eventually came to similar conclusions as a result of a study that was conducted in 1971 by University of Minnesota researchers that found an injection of penicillin is a viable treatment to prevent acute glomerulonephritis especially when considering the role that pyodermatous lesions have in the disease. 87 88 When medical researchers drew that conclusion during the first outbreak in 1953 it is unclear why the University of Minnesota would choose to continue adding children into the research study, instead of treating the disease when the second outbreak occurred. In addition, the critical responses to the research should be more thoroughly investigated, and discussed.

The Medical Research was a starting point for the project, and it was later identified that at least 388.88 acres of land of half breed scrip from the 1863 Old Crossing Treaty is currently owned by the University of Minnesota – Board of Regents. More information needs to be gathered to determine the validity of these land acquisitions by the University of Minnesota Board of Regents.

There are various recommendations and areas of further research that have been outlined in this report and each should be considered. In addition, the University of Minnesota should have responsibility in providing the financial support that is needed to undertake additional research projects to gather more information to draw further conclusions about these interactions. It is imperative the Red Lake Nation leads these efforts, and is provided with the necessary resources that uplifts the voices of those that have been directly affected by the University of Minnesota.

83 see reference 22

84 Meeting Minutes June 7, 1966, Committee on the Use of Human Volunteers

85 Epidemic Acute Nephritis with Re-Appearance of Type-49 Streptococcus, The Lancet. Saturday 14, 1967, pg 787

86 Epidemic Acute Nephritis with Re-Appearance of Type-49 Streptococcus, The Lancet. Saturday 14, 1967, pg 788

87 Epidemic nephritis at Red Lake, Minnesota, The Journal of Pediatrics, Ferrieri, Patricia, et al. "A Controlled Study of Penicillin Prophylaxis against Streptococcal Impetiao."

88 Cecil R. Reinstein, Epidemic nephritis at Red Lake, Minnesota, The Journal of Pediatrics, Volume 47, Issue 1,

89 https://gis.co.polk.mn.us/Link/jsfe/index.aspx

90 see reference 77



Fond du Lac Band of Lake Superior Chippewa

## TRUTH Project Report

### **University of Minnesota Land**

Before the 1850's Minnesota was an area made of primarily Dakota, Ojibwe and Metis people. Colonists who settled within this area were fur traders and government agents with a few logging towns of Stillwater. Once Minnesota officially became a territory of the United States on March 3, 1849 the surrounding forests and land rapidly changed. Through the treaties of Traverse des Sioux and Mendota the federal government acquired millions of acres of land from the Indigenous people. It has been said "Land lying East of the Mississippi River first came under the jurisdiction of the Unites Stated by the treaty of peace with England in 1773. Land lying West of the Mississippi River was acquired from France in the Louisiana Purchase in 1803. Both treaty and purchases were subject to Indian Rights. The rights of the Indian Tribes were ceded to the United States by various treaties between 1805–1889." In 1857 the Act of Minnesota passed by Congress authorized the first Federal Land Grants to the State which estimated to be 16,400 acres of land. The University of Minnesota was founded in 1851 by Minnesota Territorial Legislature and Governor Alexander Ramsey. Once established Boards of Regents were elected. However, by 1857 the University was forced to close due to financial hardships. It wasn't until President Abraham Lincoln signed the Morrill Act of 1862 in which made it possible for the University to reopen and obtain federal designation as the state's official land grant institution in 1868. Throughout this process 94,439 acres of Tribal Land were taken from eleven (11) Minnesota Tribes. The Morrill Act of 1862 allowed Tribal Lands in Minnesota to be wrongfully taken to build Universities throughout the state. In 1873 the University reported receiving 202,000 acres of land from several congressional grants which included 120,00 acres from the Morrill Act.

By 1857 the University was forced to close due to financial hardships. It wasn't until **President Abraham Lincoln** signed the Morrill **Act of 1862 in** which made it possible for the University to reopen and obtain federal designation as the state's official land grant institution in 1868.

### The University of Minnesota Cloquet Forestry Center

The General Government granted the State of Minnesota 120,000 acres of land to provide a State College or Agriculture and Mechanic Arts. In 1868 the Board of Regents approved the Agriculture College and land was purchased southeast of Minneapolis to establish an Experimental Farm. From 1868–1881 there was little to no interest in provided field. In 1869, Dr. Watts Folwell addressed that "Agriculture Education must follow the same general pattern as the Mechanic Arts, it should be on the same level as other branches of University." In 1882, 155 acres of land were purchased in St. Anthony Park to build J.W. Bass Farm as it served as the Universities Experiment Station also known as the University Farm. University Farm (Experimental Station) was open in 1889 and burned down in 1890.

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### **Cloquet Forest 1907**

The Cloquet Forest was originally part of the Fond du Lac Indian Reservation until 1907, (Figure 1.) Government allotted a part of this reservation to members of the tribe then opened the remaining allotments for homesteaders with timber and stone claims. Professor Samuel B. Green, began as the Dean of the University of Minnesota School of Forestry 1888–1910. In 1896 Green persuaded the St. Louis River Mercantile Company to purchase 2,215 acres of land for the University. This land was unallotted Indian Land with the exception of 80 acres in which was owned by the Northern Lumber Company.

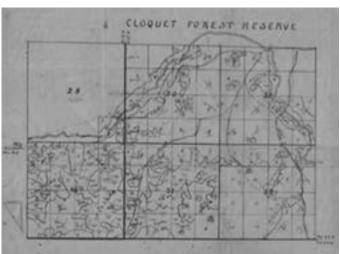


Figure 1 Fond du Lac Band of Lake Superior Chippewa Reservation boundaries prior to Land Grant and Experimental Station. 1

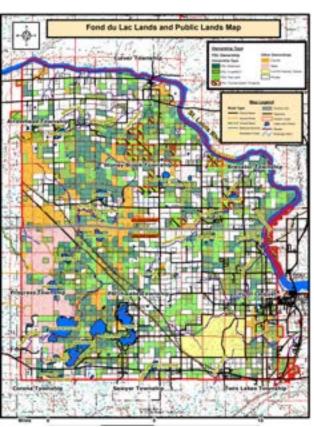


Figure 2 Fond du Lac Band of Lake Superior Chippewa Reservation boundaries prior to Land Grant and Experimental Station.

Cloquet Forest Reserve. 1904. University of Minnesota Libraries, University Archives., umedia.lib.umn.edu/item/p16022coll405:458 Accessed 17 May 2022.

In a special act of congress, this land was deeded directly to the University by the Federal Government upon the payment by the Mercantile Company for \$1.25 per acre to the tribal funds (Figure 2.). Professor Green notified Henry C. Horby that a bill in Congress will allow them to acquire a tract on the Fond du Lac Reservation which was then passed by Legislation on May 29, 1908.

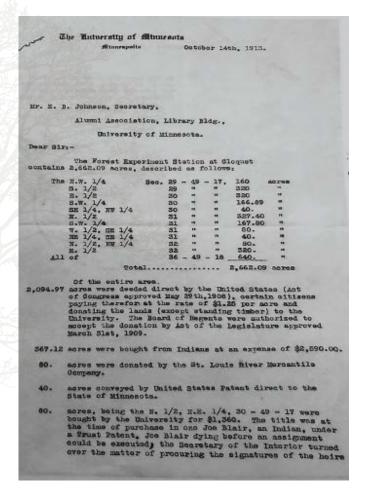


Figure 3 Report to Secretary, Johnson, E.B. of University of Minnesota, acres deeded directly by the United State.

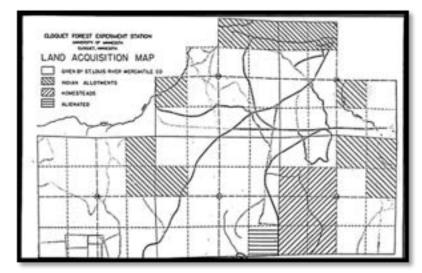


Figure 4 This map includes the eight Indian Allotments that were sold directly to the University by the State.

In order to round the boundaries to make the tract convenient and sizeable unit for forestry practices the University secured congressional authority to purchase eight (8) Indian allotments which added to the adjoining 2,215 acres donated by the Mercantile Company. The Cloquet Forest consists of 2,953.3 acres of land. (Figure 3.)

<sup>&</sup>lt;sup>2</sup> Hayes, G. (1913, October 14). Alumni Association University of Minnesota. University of Minnesota.

<sup>&</sup>lt;sup>3</sup> Hansen, T.S.; Allison, J.H.; Brown, R.M.; Cheyney, E.G.; Schmitz, Henry. (1936). The Cloquet Forest.

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### **Cloquet Forest Experiment Station 1909**

**January 26, 1909** the forestry faculty invited State Legislators to join them at the University Farm, this occasion was to enlist support for the proposed Experiment Station in Cloquet. April 30, 1909 Professor Green corresponded with Mr. Horby "you will be pleased to know that the general appropriations for the Forestry Department of the University were taken care of in a fairly satisfactory manner by the last legislature, we received the following appropriations:

- For support of the Forestry School \$4,000.00 per year
- For Student Labor \$5,000.00 per year
- For Creosoting wood \$1,500.00 per year
- For Maintenance of Itasca Park \$5,000.00 per year
- For Extraordinary repairs and cleaning land in Itasca Park \$4,500.00 per year
- For a State Road from Park Rapids to Bagley through Itasca Park \$10,000.00 per year

"This is an addition to the Cloquet Research, so I think the campaign of education in the legislature gave us a fairly satisfactory results; but I hope for more next time." The legislature provided \$5,000.00 for the purchases of 4880 acres of Indian Allotments in January 1909.

June 26, 1909 Mr. Fred D. Vibert State Senator and Cloquet Pine Knot Publisher wrote Professor Green "I enclosed map and data."

- 2,134.97 acres at \$1.25 per acre = \$2,668.72
- 80 acres owned by the Northern Lumber Company
- 2,214.97 acres gifted by the lumber companies to State

No estimate was given on the timber on the 487.12 acres of Indian Allotment which were to be acquired.

**August 26, 1909** Professor Green wrote Mr. Vibert pushing for the acquisition on the Indian Allotments by saying "The Board of Regents have taken hold of this matter and there is a very kindly feeling towards it they will have abundance of means to carry it out, while looking to put up buildings needed and expend at least \$5,000.00 in improvements by next season."

October 8, 1909 the Indian Allotments were not taken care of which pushed further into November 30, 1909. Come December 2, 1909, Professor Green writes Mr. Vibert the he was expected to be in Cloquet December 2, 1909 to meet with Mr. Farr regarding the Indian Allotments "Deed has been received to 3,097 acres of timber land, this leaves now to be fixed up the deed from Northern Lumber Company and the relinquishment of Joseph Petite in all Section 36."

December 15, 1909 Professor Green wrote Mr. Henry Oldenburg of Carlton "I enclose you herewith a copy of the law providing certain land for forestry experiment ground in Fond du Lac Indian Reservation. I have succeeded in getting the Indian Allotments appraised as follows." (Figure 4.). The University Camp Headquarters began at the Blair Field (parcels 3&4) then relocated due to the fires that spread throughout the area. Mr. Tierney wrote Professor Green stating that he would like to relocate the camp off the Blair Field and establish a location on higher ground located across the swamp as it is a mile closer to town and is at the main entrance of the forest filled with rich soil and large Red Pines. He suggested they use the surrounding Jack Pines for building material and remove some Red Pines to open stands for regeneration. The year 1910 started the organization, boundaries of the tract were located, fire lines were established and a few roads surrounded the area.



Figure 5 Map includes shading to identify areas given by St. Louis R. Merc Co., Homesteads, Indian allotments, and Alienated.<sup>4</sup>

#2. Lucy DuFold - 40 Acres of Land - \$480.00 #3/4. Joe Blair - 80 Acres of Land - \$1,360.00 #11. J. Smith - 40 Acres of Land - \$880.00 #17. W.O. Coffey - 40 Acres of Land - \$512.00 #26/27. Henry Martin - 80 Acres of Land - \$320.00 #34/41. S. Nagonabe - 80 Acres of Land - \$580.00 #42. Margaret Winter - 40 Acres of Land - \$340.00 #49. Mary Clark- 40 Acres of Land - \$480.00 - NW - SE 29-49-17 = \$880 - NW - NW 29-49-17 = \$480 - N ½ - NE 30-49-17 = \$1,360 - NW - SW 30-49-17 = \$512 - SW - NW 31-49-17 = \$340 - N/2 - NE 32-49-17 = \$320 - SE - NE 32-49-17 = \$480 - SE - SE 25-49-18 = \$350 - E/2 - NE 36-49-18 = \$580

April 18, 1911 Professor Green wrote Mr. Tierney to leave a considerable number of pines in groups along the traveled roads and a good size grove on the road to Vibert's shack. Doing so he wanted to leave the bunches for an estimate and pay the Government then the bunches would become property of the State. The State would give a contract to the timber so it would be there's and be turned over later to be reimbursed for the timber involved. The Board of Regents approved this arrangement. Mr. Tierney marked 109,310 ft of White Pine and 1,188,110 ft of Red Pine in the form of stands and scattered seed trees. For this timber the companies agreed to accept the same price

<sup>&</sup>lt;sup>4</sup> Cloquet Forest Experiment Station. University of Minnesota Libraries, University Archives., (1910). umedia.lib.umn.edu/item/p16022coll405:384.

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which they had paid the Government ten years before. The money was not processed until legislature in 1913.

Having been approved by the Board of Regents, Mr. Tierney steered loggers off to random portions of land that looked good to him to until the arrangement were made for Mr.Frederick E. Weyerhaeuser to come up to the reservation and see for himself what could be done.

On May 12, Professor Green wrote Mr. Tierney that he wanted to avoid any trees that hold no value and it would be in the best interest if the entire section 36 be cleaned up entirely and to mark trees near the camp.

In April of 1911, Mr. Tierney resigned and became the Assistant State Forester and Mr. S.B. Detwiler was put in charge temporarily until he moved to Pennsylvania to manage the Chestnut Blight Commission. Thereafter, the appointed Mr. Walter McDonald of Cloquet in charge moving forward.

On April 4, 1912 an agreement was finalized stating the U.S. Forest Service would become an existing chain of Experiment Stations operated by the U.S. Forest Service throughout the country. With this collaboration came financial contributions. Rapheal Zon, investigated the Cloquet Forest Experiment Station stating it did not offer the most favorable conditions for investigating work, there is one building in which the foreman and his family occupy there's a small office but no laboratory, no greenhouse, cases, files, equipment except that furnished by the Federal Government. Rapheal recommended an expansion which included; another building for the director of the station and office, laboratory, files, cases, library, instruments, and a small greenhouse. All in which, were approved and listed on the Forest Service Investigative Program in 1913. Many experiments were designed and planned for this project one in particular was a project designated "to determine the possibilities of using some of the land, unfit for agriculture in the State of Minnesota for raising basket willows and to find out which species are best adapted to this region." This project site was the Otter Creek meadow adjacent to the Blair Field clearing.

Between 1914 – 1917 five experiments were designed regarding temperature and drying time however the war in 1917 slowed down production because of the lack of manpower. On October 12, 1918 one of Minnesota's catastrophic fires burned areas surrounding the station and destroyed the city of Cloquet.

Between 1917 – 1919 the cooperative agreement with the U.S. Forest Service was discontinued and the station became entirely a University Responsibility.

Between 1918–1924 logging came obsolete with the exemption of cutting for fuelwood. The first type map was completed in 1914 the another was finished in 1919.

In 1924 students transferred to Cloquet to standardized field work. Within that time cutting resumed and reserved 11 of about 70,000 bd ft of Jack Pine, 1,500 ft of Norway Pine and 5,000 ft of Jack Pine Pulpwood was cut and delivered to the mills of Cloquet Lumber Company. At the time Norway Pine sold for \$25.00 per thousand, Jack Pine sold for \$22.00 per thousand and Jack Pine Pulpwood sold for \$7.50 per cord.

- 1927 surveys of area were complete and found unsatisfactory
- 1929 complete survey using staff school of forestry was made
- 1930 plan management was complete resurveys were made in 1939 when plot systems were preferred over strips.
- 1939 University added an additional 160 acres of land on reservation.
- 1943 University added an additional 120 acres of land.
- 1949 University added an additional 120 acres of land.
- 1949 surveyed continued on the same plots it wasn't until 1959 a continuous forest inventory was started.
- 1952 Dr. Schantz-Hansen the Director of the Cloquet Forestry Center wrote that the University hoped to establish another 640 acres of land to the Forestry Center through the purchase of "tax delinquent areas."
- 1952 Forestry Center operated process plant to treat posts and lumber with pentachlorophenol (Penta) to preserve the wood.

Cloquet Forestry Center has changed its collective name throughout history.

Cloquet Forest Experiment Station (1909)
Cloquet School of Forestry (1949)
Cloquet Experimental Forest (1951)
Cloquet Forest Research Center (1957)
Cloquet Forestry Center (1970)

Cloquet Forestry Center of Food, Agriculture and Natural Resource Science (2006-Present)

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### Fond du Lac Band of Lake Superior Chippewa

April 15, 2009: Fond du Lac Band Business Committee wrote Senator Tony Lourey, Representative Mary Murphy and Representative Bill Hilty. "Opposition of the Fond du Lac Band to the expansion of the Cloquet Forestry Center on the Fond du Lac Reservation" "Dear Senator Lourey: As you know, the Fond du Lac Band of Lake Superior Chippewa has in recent years pursued a policy of reacquiring its Reservation lands, which is critical to our effort to restore the original land base reserved to the Band under the Treaty of LaPointe in 1854. As part of this effort, we have negotiated a long-term arrangement with the Potlatch Corporation under which Potlatch is providing the Band with the right of first refusal of any land offered for sale on the Reservation. The Cloquet Forestry Center is operated on land which was transferred to the State of Minnesota in 1908 without the Band's consent, and represents one of the most severe historical injustices committed against the Band. WE have now been informed by Potlatch that the State seeks to purchase certain parcels adjacent to the Forestry Center on the Reservation in order to expand the Forestry Center along Otter Creek. These parcels would otherwise be sold to the Band under our umbrella agreement with Potlatch. The expansion of the Forestry Center on the Reservation by the State of Minnesota would constitute a serious threat to the sovereign interests of the Fond du Lac Band by interfering with the Band's political and territorial integrity. We accordingly implore you to assist the Band in avoiding this conflict with the State. "November 19, 2009: Fond du Lac Band of Lake Superior Chippewa Business Committee wrote University of Minnesota Board of Regents. "Opposition of the Fond du Lac Band to the expansion of the Cloquet Forestry Center on the Fond du Lac Reservation." "Dear Regents: Following is the position of the Fond du Lac Band of Lake Superior Chippewa regarding the possession and operation of the Cloquet Forestry Center by the University of Minnesota on the Fond du Lac Indian Reservation. The Fond du Lac Band reserved the Fond du Lac Reservation under the Treaty of LaPointe with the United States on September 30, 1854 (10 Stat. 1109). In 1908, the U.S. transferred 2083 acres of prime Reservation Land to the State of Minnesota, at a nominal price of \$1.25 an acre, the proceeds of which were deposited in a general fund for the Chippewa Indians in Minnesota. See Act of May 28, 1908, Ch. 216, 35 Stat. 444, 455-56. This land became the UM Cloquet Forestry Center, and the University subsequently added several hundred more acres to the Forestry Center, never with the Band's consent. The most recent acquisition was several years ago and, as we understand it, was financed through timber sales and U of M excess land sales. The strategy for raising revenue removes the purchases from the public domain by bypassing the legislative appropriation process. From the perspective of the Fond du Lac Band, the Forestry Center was stolen from us. Although the Forestry Center remains a part of the Reservation, and the Band still retains treaty harvest rights and regulatory authority over the lands, the Band has been deprived of the benefit of the land without due process. In recent years, the band has pursued a land reacquisition poly to reclaim its treaty land base, and the University undermines our efforts by continuing to exercise and aggressive land grab within the Reservation. Most recently, the Band negotiated with Potlatch whereby Potlatch is providing the Band with the right of first refusal of any lands offered for sale on the Reservation. The Forestry Center Director has publicly announced his intention to compete with the Band for those parcels which are adjacent to the Forestry Center in order to create a "buffer zone" for the Center. A "buffer zone" from the Indians! At the request of Representative Bill Hilty, I spoke with two representatives of the U of M system regarding the Band's thoughts on these purchases. I spoke first with Mr. Iverson from the governmental relations office.

Mr. Iverson opening comment was to the effect that the U of M would only consider not purchasing the property if the Band would agree to offer a 99-year lease to the Forestry Center, but if we wouldn't agree to a lease, the U of M would move ahead with its purchase. By the end of the phone call Mr. Iverson did understand better the position of the Band, and agreed that some conversation between the Band and the Forestry Center would be in order. The second phone call I had was with Mr. Severs, Director of the Forestry Center. He stated that I "needed to assure him that the Band's use of the land would not conflict with the mission of the Forestry Center." The remaining conversation assured me that Mr. Severs has no knowledge of tribal history or sovereignty. Despite that, a meeting has been set for Monday, November 30th at 10:00 in the Fond du Lac Tribal Center Chambers. The posture of the University, through its Forestry Center, towards the interests of the Fond du Lac Band on the Fond du Lac Reservation, constitutes a serious threat to the sovereign interests of the Band by interfering with the Band's political and territorial integrity. We oppose vehemently any expansion of the Cloquet Forestry Center within the boundaries of the Fond du Lac Reservation. We accordingly implore you to reconsider your policies as they affect our tribal interests on our own Reservation. We would be very interested in discussing a transfer of the property back to the Fond du Lac Band." December 30, 2009: University of Minnesota Responds. "Dear Ms. Diver: Dean Allen Levine spoke with me about your recent meeting discussing land issues related to the Cloquet Forestry Center and the Fond du Lac Reservation. He found the meeting to be helpful and appreciated your time to better understand the views of the tribe and communicate the needs of the research station. Dean Levine indicated that over the next month he would review the information he learned and seek a solution that is mutually acceptable. He believes that it is possible to address the tribe's concerns and protect the important research that is carried on at the Forestry Center. You can expect to hear from Dean Levine early in the year." Ann D. Cieslak, Executive Director.

### Collaboration

The University has benefited greatly on land belonging to the Fond du Lac Band of Lake Superior Chippewa Tribe. As they have accumulated revenue from timber sales, funding from the State and Government, tuitions from Forestry School students and receive recognition for experiments done on stolen land. As a sovereign nation Fond du Lac Band has been denied access to the hunt, fish and gather within the boundaries of the Cloquet Forestry Center which is part of the Fond du Lac Reservation.

The University of Minnesota recently stated on the campus website and brochures the acknowledgement of the Fond du Lac Band and the history in which the land was taken by the Morrill Act of 1862. The brochure provided states "The CFC is located within the reservation of the Fond du Lac Band of Lake Superior Chippewa (FDL) on the traditional, ancestral and contemporary lands of indigenous people. We are building upon this acknowledgement with an open access lands policy,

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active support of the developing projects with FDL collaborators, and incorporating Ojibwe perspectives into land stewardship decisions." The University of Minnesota has also stated on its website "The CFC sits on Fond du Lac Reservation, along with many other reservations in Minnesota, Wisconsin, Michigan was created by the 1854 Treaty of La Pointe. In this treaty a number of Ojibwe bands- the Fond du Lac, Lac du Flambeau, La Pointe, Ontonagon, L'Anse, Lac Vieux Desert, Grand Portage, Lac Courte Oreilles, Bois Forte and Mississippi Bands- agreed under duress to allow Euro-Americans use of land and resources within their ancestral territories while reserving specific lands for sole use be their band members. Over the course of the next 80 years, however, land under tribal ownership were continually reduced as Euro-Americans sought to access and exploit the natural resources in these areas. Further abuse occurred across the United States with the passing of the Dawes Act of 1887. The Dawes Act allowed the U.S. President to divide communally owned reservations into private allotments, selling off the "excess" land to Euro-American colonizers and resulting in the eventual loss of 100 million acres of reservation land across America. In Minnesota just two years later, the Nelson Act of 1889 attempted to pressure all Ojibwe lands in the state to relinquish their reserved lands and move to the newly establish White Earth Reservation. In 1909 Samuel Green- the Head of the University of Minnesota Forestry School who had been advocating for an experimental forest from as early as 1886 was finally able to convince the St. Louis Mercantile Company to purchase and donate roughly 2,000 acres of land to the University, the land had once belonged to the Fond du Lac Band before the Dawes and Nelson Act. Over the next few years the University of Minnesota purchased additional acres as well as receiving another land donation from the Northern Lumber Company. The trees on these donated lands, however, were not included, and both timer companies actively clear-cut much of the red and white pine on them. In 1911, Samuel Green asked the University to help him reserve certain stands by paying the timber companies the value of the stands tree, thereby assuring their protection. One hundred and nine years ago, a young camp 8 was selected to be one of these reserve stands, many of its red pines not even 100-years old at the time it was reserved." The University of Minnesota proclaims their collaboration, acknowledgement and understanding of Fond du Lac Bands ancestral and traditional history.

However, September 9, 2021 Fond du Lac received notification from Cloquet Forestry Center regarding an artifact that was discovered on campus. (Figure 5.) The artifact recovered is an arborglyph belonging to the Ojibwe people. Dating back early as 1868, specialists at the Cloquet Forestry Center verified that this tree was cut in between 1960-1965 within the confines of Fond du Lac Band Reservation Boundaries. The University of Minnesota responded January 28, 2022 from Researcher Lane Johnson stating "The arboralyph was probable cultural connections to the Fond du Lac Band of Lake Superior Chippewa based on the character of the modification, its provenance, and the estimated creation date of the arborglyph based on local knowledge and tree-ring counts." Professor Emeritus Al Alm, of Cloquet spent much of his career with the Cloquet Forestry Center (1960-1992). He recalled clearly to the CFC forest management staff on October 12, 2021 that the arboralyph tree came



Figure 5 Anishinaabe arborglyph located on Fond du Lac Reservation prior to University acquisition. The artifact dates 1883 which has been in Cloquet Forestry Center possession since 1960–1965. Was not recovered by Fond du Lac Band until September 9, 2021.

from the CFC property and was cut down by students between 1960–1965. He claims that Professor Bruce Brown, CFC Director at the time being upset. Professor Alm recollected that the arborglyph was originally found near SE corner of Section 29, Township 49N, Range 17W and the NE corner of Section 32, Township 49N, Range 17W, North and East of the Otter Creek corridor and just west of Cartwright Road. He also recalls the bole of the arborglyph tree being brought to the CFC sawmill and the arborglyph being cut out and save following the removal of the tree. Melonee Montano, Traditional Ecological Knowledge specialist with Great Lakes Indian Fish and Wildlife Commission examined the arborglyph January 2020. She interpreted the arborglyph to be consistent with Anishinaabe iconography and recommended inquiring the FDL representatives. The artifact is associated with traditional cultural use of the FDL Reservation prior to University acquisition of the property.

"It is one of the largest artifacts repatriated by Ojibwe people, it is a depiction of a spirit, completely unique to our people. This ancestral artifact is rare. As this artifact is studied and continues to get older-it's cultural significance will grow" - Charles Smith, Fond du Lac Band's Culture Specialist.

This unique and significant arbor glyph belonging to Fond du Lac Band has been in possession of the University of Minnesota for over 60 years with no collaboration with Fond du Lac Band's Tribal Historic Preservation Officers and or Tribal Leaders.

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### Fond du Lac Band of Lake Superior Chippewa Tribe Objective

All land owned by the University of Minnesota within the past and present-day boundaries of the Fond du Lac Band be returned immediately to the tribe. Fond du Lac Band has the resources and advanced Forestry Departments that are capable of managing our original ancestral lands. Fond du Lac Band shall exercise the Treaty of 1854 and establish the land promised with the right to preserve, protect and exercise our sovereignty within our ceded boundaries.



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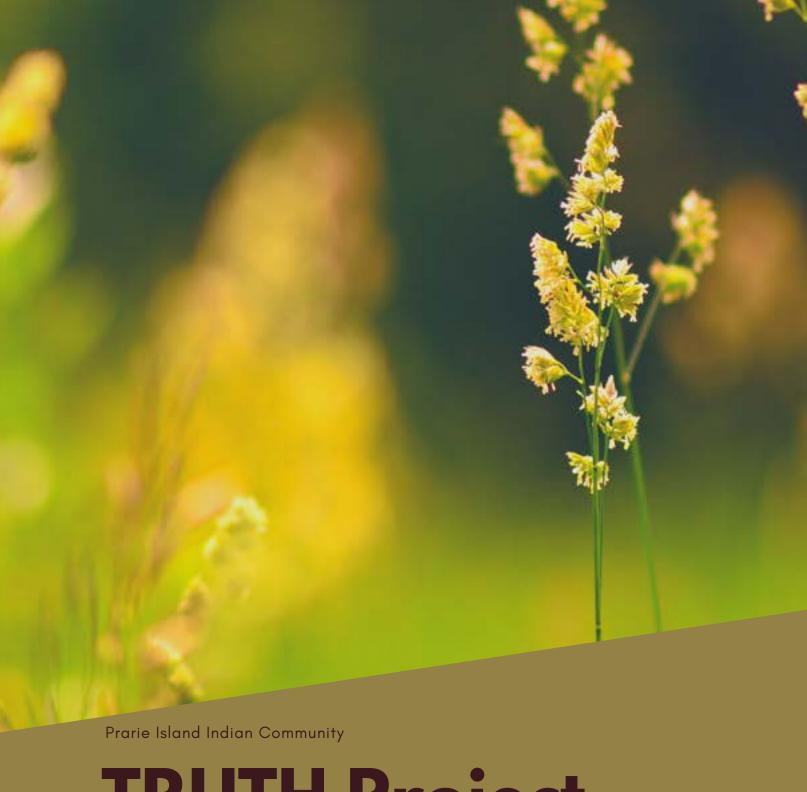
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## TRUTH Project Report

May 2022 // Prepared by Suzelle (Bellanger) Sandoval

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# Recovering Burial Grounds: Honoring Our Ancestors

**Summary:** The topic of recovering burial grounds is at the heart of some of the toughest issues we have to face as tribes, Tribal Research Fellows and Tribal Historic Preservation Officers for our tribes; with regards to burial mounds and also with regards to how archaeology was done by the Univeristy of Minnesota in the past. In this report we are going to take a look at how that past work impacts tribes today, and we're going to take a look at some of the truth-telling work that's being done by tribes today to correct some of these injustices.

**Objectives:** The conversation of burial mound reclamation and what that looks like for many tribes today. It's important to understand how the University of Minnesota has conducted archaeology and continues to conduct archaeology, specifically when it comes to burial mounds.

Digging up sacred native cultural sites would be the same as digging up Arlington National Cementary.

In the late 1980's the University of Minnesota was actively participating in the excavation of burial mounds throughout the state of Minnesota, through it's archaeological classes and through it's field classes that it would conduct, all in the name of education, and promoting education. How does this impact us today as tribes? In the late 1980's and part of the early 1990's, the university transferred its entire archaeological collection over to the Minnesota Historical Society. In doing so they transferred over an extensive collection of all these cultural materials they had assembled over decades of excavation work and through donations. When we are assessing burial mounds and doing research on burial mounds, we find the connection we have to burial mounds is that we have to help put together a burial management plan. When we start looking at the cultural material that was separated from human remains and that is now part of this collection, we have a big, big issue. How do we reconnect and reconcile some of these items in this collection?

### **NAGPRA** and beyond

The Native American Graves Protection and Repatriation Act (1990), was established to protect cultural and biological remains of our native people, this includes human remains, associated/unassociated funerary objects, sacred objects and items of cultural patrimony. It also outlines a requirement and process for museums and federal agencies to return cultural items, including human remains, back to lineal descendants or culturally affiliated Indian Tribes. The problem with this process is that the laws are weak and so are the penalties, the institutions are regarding it as a property issue instead of a human rights issue.

Of the 200,000 ancestors reported in the U.S., 60% are incomplete in being returned back to their people, and those that have been returned are unable to be laid to rest, due to another problem. Most of

The Native American
Graves Protection
and Repatriation Act
(1990), was
established to protect
cultural and
biological remains of
our native people,
this includes human
remains,
associated/unassocia
ted funerary objects,
sacred objects and
items of cultural
patrimony.

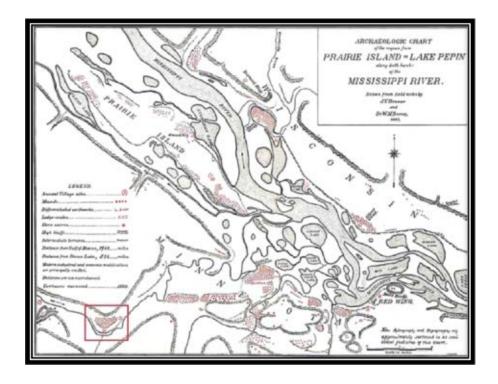
the funerary objects have been split up into collections and are scattered across many institutions, so instead of just dealing with one entity, you are faced in starting the process many times with various places, yielding no results of return or a delayed return, there is no uniformity and no consistency because of the lack of standards when burial sites are assessed



Photo: Leather beaded moccasins originally owned by John Other Day (Wahpeton Dakota) and given to Stephen Return Riggs, a missionary and government interpreter among the Dakota in southwestern Minnesota, ca. 1860.

Holding Location: Minnesota Historical Society

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Some issues we face at Prairie Island, a majority of them are protectiong burial mounds. This map from 1903, shows over 500 burial mounds in the Red Wing area alone. The attitude a lot of settlers had when it came to burial mounds was an attitude of ignorance for the importance of these burial sites of our people. To give you an idea of this attitude and provide some insight, here is an excerpt from a diary entry of a Private stationed in Red Wing in 1869.

"Red Wing an Indian Chief is buried on one of the bluffs here the city was named after him there is as much as a hundred of their graves up here on a bluff and I have been up there and found and ribs of Indiens and all sorts of bones last spring the red wing boys dug into the chiefs grave and found a silver medal given by Harrison to the chief and they sold it for \$75 and then they dug them most all up for things and took their skulls and (put) but them on bushes and played ball with them till the city Authorities ordered them to put the bones all back and cover them up they found beads and scalps and lots of trinkets buried with them but I could cover a dozen sheets with such stuff..."

– Edward A Henderson Letter: Red Wing, Minnesota. November 3, 1869. Native American History Collection.

Edward Henderson's letter provides an unpleasant account of the desecration of a burial ground and the theft of valuable objects.

When we started examining the archaeological record that is now at the Minnesota Historical Society we uncovered a couple of different things. There's some really good work being done by staff at the Minnesota Historical Society to reconcile some of these archaeological collections. This is something that faces all tribes today, and so, our suggestion we offer is that the University of Minnesota should consider funding a position, and we would hope that it could be a fellowship position for a Native American to work with staff at the Minnesota Historical Society to go through these collections and to make them a priority.

As Tribal Research Fellows, going through this type of research we have to remember to take care of ourselves, it can invoke emotions and bring out feelings that are challenging to control. As we honor some of these injustices we must carry these burdens as researchers until there is resolution brought to these issues and make people aware of them.

Red Wing, Minnesota. November 3, 1869. From the Native American History Collection Letter from Edward A. Henderson

## Introduction to the Dakota Traditional Homelands Mapping Project Merging Technology, Oral History And Literature

The Dakota Traditional Homelands Mapping Project, started in 2020, is a 10-year project in partnership with the Prairie Island Indian Community Tribal Preservation Office and EARTH Systems Research Lab, Minnesota State University – Mankato. Our project vision is to take a new look at an ancient land; Dakota people and historical records agree that the Dakota traditional homelands expand far beyond today's boundaries. Various kinds of records exist, but have never been collected, compared and assembled into a comprehensive geographic information system. Utilizing five methodologies to asses burial sites and burial mounds that are non-intrusive, the resulting GIS will be ground truth and the results formalized in state record systems.

The typical way in which we asses burial mounds in Minnesota poses a lot of problems. If an archeologist applies for a state license to asses a burial mound they just have to go through a licensing process, there is absolutely no standards that person who receives that permit has to follow. Through the Dakota Traditional Homelands Mapping Project research, we are truth-telling and ground proving these five methodolgies, our end goal is to force the state to develop standards for archeologists to follow when assessing burial mounds. We also hope to contribute by helping develop a field guide for tribes for when they want to asses burial sites.

The Dakota Traditional Homeland Mapping Project focuses on the archaeological site known as the Belle Creek Site, located along the Cannon River in the Cannon Valley in southeast Minnesota. We are hoping to collect data in a five-year period, which justifies why noninvasive techniques should be the first method used when evaluating burial mounds.

### **LiDAR**

The first method that we always utilize, LiDAR, also known as Light Detection and Ranging, uses lasers to measure the distance, shape, and orientation of 3D objects. LiDAR is becoming increasingly common and within the last two years this technology has really improved in Minnesota, allowing us to visually see the landscape in ways that we couldn't do previously. LiDAR is used to compare the surveyed locations of the mounds with the actual locations. Mounds in an open field are not visible to the naked eye, but using our noninvasive techniques we were able to relocate these burial mounds with precision.

### **Drones and Photogrammetry**

The second technique that we utilize is drones and photography. Drones are used to create high-resolution aerial photographs of our work area, as well as high resolution Digital Elevation Models. Also known as DEMs, instead of depicting how a site actually appears in person, DEMs generally use color to indicate differences in elevation and are a visual representation of the elevation data for every point captured in a site. We also do fly overs in the summer, as well as in the fall.

## **Ground Penetrating Radar**

The third technique that we use, and is a more well known technique, is ground penetrating radar. And again, this is a noninvasive geophysical technique that sends radio waves into the ground between 50MHz (megahertz) to 1GHz (gigahertz) and allows us to understand some of the anomalies that are underground. The transmitter and receiver antenna are drug across the ground either along a single line or in a grid format. When our data is collected in a grid format, readings can be interpolated to generate depth slices four to six meters below the surface depending on the frequency used. 200MHz to 500MHz is primarily used in archeological investigations. The data displays boundaries between subsurface materials as well as possible buried objects.

## Magnetometry

This is another noninvasive geophysical technique that measures the influence subsurface materials have on the local magnetic field of the Earth. Ferrous soils or sediments as well as metallic objects will distort the local magnetic field, it allows us to "see" into the ground and identify what lies beneath without having to excavate and helps us interpret and preserve sights.

Data collected can be interpolated along transects to produce a depth slice of subsurface anomalies about one meter below the surface. Identifiable anomalies include, geology - clearly maps transition from silt to sand; agricultural remnants - plow furrows, field edge push, and metal objects found on the surface; archeological components - mounds, probable earthen effigy as well as subtle but similar magnitude as mounds which highlights the importance of using multiple methods and being aware that

#### **Electrical Resistance**

the unexpected can occur.

The fifth methodology that we use is electrical resistance. Again, electrical resistance is a noninvasive way of measuring soil types and transitions, as well as allowing us to understand again some of the anomalies that we're seeing below ground and truth-telling them with actual maps. Archeological features can be mapped when they are of high or lower resistivity than their surroundings. Differences in soil porosity, saturation, and organic contents can increase or inhibit electrical conduction. For example, a stone foundation might impede the flow of electricity, while organic contents might conduct electricity more easily than surrounding soils. Resistivity results from each of the grids collected at Belle Creek show identifiable anomalies such as field edge push; Large round, highly resistive zones that are mound remnants; Small, round low resistant areas that correlate with mapped tree locations. Resistance confirms that mounds are present even if not visible on the surface.

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We are hoping to collect enough data at the end of Year 5 to make us a strong bid to the state to put in place standards on how burial mounds are assessed, and we hope that the University of Minnesota would support the good work that's coming from all of these tribal communities when it comes to this. It is a pressing issue that we all face today and by our research and utilizing these techniques, we hope to set standards that will pave the way for better stewardship of these areas. The way things have been done in the past is not the way they need to be, or should be done in the future.

Technological capacity of research institutions can and should be helping refine available toolboxes and standard practices. This must be paired with what communities know, want, and need. Collaboration is the way we move forward.





Bois Forte and Grand Portage

# TRUTH Project Report

## Waa-gwewayako'iyaang

Making it right with us

### Introduction

This paper is mostly written based on how our tribal governments feel like the university could best grow our relationships in the future. A lot of these topics stem from band members who are students, faculty, staff as well as alumni or of high importance in the education or tribal government sectors. Of all the topics that have come up from these discussions, there were four main categories that all of these fit well into.

### Representation

The largest needs that was stated for building relationships with tribes is to also build them with our citizens. To do that, it would be to increase the representation of indigenous people within the system. This would include higher amounts of students, faculty, and staff, as well as classes being taught. We would like the University to expand its native recruitment practices for both students and staff across all campuses. Include native issues as common classes outside of American Indian Studies. Topics like tribal gaming, tribal law, ICWA, and tribal finance/economics should be taught in spaces like business schools, law school, public affairs schools, and continuing education. That way, the applicability of the topics learned in schools can translate better to practice, not only for tribal citizens but also for non-indigenous students who will go into fields of work that interact within tribes.

The university needs to help bridge the achievement gap within our high schools. Our students around the state are not able to complete high school at nearly the same level as other students. This issue is large and complex in itself and would require more studies but with the history that the university has with the federal government and with federal funding, it falls on a portion of the trust responsibility to assist indigenous communities. This would include working with high schools designated by tribal governments for university admissions to visit to meet students in person.

Increasing representation for the university could also include acts and displays such as displaying tribal nation flags in common locations where other flags are flown, and in common areas where indigenous people are at. Having local drum groups provide an honor song for students at graduation ceremonies. Smudging or tobacco offering locations can also be a step towards having representation and respect for our students. In many universities now, there are designated spots for gender-neutral restrooms and places for Muslim people to pray.

## **Cultural Respect**

Museum Respect for ancestors. If there are going to be any of our ancestors housed or any items of cultural importance, they should be helped in the same respect that they would if they were held at our museums or with our family. In order to determine what this would look like; it would require consultations with tribal nations to make those determinations. These items whether they seem like it or not, all have cultural significance to Tribes, and we understand that they are allowing us to showcase them. In return we have a duty to take care of them. Being able to feast these objects and knowing

what can and cannot have pictures or be on display should be a minimum for anything that are held at the University.

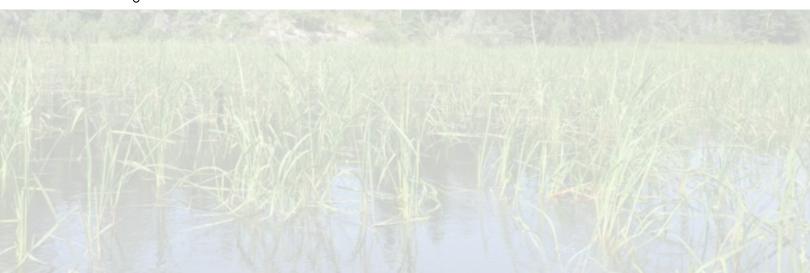
Family Dynamics is something that can oftentimes be washed out from our identity in an effort to conform to a westernized space that's not designed for people of different values. This would include during times of grieving. In Anishinaabe traditions there are whenever someone passes, the ceremony for burial takes places at that person's home over the course of 4 days. Then, if they are close enough relations, they may not participate in ceremonies or traditional values for up to a year. Professors should be more cognizant and aware of some of these practices for students who undergo ceremonies such as this.



Traditional Knowledge being accepted is another large issue that the university doesn't acknowledge as acceptable forms of sources. When we talk about traditional stories, knowledge, or values. Understanding that these stories don't just come from a random person but rather are passed down from generation to generation and can be hundreds if not thousands of years old. To us, these sources are peer-reviewed, fact-checked, and undergone necessary changes to be permissible to be shared, oftentimes heard, studied, and revised multiple times prior. There isn't anything different in this process as it is quoting a book or journal.

Along with this knowledge, also comes the knowledge that not all data and information should be written down. When the university has non-native, non-community members come into our communities to study for a project, how can they possibly understand the nuances and complexities that those knowledges have. Even after the process of building trust and a base of knowledge, they're still a level of trust and care that the knowledge holds. Often times, writing or recording of this information can ruin the trust and relationship of our knowledge holders and those Aadizookan. With future studies, it should be the University's mission to hold their researchers to the level of each knowledge holder that they work with to respect the information they receive.

Recognition of traditional ecological knowledge is a valued scientific knowledge and process of record keeping in our communities. Tribal Environmental Staff work with our Elders to protect areas of significance and our natural resources. Often the state agencies disregard our tribal scientists and their scientific data in the states work for environmental protections of Nibi (water) quality or Manoomin (wild rice). Tribal Environmental Staff are scientists equal to that of the State, often possessing the same degrees from the institutions such as UMN.





## Support

Getting to university is one adventure on its own, while being able to remain, let alone excel in an environment that is entirely new environment is a different experience. Advisors and staff have so much on their plate, that we should work towards creating retention centers or divisions for each campus. Having not only a space that students can feel comfortable in but also a spot that will assist them to provide the best opportunity to succeed. There may need additional surveys and studies to get an understanding of what this would look like to help with retention but if it meant having to coordinate rides or working with urban offices to provide additional connections or services. Once our students get on to campus, being able to create an open and welcoming environment is something that is important to help people stay throughout their careers. One such program might include a Learning Living Community on each campus. This is like one on the Twin-Cities campus that allows for native students to not only meet one another but form early bonds with each other through different types of programming throughout the year.

We do appreciate the effort of starting on the path towards offering free tuition for all federally enrolled students. It would help extend the tribes extend their support if this tuition waiver doesn't take into account scholarships from their tribes. Tribes do a variety of things to help support our students from scholarships to having additional funds for living expenses. If the tuition waiver/scholarship

is going to adjust and lower according to the amount of support, we are able to provide. Then it makes the additional funding and support obsolete.

Support without forcing staff to fit underneath other multicultural centers or leaving them all on their own without the support to help them succeed. We have had high school student visits and haven't been able to get access or view all of the places we would like to highlight for our students. A major part of this is being understaffed in those spaces. Then while at school, there isn't always permanent spaces for students and faculty, on all campuses. At each university outlet there are spaces that are solely for the purpose of native students. Some of these spaces, like in the twin cities campus are conditional based on set requirements that aren't as easily attainable given that the native student population is lower than other groups who attend the University. It can be an additional stress that our students have to endure over the course of the school year.

Relationship building with tribes in this area could include helping tribes creating Internal Review Boards (IRB's). If tribal knowledge is viewed as "inadequate", such is the case of tribal judicial systems, then the University should bring it upon themselves to help bring it to a place where it can be considered legitimate. An IRB can help scholars incorporate the holistic viewpoint talked about next while maintaining the respect for our people and culture that we hold it in.



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## **Knowledge and Training**

A holistic approach to studies done involving tribal nations. This could include incorporating traditional knowledge into reports. Of the various studies and reports that I read throughout the semester, a lack the opportunity to bring it all together. An example could be a report on the Nett Lake dam. It debated on whether it was a success and how they would be able to tell. It talked about water levels, optimal growth environments of wild rice, chemical levels in the water that is harmful to healthy wild rice stocks and whether the dam helped it. The mentioned that Bois Forte denied having a "wild rice expert" come up to help with the study on the lake and that the band would use traditional knowledge holders for this. This paper did not include those values end knowledge in their study. That led to a lack of a complete understanding of the environment that the wild rice has with the different beings around the lake. It could have talked about how the cattails, grass, muskrat, doctor ducks, rice worms, fish all play apart in the rice crops throughout the year. That if there were a decline and/or drastic change in any of these populations that it could lead to irregular wild rice crops. When there is a change in these beings there is also a change in the optimal grown environment for rice. In Grand Portage, there were studies talking about doing land surveys around the village to study where development could happen in the future. In this paper, they only focused on areas that were written in books or records kept by the state or historical societies. Not asking for traditional stories about where families used to live, hunt or utilize the land and not knowing some if not most of these stories are not written down.

Any staff, departments, or students that work with indigenous people or nations should take Tribal–State Relations Classes whether in-person or online. This hopefully can reaffirm that each tribe is different and that when talking about or working with this is kept in mind. Talking about indigenous people in modern times without dissociative words such as "pre-history", in the museums and other public locations that talk about tribal nations. Tour guides should be knowledgeable about these issues as well so that they can accurately and fairly talk about the history of the University. For students, this could be something like videos lead by current students or staff from different indigenous communities, taking a class or training prior to going to the university. This is done in prevention and teaching for the inevitable questions, harassment, and complaints that stem from ignorance and racism that will come from the tuition waivers, departments and programs that are available for native students.

Tribal communities and government employees have so many people who have to wear many different hats for their tribe and are asked to be a master or experts in these issues. For this, it would be great to be able to get different trainings or certifications in topics decided by someplace like MIAC or MCT for tribal nations. This could include things like tribal history, tribal law, linguistics, Ojibwe and Dakota.

## Conclusions

For many of our tribal youth, it's a big task to leave a community of 500-700 people. Being able to have the access that other schools get can put us at a disadvantage, then being able to understand some obstacles that may prevent them from pursuing their goals. This is before even applying to colleges, once they are there, they have to face a different set of challenges to keep them on their paths. These are some of the ways that the University of Minnesota system can help building the relationship with tribes is to help build their relationship with tribal members.

## Respect

Understanding or respect for family dynamics
Acknowledge/accept Traditional Knowledge as sources
Ancestors or Items of Cultural Patrimony

- Feasted seasonally, cedar/tobacco near
- Not taking pictures of sacred items

Understanding that not all data collected should be publicly available

Smudging/Tobacco offering spaces in all buildings



Indigenous Staff that's not in American Indian Studies Classes in places like business schools, law schools, public affairs, CEHD

Gaming, Fed Indian Law, Tribal government, ICWA, Tribal Businesses/Finance

Drum Groups to open/close graduation

Tribal Flags on campus
Recruitment of native students, staff and faculty

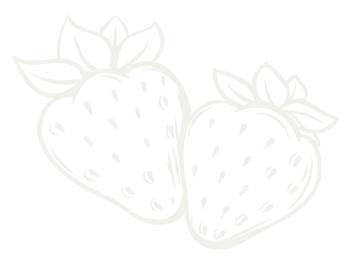
Admissions reps to Schools designated by tribes

Help closing the achievement gap

HS School visits/camps to UMN schools for each place

# Conclusions (cont.)

Support	Permanent Spaces for students Retention Centers/Division Learning Living Communities on other campuses Free tuition that doesn't take into account tribal scholarships Either Isolation of AIS and students or trying to force them under another multicultural umbrella Helping Tribes set up IRBs
oweldge d Training	Holistic approach to studies done on or with tribal nations  • Incorporating traditional knowledge  Any staff/Faculty who works with indigenous people or nations to take Tribal-State Relations Classes  • Including Tour Guides or students who want to learn more Talking about Indigenous people in modern times, especially in public spaces  Tracking Native Students by tribal affiliation  Offering a free certification in areas of study for tribes





## **UMN - TRIBAL RELATIONS**

Past, Present, Future

March 2023 // Prepared by the TRUTH University Team

## IN THE SILENCE OF IRREPARABLE HARM THERE IS

## Context of the TRUTH Project –Methodology, Methods, and Supports

The taking of Indigenous lands to fund colonial institutions of higher learning in what is now the United States can trace its design back to a 10,000-acre British land grab to fund Henrico College, founded in Virginia in 1619.[1] The field of Critical University Studies (CUS) examines such events as it studies the role of higher education in contemporary society and its relation to culture, politics, and labor. For example, CUS theorist Davarian Baldwin interrogates how urban development has become higher education's latest economic growth strategy.[2] However, this is nothing new. Institutions like UMN were founded to drive white settlement so they could profit from "development" of Indigenous lands.

TRUTH's research shows that the University of Minnesota was established as a shell corporation, one method among many used by colonial politicians and speculators to funnel and launder monies made from the dispossession and genocide of Mni Sóta Makoce's Indigenous peoples. Land grabs were not solely to fund the establishment of universities for the common good.[3]

Since its founding in 1851, the University of Minnesota has been the beneficiary of multiple land grabs which have ultimately provided the University with 186,791 acres through the dispossession of Indigenous nations.[4] University founders knew, from previous experience, that they, their businesses, acquaintances—and the institution, of course—could wipe out their debts and build an empire from the wealth generated from genocide of Native Americans. But these lands did not stay with the University. The Board of Regents chose lands based on their personal, political, and industry knowledge of the region, then sold them for profit, often to their associates in timber and rail.[5] This example extends Baldwin's statement into both the past and future, showing that institutions like UMN were created upon urban development, and inherently depend upon it as a financial stream.

<sup>[1]</sup> Harvey, "The Wealth of Knowledge."
[2] Baldwin, "When Universities Swallow Cities."
[3] UMN Libraries, "For the Common Good."
[4] Fuecker et al., "CURA TRUTH Capstone: Permanent University Fund."
[5] Roberts, "An Early Political and Administrative History."

## **Project Funding and Rationale**

Minnesota Transform (MNT) is a higher education initiative funded by a Mellon Foundation Just Futures grant, which began on the heels of a national outcry for transformational decolonization and racial justice due to the continued police brutality against Indigenous, Black, and Brown communities after the murder of George Floyd by Minneapolis police officers.6

Indigenous, Black, and Brown communities across Minnesota have always been targets of state-inflicted violence. The establishment of Minnesota as a Territory, and subsequently a State, happened through processes of sustained ethnocide, genocide, murder, violence, starvation, illegal land dispossession, false promises, and expulsion of Indigenous peoples from the very land that had cared for them since time immemorial. The American Indian Movement was founded in 1968 in Minneapolis for Native American residents to protect their communities from government brutality.

This history has foundations in not only the U.S. federal government and the State of Minnesota, but also the University of Minnesota. As a quasi-governmental body and landgrant institution, the University of Minnesota has been the beneficiary of acts of genocide and land dispossession by the United States' federal, territorial, and state actors, many of whom simultaneously sat on the Board of Regents.

It is because of these histories that we must note that while aspects of the Tribes' work received minimal financial support from UMN, the TRUTH project was funded by the Mellon Foundation through Minnesota Transform, not the University, although the University administered the grant. In addition, the limited funding to tribes was not enough to allow for a full review of the University's past, present, and future. Work must continue in full consultation with Indigenous peoples leading the discussions and planning.

## Methodologies

Each researcher brought their own epistemological and methodological worldviews formed in relation with their community knowledge systems into their respective research and reporting. Our collective work is seeded in Indigenous methodologies<sup>7</sup> using grounded

<sup>&</sup>lt;sup>6</sup> Minnesota Transform, "A Just University"; The Andrew W. Mellon Foundation, "Just Futures Initiative."

<sup>&</sup>lt;sup>7</sup> Weber-Pillwax, "Indigenous Research Methodology"; Wilson, "What is an Indigenous Research Methodology?"

theory as an Indigenous paradigm to explain deep relationships between the land and our more-than-human relatives.<sup>8</sup> Research done on and to our communities has persistently been a tool of coloniality. 9 Coloniality is a framework based on Indigenous knowledges kept over the last 500 years of settler contact in the Americas. 10 With this recognition, we find the ground on which to reclaim sovereignty over research and data in our communities. 11

The research in the TRUTH Project fills gaps in academic knowledge caused by colonialism and brings into question the Land-grant university system from an Indigenous paradigm, 12 more specifically, through Dakota and Anishinaabeg worldviews. This relationship-based paradigm considers humans and more than humans equally; it is steeped in the Seven Grandfather Teachings and The Seven Generation philosophy, an ontological orientation of relational accountability, takes into consideration the next seven generations past and future in all of our actions. It honors connections to ancestors, Unci Maka/Aki, the earth, all who reside on her, and all who will come to reside on her. Research is a ceremony that celebrates the connections between us all.

Rather than centering Western research practices like validity, reliability, and statistical significance, TRUTH demands the University ask itself: "What are our obligations to Indigenous peoples? To whom are we accountable?" The response is all our relations, human and human+.

## Theory

There are two grounding theories from which this research sprouts: Indigenous Standpoint Theory and Transformative Indigenous Theory. Academia is a particularly challenging place that does not nurture the success of Indigenous students. There exist many reasons why, one of which is that there is an inherent tension between Western and Indigenous epistemologies.

<sup>&</sup>lt;sup>8</sup>Kerr and Andreotti, "Recognizing more-than Human Relations."

<sup>&</sup>lt;sup>9</sup> Suárez-Krabbe, "Race, Social Struggles, and 'Human Rights""; Deloria, Jr., "Research, Redskins and Reality"; Laenui, "Processes of Decolonization"; Sumida Huaman and Martin, "Indigenous Knowledge Systems." <sup>10</sup> Tlostanova and Mignolo, "On Plural Epistemologies."

<sup>11</sup> Smith, "Indigenous Struggle for the Transformation of Education"; Quijano, "Coloniality and modernity/rationality."; Sumida Huaman and Martin, "Indigenous Knowledge Systems"; Smith et al., "Indigenous Knowledge, Methodology and Mayhem"; Meyer, M., "Ekolu mea nui: Three ways to experience the world." <sup>12</sup> Wilson, "What is an Indigenous Research Methodology?"

There are four requirements of Indigenous Standpoint Theory. Research must be done by an Indigenous person. That person should be trained in intersectional critical theories. There must be a benefit to Indigenous communities. Indigenous languages should be used whenever possible.<sup>13</sup>

Along with Indigenous standpoint theory, transformative Indigenous theory is based on accountability. Smith defines five ways in which utility holds research/ers accountable. It must have the potential for positive transformation. It is merely a tool; intent and impact are the researcher's responsibility. It must be useful because the status quo is not. It must be fluid to avoid monolithic assumptions or "one size fits all" strategies. And finally, it must be accountable to the community. 14

This project meets the objectives set by these theories and is done with the intention of reshaping policies through Indigenous analysis. The language of reconciliation uses neverending performances of Indigenous pain. This begs the question of what is justice when one must take the shape of a wound? This focus is critical as we move "towards healing" in the TRUTH project and allows a continued focus on healing. Moving towards healing also holds the implication that we have not arrived yet, that there is still work to do. TRUTH is the first step in a long journey towards justice. Utility and the possibility of radical systems change is central to our processes. Throughout the TRUTH Project, our guiding question has been, how does this benefit the Tribes? TRUTH is Indigenous driven to impact Indigenous realities and futures.

To understand the root of the issues Indigenous peoples face, we must also know the various tactics the United States government used in suppressing our people: forced internment and attempted assimilation to Western ways of being/thinking/knowing via the boarding school system, genocide, disposession, war, murder. Historical and intergenerational trauma may be woven in our DNA, but so is resilience and love.

Indigenous narratives and connections to this land have been unrecognized, untaught in Western educational settings. What is the Indigenous perspective on the past, present, and future of University-Tribal relations? TRUTH is the first ever Indigenous-led community-led research to tell this history using Indigenous narratives.

<sup>&</sup>lt;sup>13</sup> Foley, "Indigenous Epistemology and Indigenous Standpoint Theory."

<sup>&</sup>lt;sup>14</sup> Smith, "Indigenous Struggle for the Transformation of Education."

## **Culturally Responsive Supports**

Limited research has been conducted on the occurrence of secondary trauma among researchers studying traumatized populations. 15 Almost immediately in the project, TRUTH researchers encountered documents and stories that were particularly traumatic. Intentional supports were conceived. Eriksen and Ditrich posit that spiritual practices and beliefs can help researchers cope with the exposure to traumatic data and experiences. 16 At the very least, having access to culturally-relevant spiritual and emotional support from Native professionals allows for a certain familiarity with the topics. This was done with the intention of avoiding the embodiment of trauma for our researchers.

The project managers requested additional resources from Minnesota Transform. A team of Native counselors, psychologists, and spiritual advisors was formed. This support network was open to any researcher on the TRUTH Project and billed directly to Minnesota Transform. Researchers were able to access these services on a biweekly basis, for their own self care. 17 We had no idea at the time of research design that this work was going to be a sadness that we continue to carry. It is in that sadness that healing is happening.

## Commitment to Data Sovereignty

At the beginning of the TRUTH Project, MIAC and the Tribal Nations negotiated contracts specifically designed to protect Tribal Nations' rights to data sovereignty. We were very intentional in the wording of these contracts, wanting to ensure there was nothing in them that would require a Tribal Research Fellow to work with the University, to share data with the University, to attend meetings with the University (or its external partners), or in any other way make known to the University the scope and contents of their research.<sup>18</sup>

<sup>&</sup>lt;sup>15</sup> Whitt-Woosley and Sprang, Secondary traumatic stress in social science researchers of trauma-exposed populations.

<sup>&</sup>lt;sup>16</sup> Eriksen and Ditrich, The relevance of mindfulness practice for trauma-exposed disaster researchers.

<sup>&</sup>lt;sup>17</sup> Berger, Studying trauma: Indirect effects on researchers and self-and strategies for addressing them.

<sup>&</sup>lt;sup>18</sup> For example, Section 10.2 grants full intellectual property rights to the grantee (MIAC and the Tribal Nations), and Section 2 states that the grantee will make materials available to the joint task force "as appropriate." These contractual statements protect the data sovereignty rights of the Tribes and protect the Tribal Research Fellows from being forced to disclose their knowledge to the University.

## Methods

The geospatial scale of this research is enormous. It encompasses eleven Tribal Nations; two Urban Indigenous communities; five University campuses; institutional, state, and national archival depositories; and it seeks knowledge about the past, present, and future. Despite its range, this research is not without its limitations. Scale is one of them. TRUTH only looked at relationships between UMN and Indigenous peoples residing in Mni Sóta Makoce. Tribes outside of Mni Sóta were beyond the scope and scale of this research. This is something that work going forward must center.

TRUTH uses a braided, mixed-methods approach that tells stories of the past, present, and future of University-Tribal relations both quantitatively and qualitatively. We chose to blend research styles because academia does not value Indigenous voices and ways of thinking/researching as highly as it does quantitative approaches. There is an inherent violence in the epistemological hierarchy of Western knowledge, especially when it comes to who gets to access, learn, know, write about, and hold knowledge. 19 Throughout the TRUTH Project, while still striving to center Indigenous epistemologies, we have had to code switch, or balance multiple different modes of knowing, to protect our research. We have had to be very cognizant of how the academic institution simultaneously covets Indigenous knowledges, while also undervaluing Indigenous ways of being, knowing, and doing.

Using the data collected from multiple streams of inquest, the TRUTH report, for the first time, tells the story of University-Tribal relations from Indigenous perspectives. Each of the 11 Recognized Tribes who share geography with Minnesota appointed a Research Fellow. These Tribal Research Fellows (TRFs) were organized by Misty Blue, the MIAC coordinator for this project. Each fellow pursued a research topic important to their Tribal Nation.

## **Qualitative Approaches**

TRUTH is centered on Indigenous research methods, including oral histories, storytelling, ripple mapping, community-led participation and design, in-depth interviews with individuals at eight other Land-grant universities, and inductive archival research. Archival work took place over six months, beginning at the Minnesota Historical Society looking for

19 Pillwax, "Indigenous Research Methoology"; Smith, "Indigenous Struggle for the Transformation of Education."

the scrip receipt from the first parcel sold by UMN with the idea that it is important to honor that land. Researchers catalogued many land office boxes. Land claim disputes led back to UMN, where inductive research continued in the University Archives located deep underground the University of Minnesota's Elmer L. Andersen Library. Between September 2021 and June 2022, more than 5,000 pages relating to the founding of the University, the Morrill Act, Board of Regents minutes, land titles, surveys, bonds, financial records, journals, and reports were cataloged, photographed, and studied. Content analysis of these documents was done through an Anishinaabeg worldview that considers members of the natural world to be relatives and centers the wellbeing of future generations.

## Quantitative Approaches

In addition to using qualitative methods, TRUTH partnered with the Center for Urban and Regional Affairs to conduct several analyses of the institutional gain from the sale of Indigenous lands. Using historical data sets, Economics Fellows coded an R file using publicly available investment data of the PUF. They modeled several scenarios to estimate discretionary spending and the current book value of Morrill Act profits, as well as to simulate an estimate and bounds for potential values and spending since 1862.<sup>20</sup> Centering the land, researchers traced the revenue generated from the commodification of more than human inhabitants on permanent university fund lands from the sale, leasing, investments in the land or natural resources, and continued revenue from mining leases.<sup>21</sup> Using datasets from the Land Grab U database, <sup>22</sup> as well as Bozich and Wang's findings, they developed a story map in ARCgis.<sup>23</sup>

Building on these preliminary findings, a team of researchers from the Humphrey School of Public Affairs used forensic financial accounting and auditing techniques to trace these funds over the last 17 years and identify assets for recovery.

<sup>&</sup>lt;sup>20</sup> Bozich, TRUTH: A Strategic Analysis of the Morrill Land Grab in Minnesota.

<sup>&</sup>lt;sup>21</sup> Wang, Lands of the University of Minnesota.

<sup>&</sup>lt;sup>22</sup> HCN-Digital-Projects. "Land-Grab Universities."

<sup>&</sup>lt;sup>23</sup> CURA and Malone. "Towards Recognition and University-Tribal Healing (TRUTH): A Strategic Analysis of the Morrill Land Grab in Minnesota." ARCGIS story maps.

## Researchers

The TRUTH Project is the first time UMN researchers have engaged in community-based research with all of the recognized Tribes. Many people have contributed to the work. Below is a list of the primary group of researchers.

## **Tribal Researchers**

Tribal Nation	Name	Role/Area of Research
(White Earth Band of Ojibwe, Lower Sioux Indian Community)	Misty Blue	MIAC Project Coordinator
Zagaakwaandagowininiwag (Bois Forte Band of Chippewa)	Jaylen Strong	Student experiences at UMN and how to create lasting structural change.
Fond du Lac	Kami Diver	The Cloquet Forestry Center.
Gichi-Onigaming (Grand Portage Band of Lake Superior Chippewa)	Jaylen Strong	Student experiences at UMN and how to create lasting structural change.
Gaa-zagaskwaabiganikaag (Leech Lake Band of Ojibwe)	Laurie Harper	Impacts of dams, research on water and people of Leech Lake.
Cansa'yapi (Lower Sioux)	Cheyanne St. John	Impacts on the Lower Sioux Community.
Tinta Wita (Prairie Island Indian Community)	Suzelle Sandoval Bellanger	UMN's responsibility to protect sacred sites.
Miskwaagamiiwi - Zaagaiganing (Red Lake Nation)	Audrianna Goodwin	Medical research conducted on children of Red Lake in the mid-20th century.
Mdewakanton (Shakopee Mdewakanton Sioux Community)	Andrew Vig et al.	History of relations between UMN and Dakota peoples.
Pezihutazizi Oyate (Upper Sioux Community)	Samantha Odegard	Lack of individualized consultation processes between UMN & Tribes.

Gaa-waabaabiganikaag (White Earth Band of Ojibwe)	Jamie Arsenault	Access to, digitization, and rematriation of archival materials.
Misi-zaaga'iganiing (Mille Lacs Band of Ojibwe)	Michael Wilson	Documenting UMN incursions of burial mounds. Locating and rematriating excavated materials.

## University of Minnesota Researchers

In addition to the Tribal Research Fellows (TRFs), a core university team was led by Tadd Johnson, then Senior Director of the Office of American Indian Tribal Nations Relations. Five Native American graduate research assistants (RAs) were hired, each organizing and researching specific issues. These RAs worked under the American Indian and Tribal Nations Relations (AITNR) office, coordinated by Sophie Hunt, and were funded by Minnesota Transform. A task force was created through a memorandum from President Joan Gabel. Task force members included AIS from across the UMN system. The faculty trained the TRFs during a week-long seminar organized by the core team.

Core Team	
Tadd Johnson, Esq. (Bois Forte Band of Chippewa)	Senior Director of the Office of American Indian Tribal Nations Relations, PI, Co-Chair of Task Force
An Garagiola (Bois Forte Band of Chippewa)	University Project Coordinator, Research Assistant
Audrianna Goodwin (Red Lake Nation)	Research Assistant
Angel Swann (White Earth Band of Ojibwe)	Research Assistant
Sean Dorr (Mille Lacs Band of Ojibwe)	Research Assistant
Benjamin Yawakie (Pueblo of Zuni, Turtle Mountain Band of Chippewa, Fort Peck Assiniboine & Sioux, & Whitebear First Nation)	Research Assistant

Lemoine LaPointe (Sicangu Lakota)	Spiritual Advisor and Mentor
Carol Ladd	Trauma and Grief Counselor
Sophie Hunt	Minnesota Transform Internship Coordinator
Phyllis Messenger	Editor
TRUTH Faculty Task Force	
Jean O'Brien (White Earth Band of Ojibwe)	Professor, Co-Chair of Task Force
Christopher Pexa (Spirit Lake Nation)	Assistant Professor, Co-Chair of Task Force
Joseph Bauerkemper	Associate Professor
Kat Hayes	Associate Professor
Katie Johnston-Goodstar (Sisseton Wahpeton Oyate)	Associate Professor
Vicente Diaz (Filipino and Pohnpeian from Guam)	Associate Professor
Michael Dockry (Citizen Potowatomi)	Assistant Professor
Çaŋte Máza (Spirit Lake Nation)	Senior Teaching Specialist, Director of Dakota Language Program
David Chang (Kanaka Maoli)	Professor
Kevin Whalen	Associate Professor
Center for Urban and Regional Affairs	
Madison Bozich (Sault St. Marie Ojibwe)	Fellow, Resilient Communities Project
Shuping Wang	Fellow, Resilient Communities Project
Kyle Malone	Fellow, Resilient Communities Project

Sarah Tschida	Coordinator, Resilient Communities Project, Center for Urban and Regional Affairs
The Humphrey School of Public Affairs Capst	one Team
Audrianna Goodwin (Red Lake Nation)	Researcher
Danielle Fuecker	Researcher
Henry Paddock	Researcher
Madeline Titus	Researcher
Greg Lindsey	Faculty Advisor
Additional Contributors	
Mitchell Berg	Associate Director Veden Center for Rural Development University of Minnesota Crookston
Seanna R. Stinnett Nishnaabe (Walpole Island First Nation)	Student Contributor, University of Minnesota Duluth
Christopher Rico	Student Contributor, University of Minnesota Twin Cities
Maddy Nyblade	Student Contributor, University of Minnesota Twin Cities

## Center for Urban and Regional Affairs

Early in the project, before funding through Minnesota Transform was secured, AITNR was approached by the Center for Urban and Regional Affairs (CURA) about a partnership. CURA offered to resource share with TRUTH. Organized by Sarah Tschida, CURA sponsored both Fall 2021 and Spring 2022 TRUTH sub-projects. A summary of their findings begins on page 54 and their full reports are in the Appendix.

## Limitations

This project was impacted by several factors that influenced the time and depth of this report. They included the following:

- 1) Resources and partnerships were based on Federally Recognized Tribal Nations who currently share geography with Minnesota. This means the voices of those most impacted by the actions of the University of Minnesota—the Oceti Sakowin who were forcibly displaced—were not heard. We hope the University begins consultation and partnerships with these Tribes immediately.
- 2) Covid. Much of this project was remote. While this offered the opportunity for people further away from campus to participate in weekly meetings, it meant that there was limited access to archival materials. We attempted to overcome this by having graduate RAs dedicated to photocopying archival materials.
- 3) Short Timeline. Institutional calendars and State bureaucracy shortened the amount of time this project had to be completed. Work was designed to be completed during the 2020/2021 academic year; however, there was a delay in hiring a Tribal coordinator for the project. Without this crucial role filled, several months were lost due to the State of Minnesota's hiring processes.
- 4) Lack of Institutional Support. One can assess an institution's values by where they place their resources. No significant support came from the institution itself. TRUTH researchers repeatedly asked for funding to do a thorough accounting of Tribal-University relations and were given nothing. On multiple occasions, TRUTH approached senior leadership for support, only to receive "no" or ghosting. Due to limited resources and support, this project took an additional six months to complete, and far less research was completed. At the end of this report is a list of areas for further research that we believe the University should fund. The University wants to say UMN is doing the work but has not shown it values the project by placing its resources behind it. This project was completed by Indigenous graduate students, faculty, and Tribal Nations. Faculty were not given course release to oversee a project of this magnitude.
- 5) Lack of Institutional Knowledge. There is an alarming lack of institutional knowledge about Native Americans, Tribal sovereignty, Treaty rights, and data sovereignty. At times, we were spending more energy defending research contracts and data sovereignty against the University than we did researching.

6) Recognition vs. Reconciliation. At the first meeting of the University Task Force, members were unanimous in that this would not be another reconciliation project. There are often discussions about reconciliation whenever proof of institutional racism comes to light. However, when an entire institution is built on stolen wealth, land dispossession, and genocide, how can it truly serve as a site of reconciliation? We must begin to have hard conversations. For example, what if some actions are irreconcilable? Then what? Before we can begin to contemplate the movement necessary for systemic change, we first need a paradigm shift. How do we even get to a shifting point, when we've yet to come to a place of shared truths?

TRUTH was never meant as a reconciliation project. That would infer there is something to reconcile. Rather, TRUTH seeks to challenge the historical narrative. It should be just one of a series of investigations, with subsequent studies to be coordinated and paid for by the University, followed by intentional initiatives centered on justice, healing, selfdetermination, and revitalization.

Where possible, the term "land grab" was used in place of "land grant." We have concluded the term and narrative around "Land Grant University' is revisionist history. In its use, prior claims to place and to land are erased. It has also offered special privileges and space for the University to act in ways that are unchecked and boundaryless. As a result, the institution holds a concentration of power and frequently transgresses and enacts harm on tribes. Considerations need to be made to break up concentrations of power, to repair the harm, to offer reparations and to impose limits and boundaries on this institution.

This project has been carried out with the intention of reshaping policies through a critical analysis. The language of reconciliation uses never-ending performances of Indigenous pain. This begs the question of what is justice when one must take the shape of a wound?<sup>24</sup> This focus is critical as we move "towards healing" in the TRUTH project and allows a continued focus on healing. Moving towards healing also holds the implication that we have not arrived yet, that there is still work to do. TRUTH is the first step in a long journey towards justice.

<sup>&</sup>lt;sup>24</sup> See Simpson, "Reconciliation and its Discontents."

## THE PAST

Debwewin Nimbagidendaan: The Truth is Buried

## **Treaties and Transgressions**

This story begins on the cliffs above Mizi-ziibi, Haha Wakpa as the Dakota call it, though parts of it begin away from here and are still occurring. Many tribes have called this land home long before the arrival of European settlers. They had their own systems of governance, education, finance, and land management. Tribes are sovereign governments with rights codified by the U.S. Constitution, treaties, legislation, and court decisions. Tribal power is inherent and comes from the people. Indigenous sovereignty existed before Europeans settled on this continent, and it is extra-constitutional, meaning that Indigenous sovereignty does not need the constitution to exist like the United States does. This inherent authority was upheld by the Supreme Court in Worcester v. Georgia (1832) when it was declared that the State of Georgia had no authority over Indian Country, as Tribes are "distinct independent political communities"[1] whose right to self-governance pre-dates the United States. The most critical of these powers are Tribes' right to determine membership; to regulate tribal and individually owned land; jurisdictional rights; regulation of domestic relations; and the maintenance of usufructuary, commerce, and trade rights.[2]

Beginning in the early seventeenth century, white settlers began arriving on the banks of Hahawakpa, seeking control of this land. They often promised sovereign-to-sovereign contracts between the United States and Tribal Nations. These contracts, or treaties, are living agreements granting certain land use privileges from Tribes to settlers. Treaties do not grant rights from the U.S. to Tribes because Tribes were here first. Everyone is impacted by treaties, both Native and non-natives. Tribes have had sovereign rights inherently, from time immemorial, and treaties recognize this. In exchange for ceded lands, the United States government agreed to give money, supplies, or other stipulations. The United States, however, has not upheld any of its promises to Native Americans. This is in direct violation of the U.S. Constitution, which names treaties the supreme law of the land.

<sup>[1]</sup> Pevar, The Rights of Indians and Tribes, 81.

<sup>[2]</sup> Pevar, The Rights of Indians and Tribes, 84.

Article IV of the Constitution of the United States:

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

Despite ratifying 374 treaties with Tribal Nations, the United States has not fully honored any of them.<sup>27</sup> Non-Indigenous treaty signatories entered into treaties under false pretenses as a means of taking land that belonged to American Indians. Oftentimes, as happened in Mni Sóta Makoce on the very land that UMN Twin Cities occupies, treaty lines and terms were changed and ratified by Congress without letting Tribes know. In other circumstances, failure by a party to uphold their terms of agreement would nullify a contract. Thus, this land is unceded.

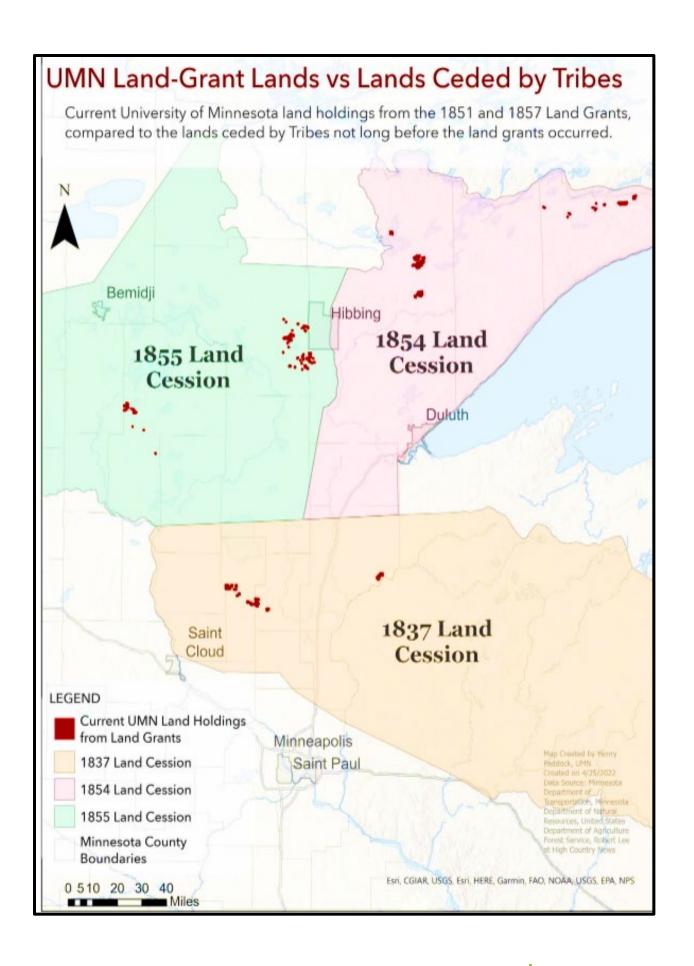
## Treaties in Mni Sóta Makoce

Treaties were made with the Tribes who call this land home. None of these treaties were upheld by the United States. The University has a direct role in treaties: many regional treaties were negotiated and signed by members of the Board of Regents to steal Indigenous wealth. The University is one of many business schemes the Regents used to generate cash from the expropriation of Indigenous lands.

The map below shows the land cessions made by Tribes in major treaties to 1858.<sup>28</sup> The subsequent chart lists all of the treaties, their impact, and the signatories related to the University. Using maps and land surveys, agents of the University also acted as brokers, or negotiators in treaties, even when they did not sign them. In this way they were able to influence which lands were expropriated based on their personal desires to accumulate certain tracks of land and the wealth they saw in the resources.

<sup>&</sup>lt;sup>27</sup> NMAI, "Nation to Nation."

<sup>&</sup>lt;sup>28</sup> Ominsky, "Map of the Lands within Minnesota Territory."



Treaty	lmpact	Connection to UMN
1805	Treaty with the Sioux—a.k.a. Treaty of St. Peters—a.k.a. Pike's Purchase <sup>29</sup>	Unratified treaty of lands occupied by UMN Twin Cities
1816	Treaty with the Winnebego	
1825/6	First Treaty of Prairie du Chien	
1826	The first treaty of Fond du Lac	
1832	Treaty with the Winnebego	
1837	Dakota and Pine Treaties	Henry Sibley
1847	Treaty with the Chippewa Indians of the Mississippi and Lake Superior	Henry Rice
1848	Winnebego	
1848	Menominee	
1851	Treaty with the Sioux—a.k.a. Treaty of Traverse des Sioux  Treaty with the Sioux—a.k.a. Treaty of Mendota	Alexander Ramsey Henry Sibley
1854	Treaty with the Chippewa—a.k.a. Treaty of La Pointe	Henry Rice
1855	Treaty with the Chippewa—a.k.a. Treaty of Washington	Henry Rice
1858	Treaty with the Mdewakanton and Wahpekute and Treaty with the Sisseton and Wahpeton	
1863/64	1863 & 1864: Treaties with the Chippewa of the Mississippi, Pillager and the Lake Winnibigoshish Bands	Alexander Ramsey
	1863 & 1864: Treaties with the Chippewa of Red Lake & Pembina Bands—a.k.a. Treaty of Old Crossing	Henry Rice

<sup>&</sup>lt;sup>29</sup> The 1805 treaty was never ratified, and a Military Affairs Committee to the United States Senate in 1856 determined that, "there is no evidence that this agreement, to which there is not even a witness, and in which no consideration was named, was ever considered binding upon the Indians, or that they ever yielded up the possession of their lands under it" (Minnesota Humanities Center, "Treaty with the Sioux").

## History of the University of Minnesota

The University of Minnesota's past, present, and future is inextricably linked to the actions of these men. They made sure public and private investments ran parallel, often involving land speculation, and the building of infrastructure, such as bridges, roads, railroads, and schools, to benefit their business interests, such as timber, mining, and development. Their land speculation and insatiable desire for more wealth resulted in the genocide and ethnocide of Indigenous peoples. This genocide funded the University of Minnesota, multiple times over. The University of Minnesota would not exist if it were not for the actions of men including Henry Sibley, Alexander Ramsey, Henry Rice, Franklin Steele, John Sargent Pillsbury, and other individuals who ensured that the "public good" was also good for their personal economic interests.

## Who Were the Founding Regents? Where Did They Come From?

The Board of Regents is the governing body of the University of Minnesota. They hold the power of decision making over the University's vast land holdings and financial affairs. This section of the TRUTH Report investigates the roles of the founding Boards of Regents of the University of Minnesota from 1851 to 1868. This period of time includes the shift from a Federal Territorial institution to a State University, when the Regents of the State University accepted the "full legal indebtedness" of the Territorial University. 30 This indebtedness extends to the Federal Trust Responsibility. These men played in territorial, state, regional, and federal anti-Indigenous policies, treaties, and ethnic cleansing, using the University as a shell corporation through which to process stolen lands and launder the proceeds through various industries through the development of what is now the State of Minnesota.

According to the Board of Regents' website:

The first Board of Regents was elected in February 1851 as part of the founding of the University of Minnesota. Until 1860, the Board consisted of 12 Regents elected by the legislature, as directed by the University Charter. The 1860s marked a period of financial difficulties for the University. In 1861, the University suspended operations, and the legislature passed a law creating a temporary Board of only three Regents: John Pillsbury, O.C. Merriman, and John Nicols. Their main goal was to eliminate the University's debt—a goal achieved by 1867, when the University reopened. The Board grew to seven members in 1868.

<sup>&</sup>lt;sup>30</sup> UMN Archives, "John Sargent Pillsbury Papers."

What the Regents' website doesn't say is that the founding Board of Regents of the University of Minnesota consisted of men who were active political players in the founding of both the Territory and later the State of Minnesota. These were the very men who negotiated treaties, wrote the state charter and the University charter, and lobbied Congress for the Indigenous lands. Because the governor simultaneously sat on the board, the University was privy to the land that would yield the most return on investment. They invented the game, the rules, and then even when they were winning, they still cheated. Studying the lives and activities of the founding Board of Regents shows how insidious and violent the founding of the University was.

Founding Bo	ards of Regents, University of Min	nesota 1851-1868
Territorial University 1851–1860	Interim emergency management appointed by State legislature. 1863–1867	State University 1868–
Isaac Atwater Joseph W. Furber William R. Marshall Bradley B. Meeker Socrates Nelson Alexander Ramsey Henry Mower Rice Henry Hastings Sibley Charles Kilgore Smith Franklin Steele Nathan CD Taylor Abram J. Vorhes	John Sargent Pillsbury (1863–1901) Orlando Crosby Merriam (1864–1871) John Nicols (1864–1873)	John Sargent Pillsbury (1863–1901) Ronald S. Donaldson (1868–1871) Mark Hill Dunnell (1868–1870) Benjamin Franklin (1868) Avery Amherst Harwood (1868–1878) Henry Hastings Sibley (1868–1891) Edwin J. Thompson (1868–1870)

Board of Regents of the Territorial University 1851–1868

In 1851 Through the Enabling Act, Congress Authorized the University's Board of Regents:

To set apart and reserve from sale, out of any of the public lands within the Territory of Minnesota to which the Indian title *has been or <u>may be extinguished</u>*, and not otherwise appropriated, a quantity of land not exceeding two entire townships, for the use and support of a university in said Territory.

Minnesota Session Laws - 1851, Regular Session, 2nd Territorial Legislature, "CHAP. III. - An act to incorporate the University of Minnesota, at the Falls of St. Anthony."

<sup>&</sup>lt;sup>31</sup> Fuecker et al., "CURA TRUTH Capstone."

In 1851, the soon-to-be University Regents scouted Indigenous lands in what was then the Territory of Minnesota, inventoried the land for resources, and decided which parcels they wanted to acquire to establish the University of Minnesota.<sup>32</sup> Henry Sibley was the Minnesota Territory's first delegate to the U.S. Congress. He introduced a bill granting the territory two townships of land to be used for university purposes.<sup>33</sup> On February 25, 1851, the Minnesota legislature passed an Act which constitutes the first charter of the university which was to be "located at, or near, the falls of St. Anthony." The Regents' final task, to extinguish Indigenous rights to the land, occurred just six months later when Henry Sibley, Alexander Ramsey, and several other founding Regents were present at Mendota for the deceptive signing of the 1851 Treaty of Traverse de Sioux in which the Dakota were uncompensated for more than 35,000 square miles.<sup>35</sup>

The constraints of time and the volume of archival documentation only allowed for enough research to form bio sketches of two of these men, Henry Hastings Sibley and Alexander Ramsey, illustrating how they used their position as regents to steal Indigenous lands. This report attempts to provide brief biographical information for these men, including their major career events and related historical events.

## Fortunes Made Through Ethnic Cleansing

As settlers moved westward, human relations to this land changed drastically. Northern forests, the creatures that lived in them, and the mineral-rich deposits below were increasingly seen as less of a hindrance to settlement and more as sources of profit. Mining and lumbering drove many treaties and began a perpetual transfer of wealth from

<sup>&</sup>lt;sup>32</sup> Regents used records collected by the state geologist to document lands and resources. See UMN Archives, "Newton Horace Winchell"; UMN Archives, "John Sargent Pillsbury Papers," 1858 and 1867–1915; UMN Archives, "Sprague Papers, History of University Land Grants, 1908"; UMN, "The First Annual Report of the Board of Regents"; Johnson, Dictionary of the University; Fuecker et al., "CURA TRUTH Capstone."

<sup>&</sup>lt;sup>33</sup> Date of memorial from the Territorial legislature to Congress: 2/19/1851. Memorial from the Legislative Assembly of the Territory of Minnesota "[No. 1.]—A Memorial to Congress for a grant of land [100,000 acres] to endow a University" (date of the first land grant bill). Statutes at Large (vol. 9, pg 568), 31st Congress, 2nd Session, Chap. 10. "An Act to authorize the Legislative Assemblies of the Territories of Oregon and Minnesota to take Charge of the School Lands in said Territories, and for other Purposes." Section 2 "...set apart and reserve from sale, out of any of the public lands within the Territory of Minnesota to which the Indian title has been or may be extinguished, and not otherwise appropriated, a quantity of land not exceeding two entire townships, for the use and support of a University in said Territory..."

<sup>&</sup>lt;sup>34</sup> Date of incorporation of the university: 2/25/1851. Minnesota Session Laws—1851, Regular Session, 2nd Territorial Legislature, "CHAP. III.—An act to incorporate the University of Minnesota, at the Falls of St. Anthony." <sup>35</sup> Minnesota Humanities Center, "1851 Dakota Land Cession Treaties."

Indigenous Nations to white settlers. Among those who benefitted the most were the founders of the University of Minnesota. They were behind legal structures, communicating with one another while legislation was being passed in Congress, actively planning genocide.

Henry Sibley first entered into business with Indigenous peoples as a fur trader with the American Fur Company, an organization foundational to colonial development of the region.<sup>36</sup> Born to a family several generations into profiting from treaties, Sibley would go on to become the first congressional delegate for the territory of Minnesota.<sup>37</sup> In this capacity, he introduced a bill that would be the first land grab in Minnesota, giving the territory two townships "for university purposes." 38 On February 13, 1851, just three days after Congress passed the Land Grant memorial, the State legislature passed the University's first charter, stating that the institution "was to be located at, or near, the falls of St. Anthony." The timeline below details Sibley's connection to Indigenous-settler politics, and especially with Dakota communities. His knowledge of the importance of this place to Dakota peoples came from intimate connections with Dakota bands along Haha Wakpa. Dakota peoples accessed trade through kinship networks, and Sibley used this to his advantage, marrying a young Dakota winyan named Tahshinaohindoway, also known by the English name Red Blanket Woman. One can imagine Tahshinaohindoway as traveling to the islands near Bdote to give birth to their daughter, Wakiye, whose English name was Helene.<sup>39</sup>

This makes placement of the institution along Haha Wakpa all the more insidious. Sibley negotiated many treaties and was a signatory on a total of eleven. Two in 1837, one with the Cherokee and one with the Winnebego, he signed as an Agent with the American Fur Company (AFC). In 1865 he was signator on multiple treaties that displaced many Dakota Tribes, as Brigadier General of the Dakota War and as Commissioner of Indian Affairs, responsible for Blackfeet, Hunkpapa, Lower Brule, Miniconjou, Oglala, Sans Arc, Two Kettle, Yankton, and Upper Yankton.<sup>40</sup>

The following is a summary of Henry Sibley's life and AFC activities in Minnesota from 1827 to 1891.

<sup>&</sup>lt;sup>36</sup> Patchin, "The Development of Banking in Minnesota.

<sup>&</sup>lt;sup>37</sup> Case, The Relentless Business of Treaties.

<sup>&</sup>lt;sup>38</sup> UMN Archives, "Sprague Papers, History of University Land Grants, 1908," 1.

<sup>&</sup>lt;sup>39</sup> Dakota Soul Sisters, "Three Dakota Daughters."

<sup>&</sup>lt;sup>40</sup> Indian Land Tenure Foundation, "Treaty Signers of the U.S."

1827	AFC monopolizes the "fur trade in what is now Minnesota. The Company
	suddenly increased its prices by 300 percent; American Indians, returning from the hunt with expectations of trading for their yearly supplies, found themselves cast into a debt cycle that would increase in the decades ahead." <sup>41</sup>
1834	Sibley appointed regional manager of the AFC's "Sioux Outfit" and made his home at Mendota at age 23. According to Why Treaties Matter, "AFC departments were sold to partners who included the Chouteaus, <i>Henry Sibley</i> , and Hercules Dousman. <b>The business strategy of the reorganized companies changed from fur trading to treaty making</b> ."
1837	<u>Dakota and Pine Treaties</u> coincide with collapse of fur trade. Sibley and other new owners of AFC used their political connections to ensure that treaty monies would first go to fur traders to pay off debts incurred because AFC raised prices on goods, which created a debt cycle. This was, in effect, a government bailout of the fur trade, once again, on the backs of Native people.
1838	Sibley appointed first Justice of Peace west of the Mississippi.
1839-40	Sibley's union with <u>Tahshinaohindoway</u> , a.k.a. Red Blanket Woman (from Black Dog's Village). Their daughter, Wakkiyee (Bird, or Helen Hastings), was raised by missionary Wm. Brown and wife, and educated in missionary school.
1839-40 1841	Black Dog's Village). Their daughter, Wakkiyee (Bird, or Helen Hastings), was raised by missionary Wm. Brown and wife, and educated in missionary
	Black Dog's Village). Their daughter, Wakkiyee (Bird, or Helen Hastings), was raised by missionary Wm. Brown and wife, and educated in missionary school.  Preemption Act permitted "squatters" who were living on federal
1841	Black Dog's Village). Their daughter, Wakkiyee (Bird, or Helen Hastings), was raised by missionary Wm. Brown and wife, and educated in missionary school.  Preemption Act_permitted "squatters" who were living on federal government-owned land to purchase up to 160 acres.  Sibley leaves Red Blanket Woman; she dies the following year.
1841 1842	Black Dog's Village). Their daughter, Wakkiyee (Bird, or Helen Hastings), was raised by missionary Wm. Brown and wife, and educated in missionary school.  Preemption Act permitted "squatters" who were living on federal government-owned land to purchase up to 160 acres.  Sibley leaves Red Blanket Woman; she dies the following year.  AFC goes bankrupt amid dying fur trade business.  Sibley marries Sarah Jane Steele, sister of Franklin Steele, a business
1841 1842 1843	Black Dog's Village). Their daughter, Wakkiyee (Bird, or Helen Hastings), was raised by missionary Wm. Brown and wife, and educated in missionary school.  Preemption Act_permitted "squatters" who were living on federal government-owned land to purchase up to 160 acres.  Sibley leaves Red Blanket Woman; she dies the following year.  AFC goes bankrupt amid dying fur trade business.  Sibley marries Sarah Jane Steele, sister of Franklin Steele, a business associate.  Sibley elected first delegate to U.S. Congress from the Wisconsin Territory (included much of present-day Minnesota east of the Mississippi River); he advocated for the creation of MN Territory from a portion of WI and an

<sup>&</sup>lt;sup>41</sup> Minnesota Humanities Center, "The Fur Trade."

Sibley selected to represent those referred to at the time as "mixed-blood" people during treaty negotiations.

1849-53 Sibley served as Territorial delegate to Congress.

1851 Sibley represented fur traders' interests in <u>Treaties of Traverse des Sioux</u> and Mendota, which resulted in twenty-four million acres of land open to settlement.

> Statute written that the University of Minnesota be established "at or near the falls of Saint Anthony."42

Sibley was elected to Board of Regents.

1853 Sibley retired from fur trade; liquidated holdings; began investing in land at Traverse des Sioux, Mendota, Hastings, and St. Anthony Falls.

1857 Enabling Act passed (allowed voters to decide to become a state). MN Territory holds a constitutional convention. Sibley elected Dakota Co. Representative of Democratic wing. In Oct. convention adopts constitution.

1858, May 1 Minnesota becomes a state.

1858-60 Sibley elected as first governor of Minnesota.

1860 University is in extreme debt. The debts owed by the institution totaled \$120,000 with no funds or income to pay off that debt. (This is equivalent in purchasing power to about \$4 million today.) "The regents also agitated the matter of a new land grant as it then seemed inevitable that the entire grant would be sacrificed to pay off the indebtedness."43

- 1862, May 20 Homestead Act gives 160 acres to settlers if they live on it, improve it, and pay a small registration fee.
  - Jul 1 Pacific Railway Act is passed offering federal subsidies to companies to build a transcontinental railroad system.
  - Morrill Act is passed, giving federal land grants to states to establish public Jul 2 universities.

Aug 17US-Dakota War begins. Sibley serves as colonel and brigadier general.<sup>44</sup>

<sup>&</sup>lt;sup>42</sup> Wilkinson, 1851 Minnesota Territorial Statutes.

<sup>&</sup>lt;sup>43</sup> Sprague, "A History of the University Land Grants. 1900–1910." 2.

<sup>&</sup>lt;sup>44</sup> Dakota County Historical Society, "Sibley and the U.S.-Dakota War of 1862."

#### Political Careers Built on a Platform of Genocide

In 1849, Alexander Ramsey was elected governor of the Territory of Minnesota. His views on Indigenous people, especially Dakota people, were racist and genocidal. For example, in 1862 in a message to the Minnesota Legislature, he stated, "The State government sustains no other relation to [Dakota] than that of a foreign and independent State. It establishes no laws and regulations respecting them, and of consequence possesses no means for the protection and security of its contiguous territory by the preservation of friendly relations and feelings between the two races." He concluded, "The Sioux Indians of Minnesota must be exterminated or driven forever beyond the borders of the State."45 Through this same speech, Ramsey acknowledges the sale of other expropriated lands, known as the School Lands, which were sold to fund the 1862 war against the Dakota people. This resulted in the forced removal of Dakota peoples from their homelands, in the process expropriating more land that would ultimately be used in the 1862 Morrill Act to provide the endowment for 33 new colleges that would teach modern agricultural science and mechanical arts with the goal of modernizing the nation's industrializing economy.<sup>46</sup>

The following is a summary of Alexander Ramsey's life and related events from 1815 to 1866.

1815 9/8	Ramsey is born in Hummelstown, Pennsylvania.
1848	Ramsey campaigns for president-elect Zachary Taylor; is granted governorship of Minnesota Territory as a "reward."
1849	Ramsey begins position as Governor and Superintendent of Indian Affairs. Goal of the office was Indian removal, so as to open land to settlers (mnopedia).
1850	Sandy Lake Tragedy. Ramsey acknowledges that the payment to the Lake Superior Ojibwe has not yet been appropriated by Congress and devises a plan to delay payment to force Ojibwe to leave their lands. This decision to interfere with treaty agreements resulted in the death of hundreds of Anishinaabeg.
1851	<u>Treaty of Traverse des Sioux. Ramsey</u> leads negotiations with Dakota leaders, opening 24 million acres to settlers.

<sup>&</sup>lt;sup>45</sup> Ramsey, "Annual Message of Governor Ramsey, 1862."

<sup>&</sup>lt;sup>46</sup> Lee and Ahtone, "Land-Grab Universities"; CURA and Resilient Communities Project, "Towards Recognition and University-Tribal Healing (TRUTH)."

	Ramsey elected to UMN Board of Regents.
1855	Ramsey becomes mayor of St Paul.
1857	Ramsey loses gubernatorial race to Henry Sibley.
1860-63	Ramsey serves as the State of Minnesota's second governor (R).
1862	US-Dakota War. Ramsey appoints Sibley as commander of the U.S. forces.
9/9	Following end of US-Dakota War, Ramsey declares that "The Sioux Indians of Minnesota must be exterminated or driven forever beyond the borders of the State." 47
1863-75	Ramsey is elected to the U.S. Senate. <u>Dakota and Winnebago removal acts</u> .
1879-81	Ramsey is named Secretary of War under President Rutherford Hayes.
1886	Ramsey retires from politics. He also serves as board member at the St. Paul Public Library and president of the Minnesota Historical Society two times.

#### Profit from Genocide

The University of Minnesota has taught generations that the institution was simply a passive recipient of land gifted by the federal government. Rather, it has been an active participant in the "disappearing of Indigenous interests." And this is not limited to the early years of the institution. In 172 years, UMN has shown no meaningful contribution or commitment to Tribal self-determination. UMN seems to be ignoring many opportunities to ameliorate its impact on the persistent achievement, employment, income, wealth, or health gaps experienced by Native Amercans. Yet an abundance of research shows persisting intergenerational effects of trauma caused by genocide and land disposession.<sup>49</sup>

<sup>47</sup> Ramsey, "Annual Message of Governor Ramsey."

<sup>&</sup>lt;sup>48</sup> Roediger, "Morrill Issues and Academic Liberalism."

<sup>&</sup>lt;sup>49</sup> For examples on Native Americans, see Newland, "Federal Indian Boarding School Initiative Investigative Report." For First Nations example, see National Centre for Truth and Reconciliation, "Reports"; Akee, "Stolen Lands and Stolen Opportunities." Intergenerational impacts of genocide and war have also been found in the

State and Federal laws guarantee that the University continues to benefit in perpetuity from the vast sums of wealth it accumulated through such crimes.<sup>50</sup> It is a moral imperative that the University begin giving back to the Nations it has harmed.

The internationally accepted definitions of ethnocide and genocide call into question the actions of the Regents of the University of Minnesota, UMN's sustained disinvestment of Indigenous peoples, and ongoing impacts of land dispossession. The discussion closes with examples of the impacts of continued disinvestment of Indigenous peoples today.

#### What is Ethnocide?



Ethnic cleansing is a policy of coerced removal of one group of people by another, under supposition of racial, ethnic, and religious superiority. In 1994, in the context of human rights abuses in Yugoslavia, the United Nations defined ethnic cleansing as, "rendering an area ethnically homogenous by using force or intimidation to remove persons of given groups from the area. Ethnic cleansing is contrary to international law."51 Tactics include "murder, torture, arbitrary arrest and detention, extra-judicial executions, rape and sexual assaults, confinement of civilian population in ghetto areas, forcible removal, displacement and deportation of civilian population, deliberate military attacks or threats of attacks on

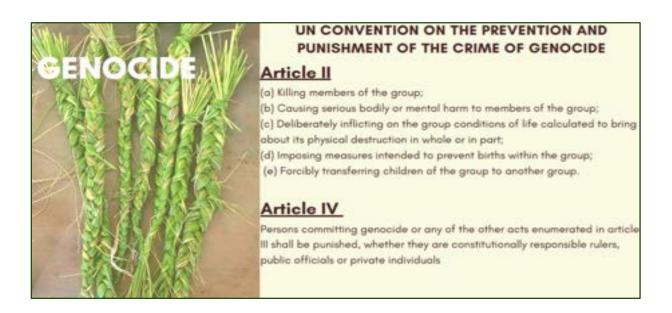
descendants of other groups. See P. Dashorst et al., "Intergenerational consequences of the Holocaust"; Greenfeld, Reupert, and Jacobs, "Living alongside past trauma."

<sup>&</sup>lt;sup>50</sup> See Wilkinson, "1851 Minnesota Territorial Statutes." See also Minnesota Legislature, Constitution of the State of Minnesota, Article VIII and Article XIII, Section 3. See also National Archives, "Morrill Act of 1862."

<sup>&</sup>lt;sup>51</sup> UN Security Council, "Final Report of the Commission of Experts, 1992."

civilians and civilian areas, and wanton destruction of property." These are the same atrocities used in the Indigenous genocide that took place in Minnesota's land grabs.

#### What is Genocide?



Genocide is the denial of right to existence, in entirety or in part, of racial, political, religious, and other groups. 52 Article II of the Geneva Convention defines two elements of genocide, mental and physical. The mental element is defined as the "intent to destroy, in whole or in part, a national, ethnical, racial or religious group." In its physical element, this intent manifests in five acts:

- 1) murder
- 2) serious bodily harm
- 3) inflicting conditions intended to wholly or partly bring about the group's physical destruction
- 4) preventing births
- 5) forced transfer of children to another group<sup>53</sup>

<sup>&</sup>lt;sup>52</sup> United Nations, "The Crime of Genocide."

<sup>53</sup> United Nations, "Ethnic Cleansing"; United Nations, "Genocide"; United Nations, "Convention on the Prevention and Punishment of the Crime of Genocide."

In order for the University of Minnesota to exist, each of these acts were committed on an uncounted number of Indigenous bodies, often through policies written and enacted by the founders of this institution for both public and personal gain.

Since its inception, the University of Minnesota has played a continued role in the disinvestment of Indigenous peoples. Beginning with the 1851 treaty, land grabs were coordinated by members of the founding Board of Regents to create a perpetual pipeline of wealth that continues to flow from Indigenous communities to settler communities. This was often done through shady land speculation processes that encouraged a heavy influx of settlers to Minnesota through the promise of "cheap" land. However, what is often left out of the romanticized settler narrative is that "Western land stayed 'cheap' during America's expansionist period because [of] the epic, continually unfolding tragedies inflicted on indigenous people—epidemics that were among the most devastating in the history of the world, intentional ethnocide, the displacement of nations—were never entered into the ledger books."54

<sup>&</sup>lt;sup>54</sup> Case, The Relentless Business of Treaties, 28.

# Early Land Acquisitions—Twin Cities



This sketch of the very first location of the university, right at the falls, is in the Folwell Papers, University Archives.

The University of Minnesota's first home was located south of the river, "at the falls of St. Anthony," until that time known as Owamniamni. 55 It consisted of "four acres of land and was located between what is now known as Central Avenue and First Avenue Southeast,

<sup>&</sup>lt;sup>55</sup> As stipulated in the "University of Minnesota Charter" (UMN).

and Second Street and University Avenue."56 This land was sold to the University by Franklin Steele in 1851.<sup>57</sup> Steele sat on the Board of Regents from 1851 to 1860.<sup>58</sup> He was the brother-in-law of Henry Sibley, who had married Steele's sister, Alice, in 1843.

Franklin Steele was appointed by President Van Buren as the sole proprietor in the area in 1837.<sup>59</sup> As such, he had the power, which he misused, to acquire knowledge of the pending act to open lands. He knew exactly which land he wanted, one of great importance to Dakota peoples, the land on the east side of Owamiamni. It had the steepest drop and thus could power many mills. Major Plympton, Commandant at Fort Snelling, omitted this parcel of land from the maps. 60 Upon receiving the first word from a post, Steele snuck out in the middle of the night and staked his claim on this parcel. It was lumber from Steele's mill that built the first university building.<sup>61</sup>

In October of 1852, at a meeting held in St. Anthony, the Board met to discuss relocating the institution. "It has been thought by some of the friends of the University, that its present location is in closer proximity to the business, and especially, the manufacturing, carried on in town, than would be desirable for a seat of learning."62 A committee was formed to identify possible sections of land on which to move the University. Eventually, the current site was chosen.

<sup>&</sup>lt;sup>56</sup> Johnson, *Dictionary of the University of Minnesota*.

<sup>&</sup>lt;sup>57</sup> University of Minnesota, "The First Annual Report of the Board of Regents, 1852, and Johnson, *Dictionary of* the University of Minnesota.

<sup>&</sup>lt;sup>58</sup> See full list at UMN, "University of Minnesota Board of Regents."

<sup>&</sup>lt;sup>59</sup> Roberts, "An Early Political and Administrative History," 23.

<sup>&</sup>lt;sup>60</sup> Roberts, "An Early Political and Administrative History," 13, 28; Folwell, A History of Minnesota, I, 422–23.

<sup>&</sup>lt;sup>61</sup> Roberts, "An Early Political and Administrative History," 33.

<sup>&</sup>lt;sup>62</sup> University of Minnesota, "The Second Annual Report of the Board of Regents, 1853."



Plan No. 1, University of Minnesota.

The map above depicts the Twin Cities campus as it looked in 1865. The yellow objects represent the early University buildings on this land. All three were destroyed by fire. On the left is the colosseum built in 1884 and demolished in 1894.<sup>63</sup> In the middle is the first building, Old Main, built in 1856, razed in 1904. On the right is the original agricultural college building, which stood from 1875 to 1888.<sup>64</sup>

<sup>&</sup>lt;sup>63</sup> See Johnson, *Dictionary of the University of Minnesota*.

<sup>&</sup>lt;sup>64</sup> University of Minnesota, "Campus History Historic Maps."

It is through deception, again and again, first by trickery and collusion and false treaties, then through acts of Congress that failed to pay the Dakota the promised amount, and the failure to map this parcel of land, and perhaps more that we've yet to uncover, that the University of Minnesota was able to open its doors in 1851. An uncounted number of Indigenous peoples were displaced, murdered, and traumatized in terrifying ways so the first class, consisting of 40 white students, could receive an education for the "common good."65 The presumption of common good has often been conceived of and upheld in systems of white privilege.

Over the next several years, the founding Board of Regents sold nearly 46,000 acres of Dakota land to fund the University. They mismanaged the profits, and drove the University into financial ruin.66

These actions show that regents were long making plans for a university that would be built on Dakota lands and making moves toward this end through influence over state and federal policies. A report written by Daniel Sprague, accountant and recorder of the Experimental Station from 1887 to 1890, is the earliest written on how the first Board of Regents used their political might to acquire Native land. <sup>67</sup> Many major actors in the colonial political spheres appear on this (e.g., Ramsey, Rice, Sibley). Archival documents show collusion between members of the Board of Regents, state and federal governments, and industry officials (timber, railroad, milling, mining, etc.) to lie, cheat, displace, murder, and steal Native lands.68

<sup>65</sup> University of Minnesota, "Regents' Report, 1852."

<sup>&</sup>lt;sup>66</sup> University of Minnesota "Meeting Minutes Vol. I, 1860–1868" UMN, "A Report Made by the Standing Committee [Heaton Report]"; UMN Archives, "Sprague Papers, History of University Land Grants."

<sup>&</sup>lt;sup>67</sup> See UMN Archives, "Sprague Papers."

<sup>&</sup>lt;sup>68</sup> See these UMN Archives records: "John Sargent Pillsbury papers"; "Daniel W. Sprague papers, 1908"; "William Watts Folwell Papers"; "Forest Lands and Permanent University Fund." For a full list of archives analyzed through the scope of this project, see bibliography.

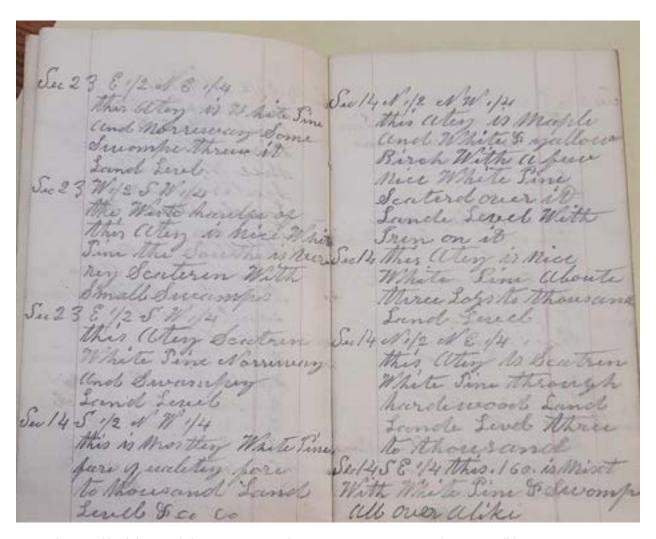


Image of sectioned lands kept in a ledger. GROC STONE selections T 57N R 14W Sections, John Sargent Pillsbury Papers, 1858, 1867– 1915. University of Minnesota Archives.

One example began in 1854 and continued over decades. Henry Rice served on the Board of Regents from 1851to 1859, during which time he was a signatory to the 1854 Treaty with the Chippewa (Treaty of LaPointe). The Board of Regents would later use maps and ledgers created through land surveys to purchase lands that would return the most profit upon sale.

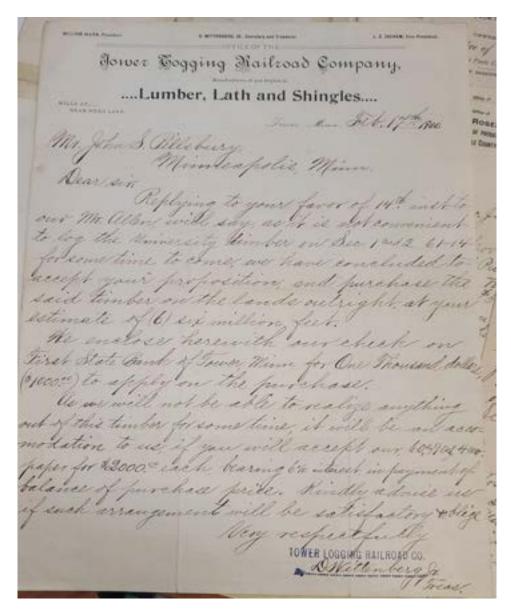


Image of a letter from the Tower Logging Railroad Company accepting a deal for lands with "6 million feet of lumber." John Sargent Pillsbury Papers, 1858, 1867–1915. University of Minnesota Archives.

They would then exchange correspondence with industry officials to make the most profit off these lands. And even when ways to harvest the trees living on those lands did not yet exist, logging and railroad companies would purchase on credit, paying interest until they saw a return on their investment.

#### A Government unto Its Own

Another aspect important to the context of how the University continues to operate is the formation of the quasi-governmental body that is the University. The Board was the government, the government was the Board, and they made sure through the charter that when Minnesota achieved statehood in 1858, the University was granted constitutional autonomy, allowing for self-governance. This assured that land and resources would remain under the control of a private board versus the state. The legislature has the authority to nominate regents, however the business of the University is not under legislative control. Thus, courts have upheld UMN's right to constitutional autonomy to keep institutions free of political bias. 69 It also serves to keep control of the vast land holdings and resources in the hands of a dozen legislative-appointed individuals.<sup>70</sup>

#### The University of Minnesota Operates Under Constitutional Autonomy.

This law was created by the men who would go on to be named to the founding Board of Regents, the same men who designed the system to profit from the theft of Indigenous lands. What this means:

- 1. The Board of Regents alone is empowered to manage the university, except as qualified below.
- 2. Judicial relief is available if the regents abuse the management powers granted by the state constitution.
- 3. The legislature may place conditions on university appropriations, if the conditions do not violate university autonomy.
- 4. The university is subject to the general lawmaking power, so far as that does not impede the regents' ability to manage the university.

The University's special legal status, also known as constitutional autonomy, has been upheld in multiple cases. A legal analysis of case law by the state legislature found the above principles to be central to the cases.

<sup>&</sup>lt;sup>69</sup> McKnight, *University of Minnesota Constitutional Autonomy*.

<sup>&</sup>lt;sup>70</sup> UMN Board of Regents, "Current Regents."

#### Mismanaged and in Debt, the Territorial University Is Closed

In the Regents Report to the legislature in 1860, Secretary Atwater writes that in the Spring of 1858, limited attendance resulted in insufficient tuition to pay even one half-time professor. By the end of the year, the Regents discontinued schooling. His Supplementary Report is a response to a congressional inquest into the Regents' financial decisions and motivations.

In an act of March 8, 1858, before incorporation into the Union, the Minnesota Legislature illegally authorized the University to issue \$40,000 in bonds secured by an institutional mortgage on 21,000 acres of unsold land-grab lands. This was the latest financial scheme used by the Board of Regents to increase the profits of their land grab. These bonds were:

negotiated in the month of January 1859, by Governor Sibley. At a meeting of the Board of Regents the autumn previous, the subject was discussed as to whether these were State Bonds. I think it was the opinion of the majority of the Board that they were; but the matter was referred to the Attorney General, who gave his opinion in writing, that the bonds were State Bonds.<sup>71</sup>

However, they were not State Bonds, as investment firms would come to find out when they were unable to collect the value of the bonds. Claims for damages were filed against the State and the University. 72

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121 BROADWAY, NEW YORK, :
                                         October 9th. 1860.
H.m. E. D. Neil. Chancellor University, Minnesota:
  Sin: Your letter dated Oct. 5, and addressed to Mr. Robert Sewell,
has just been put into my hands-with instructions to answer the same.
  The firm of Sewell, Ferris & Co. deny in toto that there is any claim on
them by reason of any transactions arising out of purchases made by
them of Minnesota Bonds. On the contrary, they have a demand for
large damages against the Regents or the State. The Bonds bought by
S. F. & Co. were represented by Gov. Sibley as State Bonds, and on the
fact of his representations were bought by S. F. & Co. as State Bonds. It
afterwards turned out that the Bonds were University Bonds, of greatly
inferior value, and almost unsaleable.
                              Yours, respectfully,
                 (Signed.)
                                             HENRY BRACE.
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Letter from attorney to University of Minnesota Chancellor regarding damages incurred from the sale of unbacked University bonds.

<sup>&</sup>lt;sup>71</sup> University of Minnesota, "Regents' Report, 1860."

<sup>&</sup>lt;sup>72</sup> University of Minnesota, "Annual Report of the Board of Regents, 1861."

In a scathing report written by the Standing Committee of the Senate and the House (1860), otherwise known as the Heaton Report, a bipartisan committee found the financial management policies of the institution to be "reckless, and apparently in total disregard of the true interests of the State and University."<sup>73</sup> The Founding Board of Regents had so grossly mismanaged the first land grab to benefit their business ventures that the University remained closed. The investigation into the University was never satisfactorily resolved; the Heaton Committee report ends by saying they still have yet, after two years, to be given the Regents' books. 74 Thus, they recommended that a resolution be passed to give the new Board of Regents authority to continue the investigation.

By 1860, just two years before the US-Dakota War, the University was still in extreme debt, though it was now a State University. The debts owed by the institution totaled \$120,000 (about \$4 million today), with no funds or income to pay off that debt. 75 The governor at the time, Alexander Ramsey, who was also a member of the Founding Board, recommended that the remainder of the 1851 land-grant lands be turned over to the University's creditors. According to the Sprague papers, "the regents also agitated the matter of a new land grant as it then seemed inevitable that the entire grant would be sacrificed to pay off the indebtedness." According to Lee and Ahtone:

But consider the wider significance of the cession of 1851, and its grim aftermath, to the national land-grant university system: No other Indigenous cession provided land to more universities. Nearly 830,000 acres from this treaty—an area almost three times the size of Los Angeles would help fund the endowment of 35 land-grant universities. Mni Sóta Makoce furnished one out of every 13 acres redistributed under the Morrill Act.<sup>76</sup>

By now, the regents had learned that they could hoard vast wealth through land dispossession.

<sup>&</sup>lt;sup>73</sup> University of Minnesota, "A Report Made by the Standing Committee."

<sup>&</sup>lt;sup>74</sup> Parallels can be drawn to the TRUTH Project; despite several requests, our team was never granted full and transparent access to university financial records.

<sup>&</sup>lt;sup>75</sup> UMN Archives, "Sprague Papers, History of the University Land Grants. 1900–1910."

<sup>&</sup>lt;sup>76</sup> Lee and Ahtone, "Land-Grab Universities."

#### **Emergency Board Appointed**

The situation was so grim for the University that the legislature stepped in to appoint an emergency board:

Finally in 1864 through the influence of John S. Pillsbury, the legislature appointed a new board of three regents of which Mr. Pillsbury was made the new chairman, authorized and empowered to sell lands to the amount of 14,000 acres with the process to arrange, compromise, settle, and pay off all claims and demands against the university.<sup>77</sup>

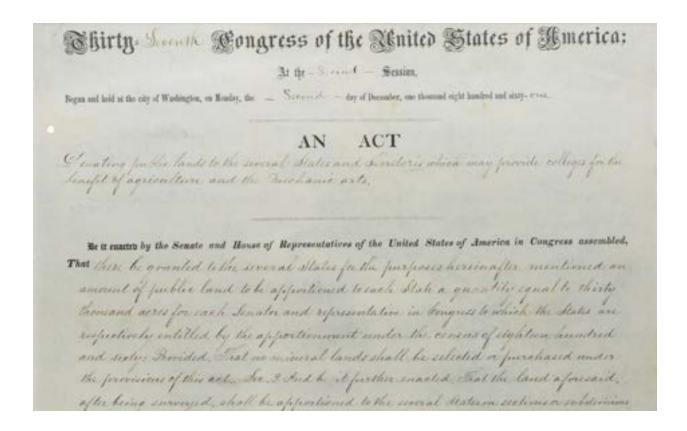
#### The Morrill Act and the Opening of the State University

In 1862, the passage of the Morrill Act presented a rich solution to the University's financial woes. The Morrill Act bears the name of its sponsor, the senator from Vermont, Justin Morrill. Under the terms of the act, each state was granted 30,000 acres of "public" lands for each member of Congress representing that state. These public lands, however, were seized from Tribal Nations through treaties in which the United States government never upheld its bargains. The lands were not public, they were stolen from Tribal Nations and used to fund a perpetual transfer of wealth from Indigenous communities to white communities.

#### Profiting In Perpetuity

Land grab institutions focused on agriculture and the mechanical arts. Military training was also required curriculum at all land grab schools. The intent behind the legislation was to rapidly colonize and industrialize the nation by scientifically training technicians and agriculturalists. The lands given to states were required to be sold and the profits used to finance the establishment of a permanent fund for a state institution that would be held in perpetuity, meaning that the money created through intentional genocide and land expropriation by the architects of the institution would continue to be invested and earn interest. The University of Minnesota was designed to be a pipeline of perpetual wealth transfer from Indigenous peoples to settlers.

<sup>&</sup>lt;sup>77</sup> UMN Archives, "Sprague Papers, History of the University Land Grants. 1900–1910," 2.



The above image is of the opening paragraph of the Morrill Act of 1862. It reads:

AN ACT Donating Public Lands to the several States and Territories which may provide Colleges for the Benefit of Agriculture and Mechanic Arts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be granted to the several States, for the purposes hereinafter mentioned, an amount of public land, to be apportioned to each State a quantity equal to thirty thousand acres for each senator and representative in Congress to which the States are respectively entitled by the apportionment under the census of eighteen hundred and sixty: Provided, That no mineral lands shall be selected or purchased under the provisions of this Act.

The Morrill Act was passed on July 2, 1862, just one month before the US-Dakota War of 1862, during which time Minnesota Governor and Regent Alexander Ramsey authorized, and Brigadier General and Regent Henry Sibley enforced genocide through the sustained

starvation, rape, murder, and exile of many Dakota, Cheyenne, and Ho-Chunk peoples.<sup>78</sup> After the war, and prior to revoking the Dakota treaties and expelling the Dakota bands from Minnesota, President Lincoln authorized the hanging of 38 Dakota men for their involvement in the war.

Governor Ramsey claimed lands for the State University a mere five weeks after he held the largest mass execution in U.S. history, the hanging of 38 Dakota men in Mankato, Minnesota, on December 26, 1862. The state had not yet been included in the Morrill Act, however, and University leaders continued to, as Sprague said, agitate for further lands from the federal government.

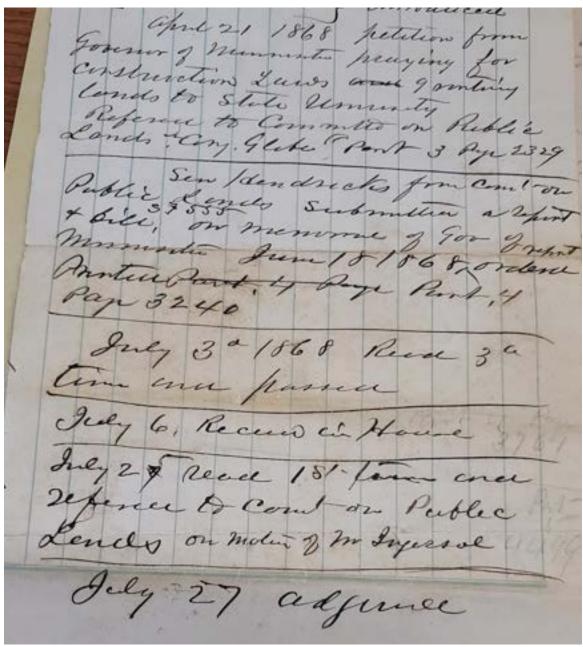
The regents, both in their regents meeting minutes and in the Enabling Act of Minnesota, passed by Congress in 1857, used specific language to designate "72 sections of land shall be set apart and reserved for the use and support of a *state* university, to be selected by the Gov. of the state subject to the approval of the commissioner of the general land office" (emphasis added).<sup>79</sup> Sprague notes this is because this would be the second land grab the university took, because the "condition of MN being different" due to being given to the a territorila insitution when Minnesota was not yet a state. It was the Territory of Minnesota that received the first land grab in 1851, the State of Minnesota had not received one, from the regents' perspective. This left enough question as to whether Minnesota was twice promised land, first for a territorial university, then for a state university. Thus, the argument made by the regents stated that the State was owed an additional 72 sections due to the strategic phrasing in the Enabling Act. Using this argument, on April 21, 1968, Senator Rice was able to successfully advocate for Minnesota's access to the 1862 Morrill Act lands.80

Both the Territorial Act and the Enabling Act were written by the men who sat on the Board of Regents while simultaneously holding high political positions and executive careers in the industries buying the land from the University. Sibley, Ramsey, and other founding Board members were at the negotiation and signing of the 1851 treaty that opened the land to settlement, making the Morrill Act the second time they profited through the laundering of Indigenous lands through the establishment of a university.

<sup>&</sup>lt;sup>78</sup> For more information on the Dakota War, see MNHS, "The US-Dakota War of 1862, Resources."

<sup>&</sup>lt;sup>79</sup> See Office of the Minnesota Secretary of State, "Enabling Act for the State of Minnesota."

<sup>&</sup>lt;sup>80</sup> UMN Archives, "Sprague Papers, A History of the University Land Grants. 1900–1910"; Brown, Kyle. "Flashback Friday: Land Grant Approved for University of Minnesota 169 Years Ago."



A note on a torn piece of torn notebook paper reads, "April 21, 1868, petition from governor of Minnesota praying for construction lands granting lands to State University. Reference to comments on Public Lands....pg 2329,"

University Archives Pillsbury, John Sargent Box 1 of 1 location: Row 2, Division 3, Shelf 9, Position Front. Folder: University correspondence and papers 1870-1872. 0000-0769.

According to the CURA analysis mentioned earlier, the University would greatly benefit from this second land grab: the return was more than 250 to 1 or 25,000 percent.<sup>81</sup> By the standards of the institution, the state, and investment portfolios, both historically and modernly, the morality of such a high return on investment would be called into question, as the Heaton Committee did.

However, protected by their wealth and elite connections in the east, the Regents of the University of Minnesota were then able to use the Morrill Act to obtain and sell Dakota lands to create "the Minnesota Windfall." The expropriated Dakota lands provided more land (830,000 acres) and funded more universities than any other Morrill Act land grab.<sup>82</sup>

Federal, state, and institutional forces, including warfare and genocide, have been used to exert power over Tribal Nations in an attempt to sever the relationship between Indigenous peoples and the land. Because relationship with the land is central to identity making for American Indians, harms perpetrated against Unci Maka, Aki, the Earth, also inflict violence on Indigenous bodies. So, in this twofold manner, the University of Minnesota continues to harm Indigenous bodies through enforced settler colonialism.

For too long, the University has been able to, by virtue of it being one of the world's preeminent research one institutions, propagate the notion that it was simply the recipient of a gift of "public" land from the federal government through political acts separate and distinct from the university. The University's own archival records show this to be untrue, and it is time to restore the narrative of how the University truly came into existence—that it was part of an ongoing reign of ethnocide and genocide methodically planned and executed by the very founders of the institution.

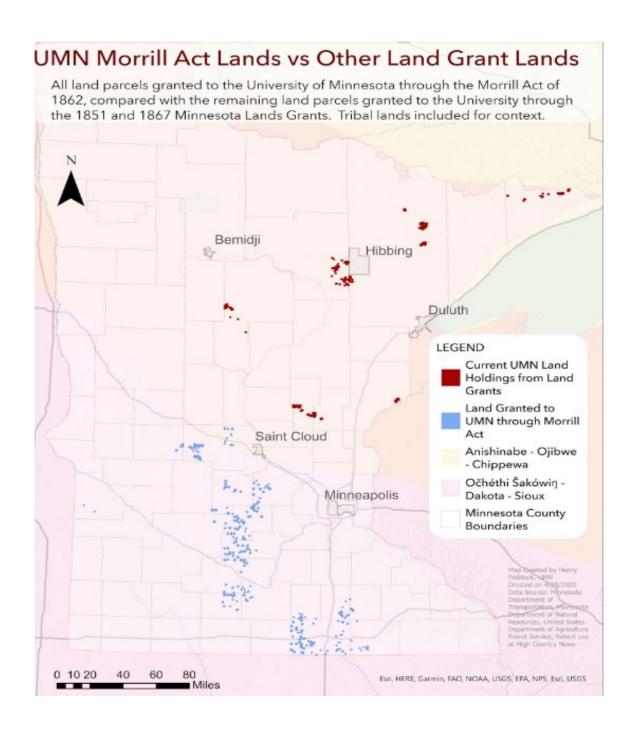
Lee and Ahtone's analyses of land parcels sold after the Morrill Act show that Minnesota profited more than any other state from their land grab, despite receiving less land from the federal government. TRUTH research shows that this is correlated to human rights abuses and to misuse of power by the founding regents.

These men advocated, pushed for, and enacted policies that amount to ethnic cleansing. They used the University and its resources to scout the land, take inventory of what existed on each piece they sectioned off, and then lobbied the federal government to pass legislation that would legalize disposession, forced removal, and genocide. They then chose lands based on what resources existed there, and used any means necessary to remove

<sup>81</sup> CURA and Resilient Communities Project, "Towards Recognition and University-Tribal Healing (TRUTH)."

<sup>82</sup> Lee and Ahtone, "Land-grab Universities."

Indigenous people from the lands they chose. They then sold these lands off to the highest bidder, usually their friends or relatives in the timber, mining, and railroad industries.83



<sup>83</sup> See UMN Archives, "William Watts Folwell Papers"; Fuecker et al., "CURA TRUTH Capstone"; University of Minnesota, "Meeting Minutes, 1860-1889"; UMN Archives, "Sprague Papers, A History of the University Land Grants, 1900–1910"; Roberts, "An Early Political and Administrative History."

# UNIVERSITY OF MINNESOTA SYSTEM CAMPUSES

# Campus Histories and Land Acknowledgments

The full history of each of the University of Minnesota's campuses and research centers is beyond the scope of the TRUTH Project. Each campus deserves a separate research project that documents the history of land dispossessions and acquisitions and the ongoing impacts on Indigenous peoples today. Each report must go beyond the development and performance of land acknowledgment statements, focusing instead on measurable actions for each campus and its component colleges, institutes, and departments.

## University of Minnesota Morris

The University of Minnesota Morris is located along Owobopte Wakpa—a place from which Dakota turnips have been dug river—in the middle of mashkode akiing—prairie land. Before there was a University of Minnesota presence in Morris, the site housed an American Indian boarding school established in 1887 by the Sisters of Mercy community of the Catholic Church under contract with the U.S. government. During this time, the school maintained an enrollment of between 75 and 100, drawing most of its students from the Turtle Mountain Band of Chippewa in North Dakota; a handful of Dakota students came to Morris from the Sisseton-Wahpeton Reservation during the Catholic era. In 1897, as part of a larger shift away from contracting religious groups to run boarding schools, the U.S. government began directly operating the Morris Industrial School for Indians on the site. During the federal era, recruitment of students shifted away from communities in North Dakota and toward Ojibwe communities at White Earth and Mille Lacs, with a few students from Leech Lake and other communities in Minnesota. The school also continued to draw students from Sisseton Wahpeton Oyate during its federal era, as well as smaller numbers of students from Lakota, Oneida, and other Native communities. Enrollment grew steadily from 150 students at the start of the federal era to 200 in 1908.

After the turn of the twentieth century, congressional officials and administrators in the Office of Indian Affairs began to call for the closure of off-reservation boarding schools. They cited the high costs of the institutions and their failure to completely assimilate Native people in short order. In 1909, the federal government closed the school, transferring the campus and buildings to the State of Minnesota. The federal and state statutes that provided for the closure of the campus stipulated that American Indian students be admitted to future educational institutions on the site "on terms of equality" with other students and "free of charge for tuition." The following year, the University of Minnesota established the West Central School of Agriculture (WCSA) on what is now the Morris campus. The WCSA educated area high school students in a boarding school environment until 1963. Few Native students accessed WCSA; ongoing archival and oral history research conducted by UMN Morris campus archivist Steve Gross and historian Matthew Villeneuve (University of Wisconsin Madison) indicate one or two Native students may have attended.84

The University of Minnesota Morris replaced WCSA in 1960, when the University founded the campus as its public liberal arts college. The campus has honored the tuition waiver for qualified Native students since that time. On its campus website, the University of Minnesota Morris acknowledges that the educational obligations to Native Nations and peoples that have been carried forward via the tuition waiver are rooted not only in state and federal statutes, but in treaty laws that called for educational provisions to be provided by the federal government. Only a handful of Native students enrolled at UMN Morris in its first two decades, but Native student enrollment has grown steadily since that time. As of fall 2020, 346 students from 70 tribes or first nations located across 16 states and Canada enrolled at UMN Morris, or over one quarter of the college's total student body. Over half of the Native students enrolled there come from tribes located in Minnesota.

In 2015, UMN Morris received a Native American-Serving Non-Tribal Institution (NASNTI) grant to create the Native American Student Success Program (NASS). This grant was renewed by the federal government in 2020. NASS supports Native American students through academic coaching and mentoring, career and financial aid, and social and cultural programming. Other opportunities for Native students at UMN Morris include the American Indian Science and Engineering Society, the McNair Program, and Gateway, a forcredit college preparation curriculum offered each July to students from groups

<sup>84</sup> University of Minnesota Morris, "UMN Morris Land Acknowledgment"; Ahern, "Indian Education and Bureaucracy"; UMN Morris, "American Indian Boarding Schools in Morris."

underrepresented within higher education. There are currently no plans to institutionalize the budget for this program once the grant funding ends.

### Recent Developments at UMN Morris

Tribal communities have long known that deaths occurred at boarding schools, and Ahern's 1984 article in *Minnesota History* refers to deaths at the Morris boarding schools. Until recently, archival records related to the boarding schools that are held at UMN Morris did not contain references to children who died and were buried at the site of the boarding schools; these records had been gathered over decades by Morris faculty and archivists from the National Archives in Washington, D.C.; the records of the Bureau of Catholic Indian Missions at Marquette University in Milwaukee, Wisconsin; and the records of the Sisters of Mercy in Belmont, North Carolina. Starting in 2010, campus archivist Steve Gross led efforts to gather copies of these records for the UMN Morris campus archives. This work built on earlier archival research by Professor Bert Ahern, a scholar of American Indian education who taught history at UMN Morris from 1968 to 2009.85

These records demonstrated that, much like other boarding schools funded by federal contracts or directly operated by the Office of Indian Affairs, the boarding schools at Morris operated on per-student funding formulas that incentivized overcrowding and led to unhealthful living conditions. Students at these schools suffered from outbreaks of diphtheria, tuberculosis, influenza, and trachoma, among other diseases. When students fell gravely ill, school administrators generally sent them home, often to avoid culpability for student deaths.

During the summer of 2018, research by a then-Morris student and a faculty member identified within historical newspapers specific evidence of at least three, and possibly as many as seven, Native children who died at the boarding school in the late 1800s and early 1900s, and that they may have been interred in a cemetery plot on or near the present-day Morris campus. One of these articles stated that a student was interred in "the Indian School Cemetery," and other articles discussed the deaths of students without confirming that school administrators returned them to their communities to be buried. This research was part of a larger ongoing effort to expand the campus's collection of material related to the boarding schools, and the work was subsequently expanded to include recently digitized materials from the Bureau of Catholic Indian Missions and materials held at the

<sup>&</sup>lt;sup>85</sup> UMN Morris, "American Indian Boarding Schools in Morris"; Ahern, "Indian Education and Bureaucracy."

Stevens County Courthouse. Conversations were also held with the local Catholic priest and with a member of the parish cemetery board.

After consultation with the UMN Morris American Indian Advisory Council, then-Chancellor Michelle Behr shared news of the new archival information with tribes whose members are known to have attended the boarding schools at Morris. Since that time, campus administrators have engaged in consultation with Jaime Arsenault-Cote (Tribal Historic Preservation Officer, White Earth Nation of Ojibwe), Dianne Desrosiers (Tribal Historic Preservation Officer, Sisseton Wahpeton Oyate), Alysia LaCounte (Attorney, Turtle Mountain Band of Chippewa Indians), and others. This consultation gained urgency during the summer of 2021 following the discovery of hundreds of unmarked graves at the Kamloops Residential School in Kamloops, British Columbia, Canada. In August 2021, UMN Morris students from the Circle of Nations Indigenous Association (CNIA) started a social media campaign under the title, "Search the School," encouraging campus administrators to use ground penetrating radar to search the Morris campus for burials from the boarding school era. Through the 2021–22 school year, Acting Chancellor Janet Schrunk Ericksen met regularly with leaders from CNIA to provide updates on tribal consultation for the search process.86

In June of 2022, under guidance from Arsenault-Cote, the Institute for Canine Forensics (ICR) brought a team of dogs trained in historical remains detection to search the campus for evidence of burials. While a report from ICR is still pending, this non-invasive search will help to guide the use of ground penetrating radar to search the campus for burials; this search will also be conducted under the leadership of Arsenault-Cote and Desrosiers. Documents gathered from the National Archives in Washington, D.C., and St. Louis, Missouri, will also help to guide the use of ground penetrating radar.

# Moving Forward at UMN Morris

In addition to tribal consultation regarding the ongoing search for interred boarding school students, UMN Morris Acting Chancellor Janet Ericksen and Native American Student Success Program Coordinator Chip Beal continue to consult with Arsenault-Cote, Desrosiers, and the UMN Morris American Indian Advisory Committee regarding efforts to support student mental health. In 2021, the campus added a webpage providing information on the boarding schools that operated on its site. On its campus website, UMN

<sup>&</sup>lt;sup>86</sup> UMN Morris, "American Indian Boarding Schools in Morris."

Morris officials acknowledge "the social, emotional, spiritual, and cultural devastation from boarding school experiences have passed down to Native American individuals, families, communities and Tribal Nations today." <u>Student Counseling</u> on the Morris campus offers mental health care and resources for all of their students. As licensed and experienced providers, they have special training in multicultural issues and cultural competency.

In recent years, the University of Minnesota Morris has hosted ceremonies, trainings, and workshops to increase awareness of the boarding school history on the land where the university now sits. In April 2019, with the guidance of the campus's American Indian Advisory Committee, as well as Dakota and Anishinaabe elders, the campus hosted a ceremonial gathering as a first step in remembering the children and their families and communities that have been negatively impacted by the boarding school on this site and all those across Minnesota and our nation. The late Mr. Danny Seaboy of the Sisseton Wahpeton Oyate led that gathering and the Woapipiyapi ceremony. In November 2019, Mr. Seaboy again led the campus and Tribal leaders in a ceremony to bring support to UMN Morris students, children, and families of the boarding school era and all those carrying intergenerational trauma. In November 2020, Annishinaabe cultural and spiritual advisors, Mr. Darrell Kingbird Sr., citizen of the Red Lake Nation, and Mr. Naabekwa Adrian Liberty, citizen of the Leech Lake Band of Ojibwe, led the second annual ceremonial gathering. Auntie in Residence Tara Mason, a citizen of the White Earth Nation, provided cultural teachings and supported the ceremonies. The third annual ceremony was on October 30, 2021. Jerry Dearly, Lakota, Pine Ridge, led the ceremony, and Dawn Chase, Upper Sioux Community, assisted with preparations and the ceremony. A Teach-In held Saturday, November 6, 2021, provided background and information about continuing effects of Native American boarding schools. Additionally, UMN Morris joined the National Native American Boarding School Healing Coalition in 2018 to further these efforts. 87

# University of Minnesota Crookston

## Campus Land History

In 1863, the Red Lake and Pembina Bands entered into a treaty to "cede, sell and convey" the land that the University of Minnesota Crookston sits on today in the United States. In

<sup>87</sup> UMN Morris, "American Indian Boarding Schools in Morris."

1895, the Minnesota legislature appropriated dollars to construct two experimental research farms; one of them was in Crookston. The Great Northern Railway donated 476 acres, where the Northwest experiment station was established. In 1905, the Minnesota legislature appropriated money to establish the Northwest School of Agriculture, a regional residential high school with a focus on agriculture. In a move to further professionalize the school, in 1965 the Minnesota legislature approved the creation and education appropriation for the support of an Agricultural and Technical Institute. It was later renamed the University of Minnesota Technical College. By 1993, the college was offering B.A. programs. In 1998, the University of Minnesota Board of Regents officially changed the name of the campus to University of Minnesota Crookston.

## Existing and Emerging Tribal Relations at Crookston

In 2021, the University of Minnesota Crookston established an American Indian Advisory Committee. The committee has several responsibilities. The first is to create a new campuswide Land Acknowledgement Statement (LAS) and craft a set of goals and strategies behind the LAS. Another is to provide recommendations on the Kiehle Auditorium murals.88

Another area in which UMN Crookston is working to strengthen its tribal relationships is by supporting workforce development and entrepreneurialism through the Veden Center and Economic Development Administration Center. UMN Crookston has also been working with White Earth Tribal and Community College (WETCC) to develop a collaboration on a 2+2 Head Start early childhood development program. Campus leaders are conducting listening sessions with their three closest tribal nations to learn about their workforce needs and discuss potential opportunities for additional collaboration. The EDA Center is collaborating with UMN Extension and the Bois Forte Band of Chippewa to conduct a workforce skill analysis of their tribal members; this will help the nation identify entrepreneurship opportunities for their members.

Faculty are participating in a system-wide initiative looking at how Indigenous thought can be made more central to education and research. The intended outcome is an action plan to strengthen the presence of Indigenous Knowledge in teaching and research. Crookston

<sup>88</sup> For more information, see UMN Crookston, "Kiehle Auditorium Murals."

administrators are collaborating with faculty and staff members across the UMN system to create an Indigenous research policy based on best practices in Indian Country.

# University of Minnesota Duluth

The University of Minnesota Duluth is primarily situated on a campus that covers more than 160 acres of land in Duluth which was ceded by the Ojibwe of Lake Superior and Minnesota in the Treaty of 1854. The ceded land was surveyed by the General Land Office in 1956–57, then issued as scrip to veterans and as patents to the general public. UMN Duluth's main campus was assembled in several chunks, the two largest acquisitions being the 1947 acquisition of nearly 160 acres of a plot called the Nortondale Tract, and the other being the donation of what would become part of the Bagley Nature Area on the northwestern corner of the campus. Both areas came largely from the acquisition of tax delinquent land by wealthy donors to UMN Duluth.

The 160-acre Nortondale Tract was purchased by the Norton brothers of Kentucky in the 1870s for a planned real estate development. In the 1890s, the brothers passed away and their estates created the Northern Realty & Investment Co., which managed the Nortondale Tract for them. The land sat undeveloped by settlers, though some Native families lived and harvested on the land during the nineteenth century. In 1947, agents acting on behalf of the University of Minnesota Board of Regents and funded by Regent Richard L. Griggs and other Duluthians acquired the tax delinquent land of the Nortondale Tract for the new University of Minnesota, Duluth Branch's future main campus.<sup>89</sup>

In 2018, UMN Duluth embarked upon an effort to create a land acknowledgement statement. The University of Minnesota Duluth's Land Acknowledgment was crafted via a collaborative process with our Department of American Indian Studies; the Campus Climate Leadership Team; Campus Climate Change Team; participants at the 2019 Summit on Equity, Race, & Ethnicity, and endorsed by the Minnesota Indian Affairs Council on June 4, 2019. The University of Minnesota Duluth's land acknowledgment states:

We collectively acknowledge that the University of Minnesota Duluth is located on the traditional, ancestral, and contemporary lands of Indigenous people. The University resides on land that was cared for and called home by the Ojibwe people, before them the Dakota and Northern Cheyenne people, and other Native peoples from time immemorial. Ceded by the Ojibwe in an 1854 treaty, this land holds great

<sup>89</sup> See appendix for full report, Stinnett, "Nortondale Tract."

historical, spiritual, and personal significance for its original stewards, the Native nations and peoples of this region. We recognize and continually support and advocate for the sovereignty of the Native nations in this territory and beyond. By offering this land acknowledgment, we affirm tribal sovereignty and will work to hold the University of Minnesota Duluth accountable to American Indian peoples and nations.90

# University of Minnesota Rochester

As of the release of this report, campus-based information from the University of Minnesota Rochester had not been made available.

<sup>&</sup>lt;sup>90</sup> For additional information, see UMN Duluth, "The University of Minnesota Duluth's Land Acknowledgment."

# RESOURCE EXTRACTION AND LANDGRABS

Mni Sóta Makoce

# Financial Analyses of UMN Revenues

To better understand the fiscal impact of the Board of Regent's financial schemes and speculation on the current financial position of the University of Minnesota, the TRUTH Project sought an economic analysis of the Permanent University Fund, or PUF. In conversation with an article written on land grab universities continuing to profit from mineral leases on Morrill Act lands, two teams—one from CURA and the other from the Humphrey School—performed detailed analyses of revenues UMN accrued from lease holdings. In addition to the 240 acres of Morrill Act lands identified by High Country News, CURA's research yielded additional sources of revenue from mineral rights on lands taken in other land grabs.[1]

The records left by the regents themselves presented detailed accounts of how University land grabs were a revolving door of wealth transfer from Indigenous communities to settler communities. Communications show inquiries from people seeking to acquire specific types of land, beginning with the regents themselves. Minutes from a meeting held on August 28, 1860, to discuss choosing "remaining land" (from the initial 1851 land grab) include a letter from Governor and Regent Alexander Ramsey to Board Treasurer Abraham Vorhes:

[1] Goodluck, Ahtone, and Lee. "The Land-grant Universities Still Profiting off Indigenous Homelands."

Copy Lette from George A Ramery Selection to becasing Unmerly Sands State of Minnesota The Egoslation at its that seems of for human dellars or so much though as much though he perfore of localing Il remainer of the Unional lands, Erade of the While State, and I houly expent you as egod to that formfor. The presumption is that the Syntative Con . Conflated the remaining of the first point gitt! I that fruiten Chowsand one home is and aires one Section of that goal on yet like the the falled of farming lands I would enjoyed the the the falled of farming lands I would enjoyed these the falmen of the boll convenience to market Railronds, seens, running water settlement to rather than lember Anto determen selection, as the danger is that it will be impossible to present the latter there lands Short generally to abole met lovel of the cliencesthe in the calley of the line, it Min reacts to and and equal portion south of The Regents have indicated a divine that 3000 or 40 to aues of Fine lands well timbred and Convenient to fleating streams, he taleted. Mr. Kimball a number of the Brand wards at It halkens is well informed as with there lands on Reun Rein wind some above you to amoult with him in refrance thereto ate for as can he done, I should prefer that you would presently maket the law

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This letter is an attempt to influence which land will be chosen. "The Regents have indicated a desire that 3000 or 4000 acres of Pine lands well timbered and convenient to floating streams be selected." Land situated with white pine and access to waterways benefited the timber industry's ability to float the cut timber downstream. Several regents, including Board President Alexander Steele, had commercial interests in timber.

<sup>&</sup>lt;sup>92</sup> University of Minnesota, "Board of Regents Meeting Minutes, Vol. I 1860–1868," 11–12.

<sup>&</sup>lt;sup>93</sup> Roberts, "An Early Political and Administrative History"; Case, *The Relentless Business of Treaties*.

The Board of Regents consisted of lawyers, businessmen, politicians, and financiers who controlled land sales and local business development, passed legislation, and negotiated treaties. They ran the University in much the same way they ran government and personal affairs. They used their connections and knowledge taken from intimate relations with Indigenous peoples. They had at their disposal university faculty, state departments, maps, journals, and ledger books listing all the sections of land that they chose. 94 This information was gathered in various land surveys, the most concerning of which was the statesponsored geologic survey of this land conducted by Newton Horace Winchell (see p. 67), which identified areas rich in timber, minerals, and other resources.

During fall semester 2021, TRUTH partnered with CURA for a Resilient Communities Project (RCP) fellowship. The mission of RCP is "to connect local government agencies with UMN students and faculty to work collaboratively on projects that both advance community resilience, equity, and sustainability and enhance student learning, knowledge, and skills." Members of the fellowship team included Madison Bozich, Shuping Wang, and Kyle Malone. 95 Deliverables included a strategic analysis of the 1862 Morrill land grab a brief analysis of mineral leases (Wang), and an interactive story map (Malone). 96

Currently, the University of Minnesota has an endowment worth approximately \$3.87 billion dollars (2020). As of 2020, the Permanent University Fund (PUF), created from the sale of Morrill Act lands was worth approximately \$591 million. It is through the analyses of these funds that the large scale of wealth redistribution from Indigenous peoples to the University of Minnesota can be seen. The University has been less than forthcoming with this information, and multiple requests for financial records went ignored, despite UMN's status as a public institution. Because of this, no perfect analysis could be performed. Rather, economists created a code run in R that offers the best estimates to date.

Even though all Morrill Act land was sold by 1904, the University has had access to largescale, indirect profits from the interest accrued on the investment of money tied to these funds. Bozich identified tremendous gains made on the University endowment through several possible scenarios in how the investments have played out over time, resulting in incredible amounts of discretionary spending at three different intervals of return. The three investment strategies she tested include the S&P 500, with an average return of 11.6%, T-Bonds at 5.21%, and T-Bills at 3.36%. Bozich's analyses place the return at its

<sup>&</sup>lt;sup>94</sup> UMN Archives, "Pillsbury Papers, 1858 and 1867–1915"; UMN Archives, "Winchell papers, 1872–1883."

<sup>95</sup> See UMN, "TRUTH: A Strategic Analysis of the Morrill Land Grab."

<sup>&</sup>lt;sup>96</sup> See CURA and Resilient Communities Project, "TRUTH: A Strategic Analysis" (storymap).

lowest \$50 million and at the highest \$225 million, with access to upwards of \$100 million in reinvestment capital made from the compounded interest from the original sales.<sup>97</sup>

Under the assumption that the S&P 500 levels of spending somewhat overshoot levels of discretionary spending, the combination asset provides more reasonable estimates:

**\$100,664,393** in spending, with a book value of **\$17,130,325**, as a low estimate; and **\$293,338,516** in spending, with a book value of **\$396,321,317**, as an upper estimate.

In conclusion, although the University has not directly held Morrill Act lands since 1904, the endowment has recognized tremendous returns at multiple potential spending ratios due to compounded interest accrued from the original sale.98

Continuing to center the land, researchers also examined the various ways the regents acquired land. Land grants/grabs accounted for the greatest amount of land that has passed through the University, along with donated and purchased lands. Gains from these lands were not merely from their sale; revenue also came in the form of mineral leases dating back to as early as 1891. Wang identified four ways this revenue has been split among PUF accounts:

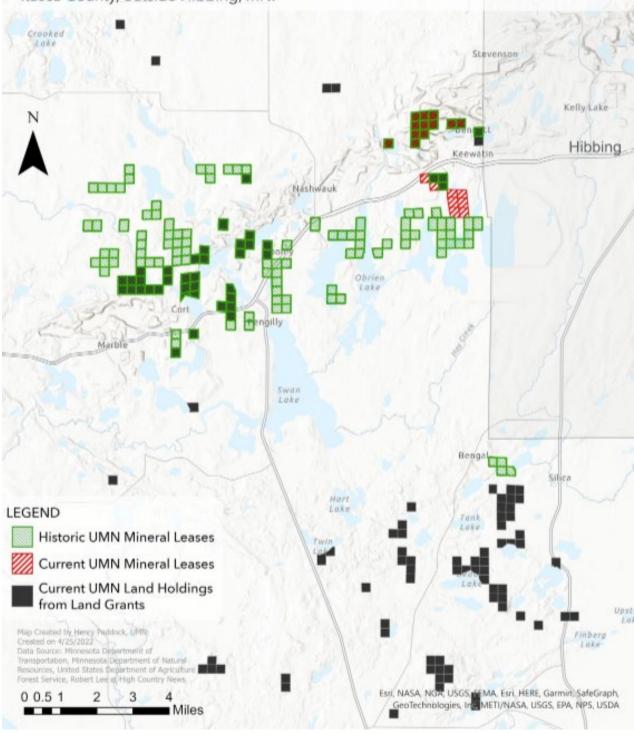
- 1. The endowed chair account
- 2. The endowed mineral research account
- 3. The endowed scholarship account
- 4. The endowed Mesabi Range account

<sup>&</sup>lt;sup>97</sup> For a detailed explanation of this analysis and the code used, see CURA and Resilient Communities Project, "TRUTH: A Strategic Analysis," presentation at the TRUTH Symposium, May 2022.

<sup>98</sup> Bozich. "TRUTH: A Strategic Analysis of the Morrill Land Grab in Minnesota."

# UMN Mineral Leases on Land-Grant Land (Hibbing)

University of Minnesota mineral leases - historical and current - compared with the University's remaining land holdings acquired from land grants. Itasca County, outside Hibbing, MN.



The University has not been transparent about how much of this money has gone to Native scholars and initiatives.

Building upon the work of the RCP Fellows, in the spring of 2022, a group of Masters students at the Humphrey School of Public Affairs devoted their final project for PA 8081: Urban Planning Capstone to TRUTH. The research performed by this group begins to look at the implications of this vast transfer of wealth through an Indigenous lens by critically examining the way the University has shifted "hundreds of millions, if not billions of dollars of wealth from Tribes to the University." <sup>99</sup> This was done through historical and financial analysis of the PUF, including sources of revenue and how such funds have been allocated. Deliverables from their project included a report on the Permanent University Fund and a <u>qualitative study</u> of other institutions that are reckoning with their troubled relationships with Indigenous communities. 100

The Capstone findings also show that from 1890 to 2022, iron and taconite leases have earned the University at least \$191,875,315. This number is not adjusted for inflation and does not include reinvestment capital made from the compounded interest over time. The PUF lands and revenues are managed by the Minnesota Department of Natural Resources. Many of these holdings are situated in territories ceded in the 1851, 1854, and 1857 treaties.

Land Grab U found that UMN is one of 12 institutions "still in possession of unsold Morrill acres as well as associated mineral rights, which continue to produce revenue for their designated institutions." Our research indicates that although UMN holds 22,028 acres of mineral rights in its permanent university fund. These were not Morrill Act lands. These PUF lands are managed by the Department of Natural Resources, generating revenue through timber and mining leases. 101

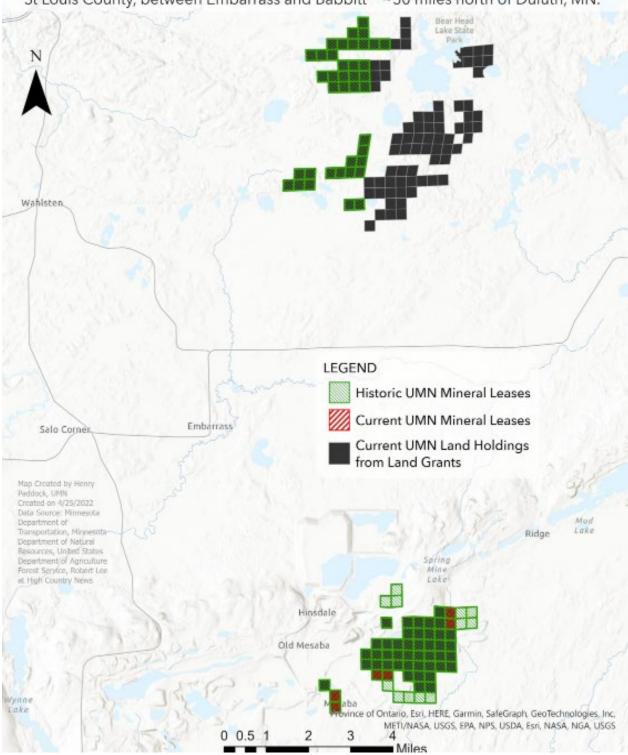
<sup>&</sup>lt;sup>99</sup> Fuecker et al, "CURA TRUTH Capstone: Permanent University Fund" and Fuecker et al "TRUTH University Report"

<sup>&</sup>lt;sup>100</sup>See CURA and Resilient Communities Project, "TRUTH: Presentations given at the TRUTH Symposium," for presentations by each group. https://www.youtube.com/@towardsrecognitionandtriba9694/playlists. <sup>101</sup> For more information, see Lewis, "Lexicon of State Owned Lands."

# UMN Mineral Leases on Land-Grant Land (Babbitt)

University of Minnesota mineral leases - historical and current - compared with the University's remaining land holdings acquired from land grants.

St Louis County, between Embarrass and Babbitt ~50 miles north of Duluth, MN.



These mineral leases are a perpetual source of income for the University, contributing millions to the PUF every year. However, there is another way the University has recirculated the wealth and profited from Indigenous land dispossession: municipal bonds. These bonds have provided the University a source of revenue, as well as supported capital projects throughout the state that furthered settler populations at the expense of Indigenous populations. No evidence of bonds or loans to Tribes was found throughout the course of this project.

The records used in these analyses were obscure and difficult to locate. The State Auditor's Office originally managed the PUF, but control of investments reverted to the regents in 1963, after which time detailed records are less accessible. What else is not seen in this picture is the vast personal wealth accrued from dispossessed lands. Without these records, a full picture of the wealth transfer is not visible. If UMN is serious about improving relations with Tribal Nations, the regents must begin by apologizing and setting right what their predecessors set into motion 172 years ago.

With over a century of investing in the cities and counties of Minnesota from very early on in Minnesota's statehood, it's evident that the PUF funds derived from Tribal lands and resources extracted from those lands have been important to the growth of the colonized state.

—Fuecker et al.

# HISTORY OF HARMFUL RESEARCH PRACTICES

The University of Minnesota is an internationally acclaimed R1 institution. Despite this, resarch practices have long ignored Tribal sovereignty and treaty rights. Indigenous rights have been and continue to be violated through UMN's involvement with telescopes, medical experimentation, eugenics, archaeology, social work, and natural sciences. Below are several areas of concern raised by MIAC and examined by TRUTH.

# Anthropology/Archaeology

The Anthropology and Archaeology departments have exhibited a troubling pattern of behaviors that have inflicted harms on Indigenous peoples. Several instances are detailed below. It is up to each department to inventory their history and collections and begin the process of rematriation and curriculum development that not only mitigates harm, but maximizes benefits to Indigenous peoples.

# Land Allotment/NelsonAct

Faculty at the University of Minnesota played a significant role in racializing the identities of White Earth Anishinaabeg in the early 1900s, which the U.S. used to justify land allotment fraud and theft.

In 2002, as a part of the Community Assistantship Program (CAP) administered by CURA, Jill Doerfler (White Earth Anishinaabe) worked with the White Earth Reservation Tribal Archives to produce a report.

## The report begins:

The purpose of this project was to determine the impacts of historic anthropological and current agricultural research done at the University of Minnesota on the Anishinaabe. The University of Minnesota has been inextricably involved with the land thefts that occurred at White Earth near the turn of the nineteenth century and

the collapse of the wild rice industry on all the Minnesota Chippewa Tribe reservations in the late twentieth century. The involvement in these racist, colonialist projects demonstrate the ways in which prejudice has and continues to pervade the University. 102

The following excerpts address the University's efforts to domesticate manoomin:

A Study of Wild Rice in Minnesota provided a chronology of the efforts of the University of Minnesota, the Minnesota State Department of Conservation and other public agencies involved in manoomin research since 1939 to domesticate and create hybrid varieties of manoomin. The...chronology illustrates that while there was difficulty in getting initial support to explore the possibility of domesticating manoomin eventually financial support was secured. 103

The research on the domestication of manoomin done at the University of Minnesota has not benefited Anishinaabe society in any way. In fact, it has caused the prices for manoomin to collapse, resulting in lost income for Anishinaabe ricers. 104

The report details the involvement of a member of the University of Minnesota Board of Regents, as well as faculty members in allotment fraud cases on the White Earth Reservation in the early 1900s:

Exemplifying how western science can be used to promote racist agendas are the cases of land theft at the White Earth Reservation. Western science had a direct effect on the colonization and theft of hundreds of thousands of acres of land held by the Anishinaabeg. Anthropologists became embroiled in cases of land fraud on the White Earth Reservation. Soon after reservation lands were divided up into individual portions it became necessary to determine who was a "full-blood" and who was a "mixed-blood" because blood quantum and competency were directly connected in legislation passed by the United States." Full-bloods and minors were deemed legally incompetent and thus it was not permissible for them to sell their allotments; adult mixed-bloods, on the other hand, were competent and had the ability to sell their land. University of Minnesota Board of Regents member and United States Congressmen Knute Nelson sought to advance the agricultural economic interests of Euro-Americans and in 1889 introduced "An Act for the Relief and Civilization of the Chippewa Indians of Minnesota." The passage of the Nelson Act resulted in an astonishing amount of fraud and corruption culminating in losses in the millions for the Anishinaabeg.

<sup>&</sup>lt;sup>102</sup> Doerfler, "Where the Food Grows on Water," 1.

<sup>&</sup>lt;sup>103</sup> Doerfler, "Where the Food Grows on Water," 8–9.

<sup>&</sup>lt;sup>104</sup> Doerfler, "Where the Food Grows on Water," 22.

Conflicting understandings of who was a "full-blood" and who was a "mixed-blood" caused confusion and ultimately resulted in the disregard for Anishinaabeg definitions of themselves. Dr. Albert E. Jenks, Professor of Anthropology at the University of Minnesota, and Dr. Ales Hrdlicka, curator of the Division of Physical Anthropology at the Smithsonian Institution, came to White Earth to physically examine the Anishinaabeg and determine their blood quantum....

While on a leave of absence from the University of Minnesota, Jenks worked for an attorney for the lumber companies and adamantly claimed he could indisputably determine full-bloods from mixed-bloods through various physical examinations, including a cross-section hair analysis. Dr. Jenks worked with Dr. Hal Downey from the Department of Animal Biology in the College of Sciences, Literature, and Arts at the University of Minnesota on the hair tests. In addition to hair analysis Dr. Jenks and Dr. Hrdlicka performed several other physical tests to determine blood. Blood quantum became the critical determiner in most of the cases, while other significant evidence was ignored. Judge Page Morris went so far as to dismiss cases even before they began based on his personal impression and assessment of the plaintiff's physical characteristics as they stood before him. 105

The report also addresses the broader issue of research involving Native peoples:

The University of Minnesota is a large institution with innumerable programs and projects. It is difficult to summarize the overarching relationship with American Indian communities. Concerns about research and other projects involving American Indians have long been cause for apprehension and concern to American Indian people. The impacts of various research initiatives at the University have been vast, and the continued and potential impacts are impossible to predict. 106

The work of Dr. Doerfler is still relevant and timely, indicative of the lack of attention that UMN has given this problematic past. It is clear that the early work of anthropologists and other researchers was detrimental to the identity and financial wellbeing of Native peoples in Minnesota. Unfortunately the ripple effects of that work continues today in the harm done to Indigenous harvesting of manoomin and the collapse of that economy. Those effects also continue in the losses of land and wealth due to the racist framing of blood quantuum. 107

<sup>&</sup>lt;sup>105</sup> Doerfler, "Where the Food Grows on Water," 18–20.

<sup>&</sup>lt;sup>106</sup> Doerfler, "Where the Food Grows on Water," 26.

<sup>&</sup>lt;sup>107</sup> For more information, see Beaulieu, "Curly Hair and Big Feet"; Doerfler, Those Who Belong; Meyers, The White Earth Tragedy; Soderstrom, "Weeds in Linnaeus's Garden."

## Mimbres/NAGPRA Violations

University of Minnesota anthropologists and archaeologists played principal roles in several excavation expeditions to New Mexico in the 1920s and 1930s, which uncovered human remains and funerary objects affiliated with the Mimbres culture. The University took possession of those materials, most of which have remained in the possession of the University.

In 2020, President Joan Gabel appointed a Mimbres Advisory Committee to:

- assess the appropriateness of the process employed by the Weisman Art Museum and the Department of Anthropology to catalog the Mimbres objects.
- confirm the accuracy and completeness of the resulting catalog as well as the categorization of the objects therein.
- consult with all Tribal Nations that are, or likely to be, culturally affiliated with the Mimbres objects or lineally descended from the Mimbres.
- assess the cultural affiliation, or lack thereof, of any tribal nation to the Mimbres people.
- make a recommendation as to any tribe or tribes that you believe are culturally affiliated with the Mimbres, along with your reasonings and factual basis, to the Provost.

This summary addresses the status of the Mimbres ancestors and their belongings which have been in the care of MIAC (at the Osteology Repository at Hamline University) and the University of Minnesota. In June of 2020, the MIAC Board issued a resolution demanding that the University take immediate action toward the repatriation of the ancestors and their belongings, noting that "the Native Nations of MIAC view MIAC's continued temporary custody of the human remains of our relatives as enabling the University's continued resistance and failure to comply with NAGPRA."108 This issue is thus one of central concern for the relationship of the University with the Native Nations in the state, in addition to the Nations culturally affiliated with the Mimbres ancestors.

A detailed narrative of the history of the University's actions may be found in a report in the <u>appendices</u>, thus only a brief description is offered here. University anthropologists, led by A.E. Jenks (well-known for his work at White Earth grounded in principles of eugenics), spent four years (1928–31) digging multiple sites in New Mexico. Their primary focus was

<sup>&</sup>lt;sup>108</sup> See <u>2020 MIAC resolutions</u>, in Appendix and online at <a href="https://mn.gov/indianaffairs/miacresolutions.html">https://mn.gov/indianaffairs/miacresolutions.html</a>.

on sites identified with the Mimbres archaeological culture. Of the close to one thousand human burials, they dug up, they retrieved nearly 200 ancestors' remains, approximately 1,300 pottery vessels and several thousand other items, which were transported to Minnesota. Over the next sixty years, these ancestors and items remained largely in the possession of the anthropology department, but a number of bowls were traded to other museums or in one case to a private collector. Pursuant to the change in Minnesota's Private Cemeteries Act (MN statute 307.08) in the late 1980s, the ancestors' remains were transferred to MIAC, and in 1992 the remaining Mimbres items were transferred internally from the anthropology department to the Weisman Art Museum (WAM). Rather than cooperate with MIAC on NAGPRA compliance, the museum instead filed its own summary which neither identified any items as burial-associated nor mentioned their association with the ancestors at MIAC. While MIAC appropriately engaged in Tribal consultations and filed its own inventory in 2002, the WAM director refused to collaborate, and the museum failed to respond adequately to Tribal inquiries regarding the collection, as required by NAGPRA.

With the departure of the previous director of WAM, the museum and the anthropology department have been able to fully collaborate with MIAC to address these failures. A physical inventory of the Mimbres items at the University has been completed, and many of the items traded to other museums have been located. As required by the law, University representatives have initiated consultations with as many of the likely affiliated Tribes as possible. In addition, following the guidance of the NAGPRA federal program officer Melanie O'Brien, the museum has come to a collaborative agreement with seven other museums holding associated Mimbres items to participate in a joint NAGPRA inventory with the University and MIAC, as this will significantly ease and expedite the process of repatriation to whichever Tribe(s) assume the responsibility. In February 2022, the UMN Board of Regents publicly offered an apology and stated its full support of the repatriation process.

Since that time, WAM and anthropology staff have worked with MIAC and Hamline personnel to complete and submit the initial inventory to the national NAGPRA office in early June 2022. The law allows a grace period of six months before a Notice of Inventory Completion must be published. Because there remained some unresolved questions about how items in the inventory were listed, which can only be answered by the culturally affiliated Tribes, staff used this period to continue Tribal consultations. An advisory group of cultural experts representing six of the affiliated Pueblos and one facilitator requested that they visit with the ancestors and the collection prior to the completion of the inventory. This visit, funded by the University, took place October 4–6, 2022.

This group has been coordinated and facilitated by Dr. Bruce Bernstein, currently serving as the Tribal Historic Preservation Officer (THPO) for the Pueblo of Pojoaque, to advise on how best to return and provide care for the Mimbres ancestors, objects, and beings. They have worked together previously to advise the DeYoung Museum on its care and interpretation of fifty-eight Mimbres bowls. The group includes Brian Vallo (Acoma), Stewart Koyiyumptewa (Hopi), Arden Kucate (Zuni), Chris Toya (Jemez), Woody Aguilar (San Ildefonso), and Richard Smith Sr. (Laguna). While some advisors were not able to visit, the university welcomed Mr. Vallo, Mr. Kucate, Dr. Aguilar, and Dr. Bernstein to the Weisman Museum in Minneapolis for three days of consultation and conversation.

On the first working day, University representatives and the advisory group discussed what their collective hopes and expectations were for the visit before the advisory group spent the remainder of the day privately viewing much of the collection that the museum had laid out on tables. Printed records with photos of the items at each of the other institutions were also provided. The advisory group marked a number of items as sensitive during this viewing. At their request, University staff also visited the storage areas where the funerary items were typically kept.

On Wednesday, the group viewed the items at WAM which are specifically associated with the ancestors who are here in Minnesota (including photos of any items held in other museums). These were grouped by the documented burial, with identifiers (assigned burial number and any assessed demographic information about the individual such as age and sex). This viewing was very emotional, and the advisors felt that there was tremendous restlessness from these items. Afterward the advisors went to Hamline University to visit the ancestors. From Wednesday afternoon through Thursday morning, the advisors, UMN and MIAC participants engaged in discussions about how the latter groups can improve the care provided to the ancestors and their belongings while they await return, and what the next steps are toward repatriation.

The care recommendations from the advisors included asking that the ancestors be moved to a space of their own, as currently Hamline (as the osteology repository for the Minnesota Indian Affairs Council) is keeping them within the same space that holds Dakota and Anishinaabeg ancestors' remains. UMN and MIAC are collectively working on this, and to arrange for smudging offerings by an elder qualified to do so.

For the funerary items, the advisors requested that these items also be given more space, for bowls to be stored upright, to switch plastic cushioning for muslin, and to replace cabinet doors with muslin draping. Their preference is that bowls should not be stacked or contained/covered with plastic. They believe these changes will allow the items to breathe.

The advisors will discuss, as a group, further recommendations on whether the items marked as particularly sensitive should be separated from the rest of the group but have strongly advised that in the meantime museum staff must take great care to avoid any handling of those items while experiencing negative emotional states. They will also continue discussions on whether the museums should store burial groupings together. They felt this last aspect was an important point of discussion needing input from as many of the other Pueblo communities as possible.

The advisors hope that the repatriation process will be accomplished with consensus from all, possibly via the All-Pueblo Governor's Council and the Hopi Nation. It remains the case that Hopi Nation is best prepared to take the lead in the reburial of the ancestors.

At the conclusion of these discussions, UMN and MIAC made a commitment to implement the recommended changes in care, and to provide more accessible information to be shared with other Pueblo Tribal advisors. In light of the frequent identification of culturally sensitive items, regardless of their association with human burials, UMN also has committed to the inclusion of the entire collection of objects/beings in the inventory as a means to expedite their best care. The advisors have committed to conferring among themselves and with affiliated Tribes regarding additional needs and the best next steps following the completion of the inventory in December 2022.

With the completion of the inventory and publishing of the notice, the University will be in compliance with the law with respect to the Mimbres collection. However, its obligations will continue, and their fulfillment will require significant University support. Responsibilities include:

- Ongoing communication and collaboration with the affiliated Tribes to assure the short-and longer-term care of Mimbres ancestors and belongings. The advisory group has recommended that University representatives visit with them in New Mexico in spring 2023 in order to continue in-person discussions and relationshipbuilding.
- Providing adequate space for the proper care as already advised; pending further discussions among the affiliated Tribes, this may also require the physical reassociation of burial items and possibly ancestors. This will also necessitate dedicated museum staff effort.
- Logistic and financial support for the return transport of ancestors and their belongings when a secure reburial location has been identified.

- Addressing several requests from the advisory group and affiliated Tribes which are outside of the scope of NAGPRA, and would contribute to restorative justice in our relationship: first, to transfer control of the associated collection metadata to the Tribes, and second, to recognize the unmerited professional, academic, and financial capital the University accrued from its possession of the collection. This could be done through academic programs or applied research that supports the affiliated Tribes.
- For any items that the Tribes may not be able to immediately receive (i.e., items that may not be appropriate for reburial), the University must be prepared to act as steward to provide continuing care until such time as the Tribes are ready for their return.

The report prepared by the internal University advisory committee, also details several recommendations to the president and provost of the University regarding more proactive efforts to address the institution's repatriation and rematriation obligations. The committee suggests that the University adopt structural changes to become more transparent about its many collections that may have arrived through extractive research practices throughout the University's history.

Additional recommendations of the Mimbres Advisory Committee:

- The Weisman Art Museum should be prepared to enter into a cooperative care agreement with the Tribes to provide culturally appropriate care for items that are not associated with the ancestors at Hamline and are therefore less likely to be returned right away.
- Develop UMN systemwide policy and support for future inventory and repatriation/rematriation efforts.

Recently proposed changes to NAGPRA regulations will require all institutions to complete any unfinished inventory filings within two years of the rule change. The University could not only be proactive in this process internally, but given the experience gained in this case, the institution could play a role in training the next generation of museum professionals building equitable and collaborative relations with Native Nations through existing academic programs.

## University of Minnesota Extension

The Indian Relocation Act of 1956 pushed Native people to leave their reservations for urban centers. The Twin Cities was one place that saw an influx of Native people from all over Turtle Island. This geographic extraction was another attempt at forced assimilation. The intent of this policy was to disconnect Tribal citizens from their cultural and land-based identities. It was another set of broken promises, leaving people in desperate need of housing and cut off from their traditional kinship networks. Intergenerational knowledge of culture was nearly lost or forgotten with youth in many families cut off from the cultural knowledge of their elders. In 1958, the University of Minnesota Extension facilitated the relocation of Bois Forte Band Members once again. In all, 36 families were removed from their homelands and sent to Minneapolis, cut off from resources, family, and kinship networks.

## **Medical Experimentation**

In the 1950s and 60s, university researchers were contracted by the U.S. military to study an acute outbreak of nephritis among children of the Red Lake Nation. The experience was traumatic for the entire community, as children underwent experimental kidney biopsies. 109

# Manoomin/Psin/Wild Rice

Manoomin/Psin (wild rice) is central to the cultures of Ojibwe, Dakota, and other American Indian peoples throughout much of North America. It is of particular importance to Ojibwe and other Anishinaabeg communities, as their history identifies it as the very reason they came to live and still reside in and around the Great Lakes Region. Traditionally, the plant has been an important source for keeping food stores full throughout winter months and continues to serve a critical role in maintaining familial relations and connections to the more-than-human world through its traditional harvest. From the beginning of European colonization in North America, this resource has been the target of repeated attempts at

<sup>&</sup>lt;sup>109</sup> Goodwin, "The University of Minnesota and the Red Lake Band of Chippewa Indians: A Brief Analysis", also see Red Lake External Review on page 75.

commodification and theft by white settlers who have been particularly interested in it as a tool of empire via its economic potential as an industrialized commodity. The fragility and skill needed to maintain healthy stands of manoomin meant that these attempts at commodification were repeatedly met with failure or disinterest by settlers until in 1963, a partnership between the University of Minnesota and the Bureau of Land Management opened the door to genetic manipulation and the eventual industrialization of the resource. In a study produced by this partnership and absent meaningful consultation between researchers and participant communities, University researcher Erwin Brooks argued that industrialization of the traditional manoomin harvest would bring substantial benefits to economically depressed Indian communities in the Great Lakes Region. Based on this rationale, University researchers began taking samples of manoomin from the wild which exhibited specific traits conducive to an industrialized harvest and began the University of Minnesota Wild Rice Breeding and Genetics program. The program created several patented strains of paddy grown wild rice. This work is met with intense opposition from many Ojibwe and other Native communities today, as paddy rice is seen as a threat to natural manoomin through cross pollination. It also limits the premium one may command for their natural harvest. Despite this opposition, and the negative effects on Native communities, research and funding for the Wild Rice Breeding and Genetics program continues at the University of Minnesota today at the Kimball Lab. 110

## Earth Sciences/Geology

The Minnesota Geologic and Natural History Survey was founded in 1872 and restarted in 1911 as the Minnesota Geological Survey (MGS). The original purpose of the survey was to economically evaluate the "mineral kingdom" of Minnesota; today, the MGS mission is to identify and support stewardship of water, land, and mineral resources. 111 Throughout this history, geological mapping played a significant role in identifying which lands were profitable for U.S. settlement through gold and other natural resource extraction. Henry H. Eames, the first state geologist of Minnesota, made fraudulent claims of gold along Lake Vermillion that incited a "quasi-military organization" to set up shop on unceded lands of the Bois Forte Band of Chippewa. To avoid violence, the Bois Forte Band ceded their land surrounding the lake and were forced to accept a smaller reservation further northwest.

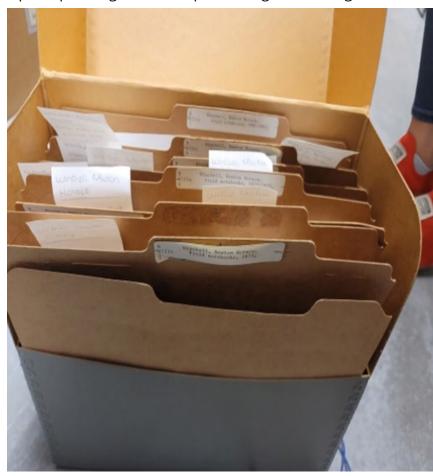
<sup>&</sup>lt;sup>110</sup> Rico, "Wild Rice Controversy." For more information, see Andow et al., "Preserving the Integrity of Wild Rice."

<sup>&</sup>lt;sup>111</sup> CSE, "Minnesota Geological Survey."

Newton Horace Winchell, the first director of the Minnesota Geologic and Natural History Survey, led mapping surveys throughout present day Minnesota and unceded Lakota Territories, specifically the Black Hills. This Black Hills expedition was led by the U.S. military, including George Armstrong Custer, and directly led to mining explorations, white settlement, and, eventually, U.S. takeover of these lands through violence and coercion. But geologists—including current UMN students and MGS staff—learn about Winchell and the history of geologic mapping stripped from the violence that followed or made the research possible. The MGS is now implementing a new policy where on-reservation mapping can only be done with tribal permission, but we have a long way to go in (re)imagining and (re)creating geoscience ethics to fully respect tribal sovereignty. 112

A small metal chest held dozens of leather-bound journals, indexes of the resources that once existed on this land. In subsequent trips to the archives, correspondence between the Board of Regents and people expressing interest in purchasing lands was gathered and

analyzed. Review of these records show that the regents chose lands based on what resources existed there, and used any means necessary to remove Indigenous people from the lands they chose. They then sold this land at incredible profits. These land sales saw a 25,000 percent return on investment. And in urban areas individuals purchased land through bonds at high interest rates.



<sup>&</sup>lt;sup>112</sup> Nyblade and McDonald, "Recognizing Geology's Colonial History."

# **PRESENT**

# Implications of UMN's Land Grabs Today

It is easy to think of all this happening in the past, however land disposession and genocide has lasting intergenerational impacts. The existence of the University of Minnesota is inextricably linked to the policies put in place by the founding regents. The University of Minnesota only exists because of the genocide and ethnic cleansing used to dispossess this land from Indigenous peoples. European American thought, knowledge, and power structures are endemic to U.S. institutions. This is the manifestation of colonization.

# The University of Minnesota Today

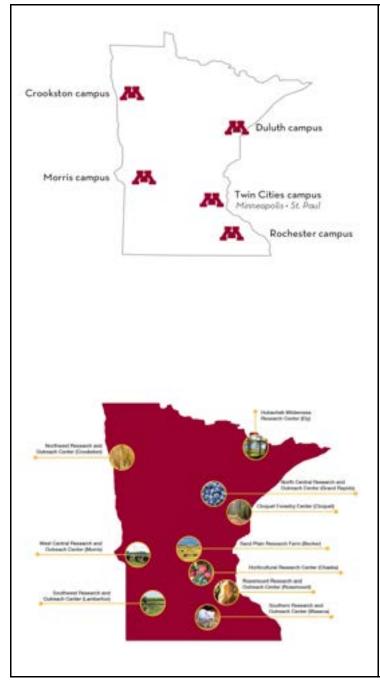
Institutional roots are transplanted through a process of imperial conquest, proliferating on the nutrient-rich land and resources gained through coercive and inhumane tactics. These white-supremist institutions depended upon a "self-interested reading of legal concepts that allowed White settlers to rationalize and legitimize their decisions to steal lands from the Indigenous peoples who already inhabited them."[1]

Because of the actions of the Founding Regents, today the University of Minnesota exists as a world-renowned research institution with a multi billion-dollar operating budget. The University has five campuses and six research and outreach centers. According to The State of Minnesota 2022–23 Biennial Budget, University spending was \$3.7 billion in FY19, and it employed more than 20,000 faculty and staff. The following tables show campus and center locations, as well as other headcount and financial information.

Archival evidence examined throughout the course of the TRUTH Project shows how UMN's founders used the institution to access vast swaths of land seized through deceptive and reneged treaties they had a hand in negotiating. Archival and financial analyses of the monies created through the sale of these lands have been used to develop the institution, and more broadly, the settler state of Minnesota into what it is today. The founders of the

[1]Brayboy, "Toward a Tribal Critical Race Theory in Education"; Brayboy and Castagno, "How Might Native Science Inform 'Informal Science Learning'?"

institution capitalized on the genocide and ethnocide of Indigenous peoples for their own selfish gains. UMN perpetually profits from land and lease holdings. 114



- Five Campuses (Crookston, Duluth, Morris, Rochester, TwinCities)
- Six Research and Outreach Centers throughout the State
- FY19 Actual Spend: \$3.7billion
- Faculty & Staff Employee Headcount: 20,643
- **Graduate Student &** Professional-in-Training Employee Headcount: 6,559
- Fall 2019 Total Student Enrollment: 67,024
  - Undergraduate: 44,001
  - o Graduate: 12,726
  - o First Professional: 4,214
  - Non-Degree: 6,083
- Degrees awarded (2018–19 Award Year): 16,238
- Sponsored Research Awards (FY19): \$863.0 million
- Permanent University Fund valued at \$591 million dollars in 2020.

Map of five campuses: <a href="https://crk.umn.edu/about-us">https://crk.umn.edu/about-us</a>.

Map of research centers: <a href="https://cfans.umn.edu/research/research-outreach-centers">https://cfans.umn.edu/research/research-outreach-centers</a>.

The University persistently has operated under a colonial mentality that currently falls short of recognizing the unique political space Native Americans occupy in this country.

<sup>&</sup>lt;sup>114</sup> Bozich, "TRUTH: A Strategic Analysis"; Fuecker et al., "TRUTH Capstone: Permanent University Fund."

Education is a path toward individual self determination central to Native rights. 115 In the United States, higher education has been a route to a more stable income, and a stable income allows for more choices in life. The gatekeeping of U.S. education presents a systematic disenfranchisement of Native Americans. This infringes on the selfdetermination of Tribal citizens and their descendents, putting them disproportionately in a state of economic deprivation. 116

# **Tribes Today**

The connections of Indigenous peoples run deep in this land, and try as they might, settlers



have never been able to sever our roots. Today, approximately 120,000 American Indians live on this land, accounting for approximately 1 percent of the population.

There are 11 thriving sovereign Tribal Nations with whom Minnesota shares geography. Minnesota tribes are among the top 20 largest employers in the state. Tribes have jurisdiction over thousands of acres of land within and beyond reservation boundaries.

Current reservation map. https://www.dot.state.mn.us/tribaltraining/tribe-map.html.

Tribal Nations have positive economic impacts on the region. In 2019, the National Congress of American Indians found that, "In Minnesota, spending by the 11 tribal nations was responsible for \$2.75 billion in economic activity statewide, supporting 41,700 jobs and \$1.35 billion in household income, representing 1.1 percent of the state's economic

<sup>115</sup> Brayboy, "Toward a Tribal Critical Race Theory"; Brayboy and Castagno, "How Might Native Science Inform 'Informal Science Learning'?"

<sup>&</sup>lt;sup>116</sup> Fertig, "Minnesota Poverty Report 2009–2019."

output."<sup>117</sup> Together, Tribes are the 14th largest employer in the state and casinos are the second most popular tourist draw to the state, adding \$1.7 billion to Minnesota's GDP annually. 118

# University—Tribal Relations

The University of Minnesota has only recently begun to move toward improving relationships with the 11 Tribal Nations with whom Minnesota shares geography. President Joan Gabel is the first in the history of the institution to prioritize Tribal relations. She has done so by committing to meet regularly with Tribal leaders, engaging in repatriation, initiating an external review of the Red Lake medical experimentation in the 1950s and 60s, holding discussions about the stewarding and rematriation of the Cloquet Forestry Center to the Fond du Lac Band, and establishing the University of Minnesota Native American Promise Tuition Program. 119

## Meeting with Tribal leaders

University President Joan Gabel has committed to meeting with Tribal Leaders three times per year, where she updates them on Indigenous issues at UMN. These meetings are not codified, and the regents should create a policy that ensures future presidents will also tend to the growing of these relationships.

# Repatriation

The Weisman Art Museum recently hired a new director who has been engaging with the Pueblo Tribes regarding rematriation of the Mimbres ancestors and their funerary belongings. An inventory has been completed on the Mimbres belongings, bringing the

<sup>&</sup>lt;sup>117</sup> National Congress of American Indians, "Securing Our Futures."

<sup>&</sup>lt;sup>118</sup> Minnesota Indian Gaming Association, "Economic Impact of Indian Gaming in Minnesota." 20.

<sup>&</sup>lt;sup>119</sup>Gabel and Diver, "Celebrating Native American Heritage Month."

University into compliance for these items with NAGPRA for the first time in the 35-year history of the law. See page 61 for more information on the Mimbres rematriation.

We also insist the University begin looking beyond the Mimbres incident into other incursions of burials, and perform a full, systemwide inventory of ancestors and items held by the institution and any department or person affiliated with the institution.

#### Red Lake External Review

In the mid 20<sup>th</sup> century, University of Minnesota researchers received funding from the U.S. military to conduct studies on children of the Red Lake Nation. Some of these children were subjected to painful kidney biopsies, and there has been a question of how informed consent was obtained. The Red Lake Nation's Report details the findings of the Tribal Research Fellow. 120

Concurrently to the TRUTH Project, the University of Minnesota put institutional funding and support behind an external review of the medical research done at the Red Lake Nation during the mid 20<sup>th</sup> century epidemic of post-streptococcal impetigo acute glomerulonephritis (PSAGN). 121 Three of the nation's leading nephrologists studied the literature surrounding the case and interviewed several people.

TRUTH believes this review undermines tribal sovererignty of the Red Lake Nation, as well as attempts to exonerate the University from harm and the perception of harm. It also raises these questions:

- What was the definition of an external investigation used by the external team?
- What constitutes an external investigation that is fair and just with a Tribal nation?
- Who determined that an external investigation was needed and in THIS particular manner and using this approach and consultants?
- Was the external investigation process Indigenized in any way?
- What were the design and methods that the external investigation process engaged? Who chose these methods and why?
- Ponemah, one of the communities heavily impacted by the disease, is home to one of the largest Ojibwe speaking populations in the state. If this is true today, what

<sup>&</sup>lt;sup>120</sup> Goodwin, "The University of Minnesota and the Red Lake Band of Chippewa Indians: A Brief Analysis."

<sup>&</sup>lt;sup>121</sup> Shulman, Rovin, and Matheson "Report on Red Lake Nation for the University of Minnesota."

language barriers existed 75 years ago that impacted the informed consent process?

We found the external review lacking in several areas. Most notably, there was no Courts have found in similar instances that research participants can experience "indirect physical harm" in situations where they feel exploited, resulting in an earned wariness of the medical community. In addition, situations where participants values and morals are impeded or where trust is violated can result in dignitary harm. 122

The review is done through a lens that does not locate this story where it exists—amid structural racism and unconcsious bias—rather, it fails to acknowledgement the history of medical and research abuses against Native Americans. It is framed by today's standard of care for PSAGN and the research norms of the mid-1900s. We find this to be a contradictory framework that fails to provide proper context.

The external review infers that the Red Lake Nation was uncooperative with the process, failing to give the full context of the situation. Perceptions of harm can impact how people show up in these situations and can accelerate the dignitary harms experienced. In multiple instances, the external review laments on the lack of cooperation by the Red Lake Nation to certain requests by the authors of the report related to the identity of the children. Yet it mentioned only once that upon his death, Dr. Wannamaker's papers, including all documentation on the research conducted on the Red Lake children, were destroyed. After our experiences in the University archives, we find this to be highly irregular practice, especially given the impact this research had on the field of nephrology. Included in his papers would have been applications for funding for the research projects and associated documents, including consent forms, and communications with the UMN Committee on the Use of Human Volunteers. However, the external review does not question this at all, and demands a double standard: that the Red Lake Nation maintain these records where the University could not.

The external review also calls into question the legitamacy of the evidence brought forth by Dr. William Freeman to the Red Lake Nation. Dr. Freeman has sent a response to the external review that is printed in full in the appendix. In his response, several important points are raised, including the double standard applied to RLN.

<sup>&</sup>lt;sup>122</sup> Van Assche, Gutwirth, and Sterckx, "Protecting Dignitary Interests of Biobank Research Participants: Lessons from Havasupai Tribe v Arizona Board of Regents."

Ultimately, we may never know what consent looked like or the conditions put around the study due to the destruction of the Wannamaker papers. What is clear is that this external review is research on a tribe, and as such, it MUST be held to different standards rooted in best practices of Indigenous research. 123

## **Indigenous Reseach Policies**

The University of Minnesota has been responsive to the many conversations happening around research ethics. Indigenous peoples, land, and cultural patrimony have been objectified and harmed by UMN researchers many times over. Under the leadership of the Office of Native American Affairs, an interdisciplinary team of faculty from across the UMN system have begun to develop Indigenous Reseach Guidelines. Based on best practices, this guide can serve as the foundation for new ways of research that respect the sovereignty and treaty rights of Indigenous peoples. These guidelines have been presented to university leaders, and now it is up to the Board of Regents to institute it as policy.

## **Cloquet Forestry Center**

The Cloquet Forestry Center (CFC) is an experimental research station located within the boundaries of the Fond du Lac Band of Lake Superior Chippewa. Controversy around the impacts research has on Tribal sovereignty and treaty rights were discussed in depth by Kami Diver, TRUTH Research Fellow. 124 Recently, UMN has begun discussions of rematriating the CFC to the Fond du Lac Band. 125

## Native American Promise Tuition Program

The Native Promise is a hybrid scholarship that attempts to blend both affinity and needbased requirements, for a last-dollar scholarship. 126 To be eligible, students must be first-

<sup>&</sup>lt;sup>123</sup> Russo Carroll et al, "The CARE Principles for Indigenous Data Governance."

<sup>124</sup> Diver, "Nah-ga-chi-wa-nong."

<sup>&</sup>lt;sup>125</sup> UMN Cloquet Forestry Center, "Frequently Asked Questions on the Intentions for Cloquet Forestry Center."

<sup>&</sup>lt;sup>126</sup> UMN System, "Native American Promise Tuition Program."

year or transfer students from one of the four Tribal colleges in Minnesota as of fall 2022. This program is problematic because:

- It automatically excludes Dakota Tribes expelled from the state by the founders of the University, who profited personally and institutionally from the Dakota genocide and land expropriation.
- Since most Natives live away from their homelands, in urban areas, far from the tribal colleges, it excludes Urban Indigenous students who attend community colleges as well as Tribal Nations who do not yet have Tribal colleges.
- It automatically excludes current students.
- It is based on the eugenic concept of blood quantum, a theory co-developed and used on Anishinaabeg peoples by the ever-problematic Dr. Jenks. 127
- It does not even meet the U.S. definition of American Indian per the United States Code. 128

The University should immediately remove all barriers through an expansion of the waiver to include billed and unbilled costs of attending college to all Native students, based on lineal descent with a letter from their Tribal nation. This would bring the institution in line with other local Universities. 129 The University of Minnesota must also make this a firstdollar scholarship to create the potential to cover the true cost of attendance. 130

# Ongoing Effects of Land Dispossession on Social Determinants of Well-Being

Our communities are inherently strong, and colonization imposes harsh conditions on them. The policies enacted seven generations ago have an impact on housing, income, and wealth today. The theft of Indigenous lands results in "deprivation that accumulates over generations."131 Similar to research that illustrates how the lack of access to land and fair housing practices has had intergenerational effects, especially when it comes to the

<sup>127</sup> Doerfler, Those Who Belong; Meyers, The White Earth Tragedy; Soderstrom, "Weeds in Linnaeus's Garden."

<sup>&</sup>lt;sup>128</sup> Cornell Law School, "20 U.S. Code § 7491–State Educational Agency Allocations."

<sup>&</sup>lt;sup>129</sup> See Augsburg University, "American Indian Recognition Full Tuition Program."

<sup>130</sup> See Association of Community College Trustees, "First-dollar vs. Last-dollar Promise Models."

<sup>&</sup>lt;sup>131</sup> Akee, "Stolen Lands and Stolen Opportunities."

physical and financial well-being of Black families, Akee and colleagues show that Indigenous families own "8 to 88 percent of the wealth their white counterparts do." 132

## Housing

A case study of how stolen lands results in housing inequities for Indigenous peoples can be seen right here in Minnesota. From 1900 to 1910, the decade after the Nelson Act was passed, White Earth Reservation saw a decline in home ownership and a rise in homelessness and overcrowding. The Red Lake Nation is one of two closed reservations in the country, meaning that their lands were never allotted and are still held in common by the band. They did not see similar changes in housing as White Earth did. 133 Not only did the regents of the University of Minnesota play a role in this land dispossession, faculty researchers at the University played a role in the dehumanization of Indigenous bodies and quantification of Indigenous blood. 134 The institution thus has an obligation to ameliorate the ongoing impacts on Indigenous families for as long as those impacts persist. The following subsections detail several key areas where land dispossession has lasting impacts on Indigenous nations and families.

## Wealth Inequities

Present-day research being done at the University of Minnesota shows that income disparities persist. The Minnesota Poverty Report shows that Indigenous Minnesotans are disproportionately impacted by poverty and other measures of equality relative to other races and U.S. averages. The supplemental poverty rate in 2016–19 was 23.0 percent for Native Americans and the Native American–White poverty gap is almost 16 percentage points in Minnesota compared to 12 percentage points in the U.S. Indigenous people are

<sup>132</sup> Akee, Jones, and Porter, "Race Matters: Income Shares, Income Inequality, and Income Mobility."

<sup>&</sup>lt;sup>133</sup> Akee, "Land Titles and Dispossession."

<sup>&</sup>lt;sup>134</sup> Beaulieu, "Curly Hair and Big Feet"; Doerfler, Those Who Belong; Meyers, The White Earth Tragedy; Soderstrom, "Weeds in Linnaeus's Garden."

over-represented in the criminal justice system. 135 Native Americans are less likely to own homes and on average earn less than Whites. 136

#### Education

Those who earn a college degree will earn more over the course of their lives than those without a college education. On average, they will enjoy better health and quality-of-life outcomes when compared to those who do not graduate from college. In a time of growing economic inequality, a college degree is more important now than ever. However, not everyone has the same opportunity to earn a degree. Historically, racism was embedded into structures that still exist today, including our education system. Practices such as segregation; redlining; and in the case of Native peoples, forced displacement from their homelands to reservations where there is little economic opportunity, have decreased the number of paths through higher education for Black, Indigenous, and People of Color. This is a story about how academia is failing students from Indian Country, and how academia can learn to be a space that recognizes, welcomes, and supports Indigenous students before they even arrive on campus.

Getting into college is only part of the struggle. Research continues to show completion disparities between people of color and low-income students when compared to their more affluent white peers. This lack of representation has lifelong implications, considering that two-thirds of all jobs require post-secondary certification, and much of the remaining third fail to pay a living wage.

Primary, secondary, and college curriculums rarely explain the founding of this nation as anything less than glorious. The truth is genocide was enacted; slavery was used. And what intergenerational impacts does that have today? The answers are not readily available because much has been erased from the historical record.

<sup>&</sup>lt;sup>135</sup> Arya and Rolnick, "A Tangled Web of Justice."

<sup>&</sup>lt;sup>136</sup> For example, a 2014 study by USD HUD ("Housing Needs and Socioeconomic Conditions of American Indians and Alaska Natives") found that, "Although the homeownership rate of the AIAN population increased significantly over the past decade—from 38 percent in 2000 to 54 percent in 2010—it was still lower than the 2010 non-AIAN homeownership rate of 65 percent. AIAN homeownership rates vary substantially by type of area and by region. For example, homeownership rates for Native Americans in tribal areas ranged from 54 percent in the Northern Plains region to 77 percent in the Arizona/New Mexico region."

Anti-Indigenous policies were baked into the very bricks that built this institution, so it is no wonder why so few Native students complete degrees, or why it takes longer. The emotional labor of protecting oneself from these aggressions is exhausting. We feel the historic traumas from this land.

Native Americans have the lowest high school graduation rates, <sup>137</sup> are least likely to apply to college, and have the lowest postsecondary degree attainment of any group of students at the University of Minnesota. 138 The literature, however, paints a different picture. In many scenes, the Native experience is erased. This is due to the tension between Western scientific desires of statistical significance and the experiences of Native scholars who are omitted during statistical analyses.

## Statistical Violence

To compound educational disparity further, there remains relatively little research on higher educational experiences, access, and completion among students from Tribal nations. By leaving Native students out of the literature, academia is depriving admissions officers of the knowledge they need to open access to Native American students and ensure that campuses are actively working to create an atmosphere of success for Native students. To present statistics on college access and completion is to offer educators insight into how they may change policies and procedures to better serve students. How can institutions better serve Native students if these students do not even appear in the knowledge base?

Failing to include Native American students in institutional data and literature is statistical violence. 139 It is in this silent void that colonial genocide is perpetuated. The omission of Native students from the literature casts us as specters, ghosts that may haunt the memories of place and time, but who cannot be located in the contemporary images of these institutions. This void assumes all the Indians have vanished, that this land is free for the taking. It fails to understand the complexity of the Native experience in the U.S education system, the historic trauma that shadows our vision. It renders us invisible, not just to educators, but even to ourselves; it is hard to see success in a system that was built

<sup>&</sup>lt;sup>137</sup> Smith and Rademacher, "Minnesota High School Graduation Rates Rise Slightly."

<sup>&</sup>lt;sup>138</sup> National Indian Education Association, "Information on Native Students."

<sup>&</sup>lt;sup>139</sup> Garland, "Foreword," in *Beyond the Asterisk*.

to "save the man and kill the Indian."

This problem is not new. Native academics have long struggled with the erasure and invisibility of Indigenous peoples within the academy. John Garland calls this lack of representation, "the Native American research 'asterisk," 140 a term that explains this phenomenon of silencing Indigenous experiences in scholarly literature. Garland calls academia in for a discussion on how current measures fail to show the existence, let alone success, of Native students, staff, and faculty. He points to the deficits in such measurements.

Western concepts of statistical significance render Native Americans too few to analyze. To say there are too few people to include in data sets serves colonialism by perpetuating the myth of the vanishing Indian. In order to respectfully represent access and completion for Indigenous students, methods must be employed that tell their stories. Datasets must be disaggregated, and we must place equal value on every student's voice. 141

#### **UMN Student Statistics**

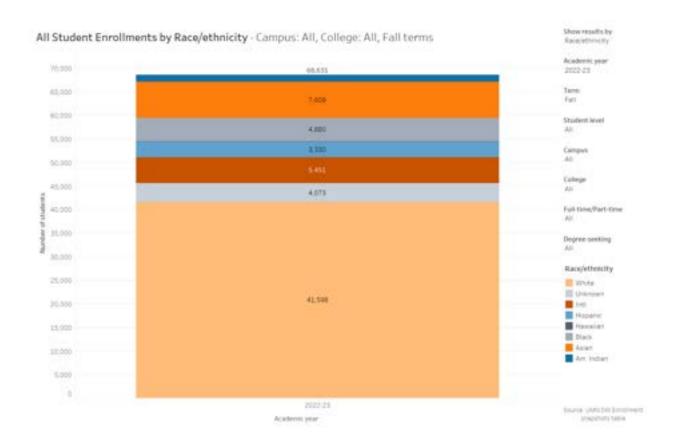
According to the University's Office of Institutional Data and Research (IDR), there were 68,631 students enrolled during the 2022–23 academic year. This number consists of enrolled students on all five campuses. Nearly 61 percent, or 41,598 identify as white, 11 percent identify as Asian, 7 percent as Black, nearly 5 percent identify as Hispanic, 8 percent are international students, and 2 percent identify as American Indian. Race is unknown for about 6 percent of students during this enrollment period. 142 The following charts disaggregate enrollment data at the University as a whole, as well as at each campus. Each chart illustrates the predominance of white students, with a small blue sliver showing Native enrollment. Only at Morris is there a large Native student population.

<sup>&</sup>lt;sup>140</sup> Garland, "Foreword," xv.

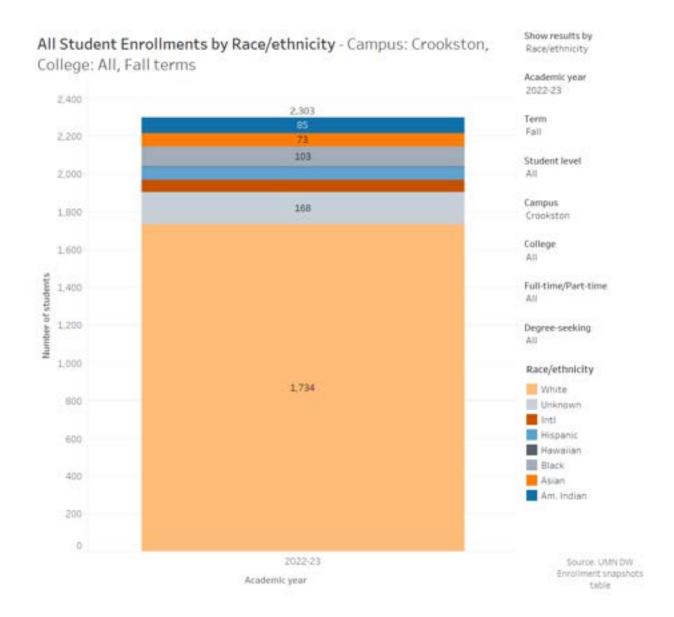
<sup>&</sup>lt;sup>141</sup> Garagiola, "Statistical Violence: How Research Practices Hurt Native Scholars."

<sup>&</sup>lt;sup>142</sup> Institutional Data and Research. "Student Enrollment Shown by Race/Ethnicity."

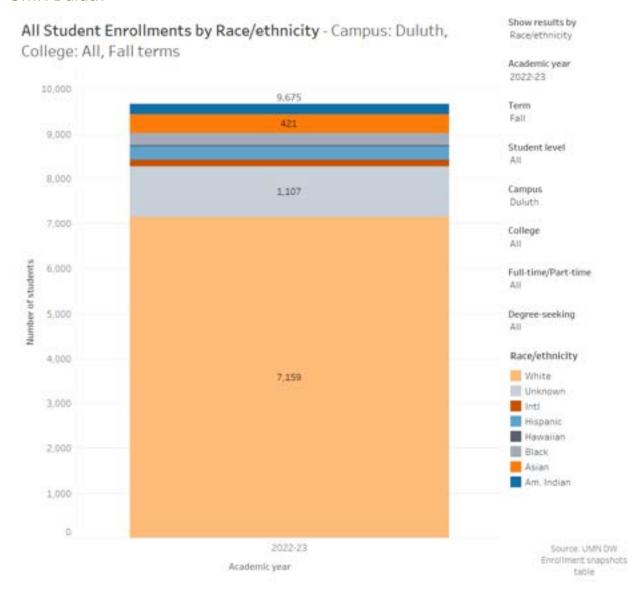
## **UMN All Campuses**



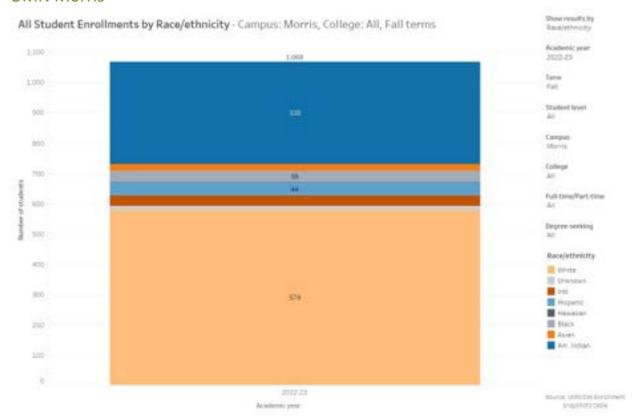
## **UMN** Crookston



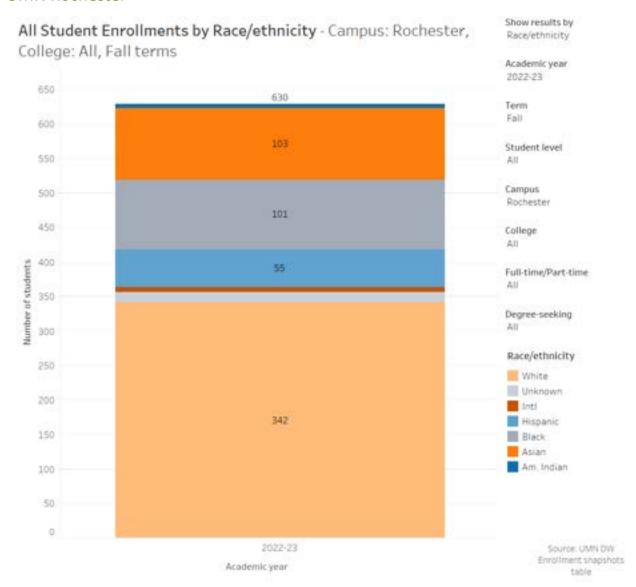
## **UMN** Duluth



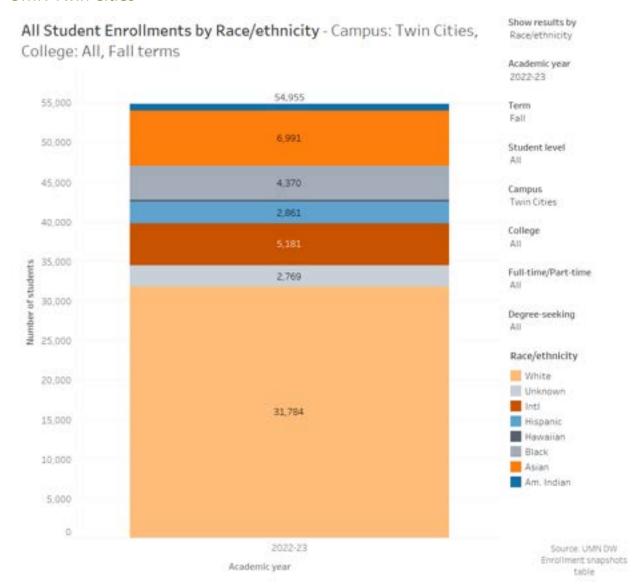
## **UMN Morris**



## **UMN** Rochester



## **UMN Twin Cities**



## Native American Representation in Employment

Researchers made requests to the University's Office of Institutional Data and Research (IDR) for data specific to American Indian/Alaska Native representation in employment. In some instances, the small sample size makes it impossible to guarantee anonymity. In most cases, Native Americans would be considered "statistically insignificant" and left out of the dataset. This is one example of the way statistics perpetuate the myth of the vanishing Indian, and how Western epistemologies inflict violence through erasure and suppression of data linked to Indigenous presence. This invisibilty of Indigenous peoples benefits the settler state; if there are no Native Americans, there are no longer treaty obligations to uphold. This is erasure by design, and UMN is implicit in perpetuating this erasure.

Many of the positions held by Indigenous people at UMN tend to be lower-paid, contingent or contract labor. From the data received from Institutional Research, we were unable to determine the percent of adjunct and tenure-track faculty. No job codes were sent to disaggregate this data, so we are unable to perform an analysis to determine average wages of Indigenous employees relative to their non-Indigenous colleagues.

American Indian/Alaska Native Employees UMN Systemwide Data provided by IDR								
	2011	2019						
Faculty	45	41						
Professional	57	54						
Administrative	15	11						
Civil Service	63	61						
Labor Represented	59	60						
Graduate Assistant	60	49						
Professional in Training	15	19						
Total	316	296						

Under Joan Gabel's tenure, two senior leadership positions have been added. In 2020, Tadd Johnson became the first Native American in senior leadership, being named the University's first Senior Director of American Indian and Tribal Nations Relations. The following year, Karen Diver was named Advisor to the President, and now heads the Office of Native American Affairs (NAA).

# **Data Sovereignty**

Data sovereignty is the right Tribal Nations must govern the collection, ownership, and application of their own data. It derives from Tribes' inherent right to govern their peoples, lands, and resources. 143

Data sovereignty is incredibly important to Indigenous communities, because for so long, data has been stolen from us, used against us, kept from us. It was critical to our partnership with 11 tribes and MIAC to include clauses that protect data sovereignty in our grant subaward agreements. So often on this project our attention and energy have been removed from what is important to defending the rights of Tribes to store and share TRUTH data as they determine it to be appropriate.

University of Minnesota research policies have often failed to respect Tribal sovereignty or consider data sovereignty. For example, the University has no formal consultation processes with Tribal Nations; there is little to no oversight to ensure culturally sensitive protocols are in place and followed. University researchers do not go to Tribes to get permission to do research and do not work with us to design ways to collect, analyze, access, and store data that honor and uphold data sovereignty; and there is a systematic failure of the University to educate researchers about Indigeneity, settler colonialism, and the history of Tribal-University relations. The University is currently discussing Indigenous Research Guidelines published by NAA, however at the time of this writing, these guidelines have not been mandated or formalized.

NAA is also discussing the opportunity to educate UMN researchers on best practices in community through a series of training sessions and an Indigenous Research Symposium. A grasp of the history of this land and an understanding of the contemporary lives of Indigenous people are foundational components to any research on Indigenous topics.

<sup>143</sup> Russo Carroll, Stephanie, Desi Rodriguez-Lonebear, and Andrew Martinez. "Policy Brief: Indigenous Data Sovereignty in the United States."

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Indigenous knowledges, cultures, lands, and lives were stolen, attempted to be erased. Data collected for use in our communities should be of use to us.

This means that the University would take a completely different approach to research than what we are used to. The institution and its community members would accept that not all knowledge is for them, though they can still facilitate learning for Indigenous folks in other ways. This would also mean that UMN finally stops trying to expropriate our lands, knowledges, and cultures.

## **Epistemic Violence**

Throughout this project we have faced another problem caused by colonialism: epistemic violence. We have been saying these things for 172 years. But it took us proving it through the very white paper they have hidden in archives deep beneath Misi-Ziibi. They want proof, evidence. And what is evidence to them? Their own documents. Our knowledge, our ways of knowing, our ways of sharing information are consistently not seen as equitable in the hierarchy of knowledge, which itself is situated in racial bias. From the beginning we had to enlist CURA. We knew that the institution would not value our words if they were not said by white people. Plain and simple. Full stop. Which begs the question, when are we going to be seen as competent enough to hold the knowledge about our own people? Our own histories? Our own struggles? Our power? Our cultures? Our futures?

#### Sustained Disinvestment in American Indian Studies

The University has sustained its disinvestment in Indigenous peoples. An illustration of this is in the chart below, which compares some departmental budgets on the Twin Cities campus.

	TA/UI Budget	\$169,396	\$181,328	\$363,740	\$1,351,420.00	\$429,749	\$278,016	\$1,414,424	\$2,038,629	\$313,351	\$657,070	\$499,032	
2019-2020	Tuition #	\$913,748	\$1,863,911	\$2,320,878	\$5,355,481	\$1,486,967	\$562,413	\$2,236,526	\$9,943,895	\$1,759,597	\$5,414,024	\$3,546,715	
20	SCH T	2071	4247	4692	11646	3337	1240	4847	19050	3558	11326	7652	
		AFRO	AMIN	AMST	ART	ARTH	CHIC	CNES/CSCL	ENGL	GWSS	HIST	H	
2020-2021	TA/UI Budget	\$141,217	\$182,341	\$366,578	\$1,410,689.00	\$371,486	\$282,206	\$1,305,151	\$2,074,008	\$361,744	\$655,412	\$480,944	
	Tuition # T.	\$973,568	\$2,012,238	\$2,476,300	\$4,701,462	\$1,656,904	\$631,214	\$2,379,451	\$8,813,950	\$1,688,055	\$5,587,297	\$3,991,151	
2	SCH Tu	2286	4475	4977	10433	3823	1454	L 5522	19168	3509	11901	8604	
		AFRO	AMIN	AMST	ART	ARTH	CHIC	CNES/CSCL	ENGL	GWSS	HIST	黒	
	Per Credit Hour	\$112	-\$135	-\$98	-\$97	\$26	\$123	\$549	-\$76	\$25	\$131	-\$120	
		\$335	-\$405	-\$295	-\$291	277	\$370	\$1,647	-\$228	\$76	\$393	-\$361	
	Total Investment Per Student	\$1,218,814	\$1,190,782	\$1,875,753	\$4,045,797	\$1,695,233	\$890,106	\$4,619,952	\$7,079,217	\$1,943,123	\$6,484,464	\$2,682,490	622 725 724
	TA/UI Budget To	\$147,628.00	\$146,464	\$352,963	\$1,266,382	\$332,791	\$215,807	\$1,807,163	\$1,895,052	\$329,847	\$539,752	\$434,055	
	Faculty/Staff Investment TA/UI Budget	\$1,071,186	\$1,044,318	\$1,522,790	\$2,779,415	\$1,362,442	\$674,299	\$2,812,789	\$5,184,165	\$1,613,276	\$5,944,712	\$2,248,435	
	Inv-Tuition F.	\$238,708	-\$513,762	-\$466,120	-\$1,071,392	\$89,802	\$196,343	\$2,586,038	-\$1,408,712	\$98,714	\$1,376,500	-\$911,648	
		\$980,106	\$1,704,544	\$2,341,873	\$5,117,189	\$1,605,431	\$693,763	\$2,033,914	\$8,487,929	\$1,844,409	\$5,107,964	\$3,594,138	
	SCH Tuition#	2137	3803	4748	11,032	3495	1691	4711	18511	3885	10519	7578	
2021-2022		AFRO (10947)	AMIN	AMST	ART (10951)	ARTH (10953)	CHC	CNES/CSCL (1	ENGL	GWSS	HIST	PHIL	

Comparison of CLA departmental ledgers at UMN Twin Cities 2019–22.

The College of Liberal Arts has consistently run a scheme of disinvesting in American Indian Studies (AIS, AMIN in the chart) to cover other departments such as Classical Studies (CNES/CSCL), while simultaneously and systematically underfunding all ethnic studies departments. Money is being made in American Indian Studies, where the college sees \$400 per credit hour taken in AIS. Other departments see deficits per student credit hour, yet are consistently given higher budgets, whereas AIS is housed in a building with roaches and leaking roofs, where our faculty's Indigenous knowledge is destroyed, institutionally devalued. This is a continuation of violence committed by the land grab institution. It is yet another example of the intergenerational impacts of Indigenous land dispossession.

UMN's Permanent University Fund was valued at more than \$591 million dollars in 2020. The PUF consists of public endowments from federal land grants, as well as mineral taxes, rights, and royalties. The PUF profits in perpetuity on interest and investments made from the sale of stolen Indigenous lands. Four percent of the interest generated annually can be used at the University's discretion. This provokes so many more questions about the PUF funds. How much of that is going toward Indigenous students? Faculty and staff? Orgs? Departments? Causes? Research? Grants? Anything? How about the mineral rights still generating profit up in 1854 treaty territory? How many of those endowment funds have ever gone to Native Americans or Tribal Governments?

This money could be used to begin to repair the educational disenfranchisement of Native families that allows for a continuations of the intergenerational transfer of wealth white families have been able to access. For generations, settler families passed wealth from generation to generation. Far more important than any monetary accrual was the cinch put around intergenerational transfer of knowledge, language, culture, stories, medicine, midwifery, food ways. All the while, the University has been profiting off Indigenous land, people, and knowledges since its inception.

The University is culpable in the land dispossession and genocide of Indigenous peoples in Mni Sóta Makoce. There can be no further doubt of the very active role the University, and its founders, played in these events. The University's founding came at a dire cost to the Dakota and other Indigenous people in Mni Sóta. Not only is it the right thing to do to begin to work toward justice and healing, but there are also other moralities and legalities to consider.

# Programs, Support, and Resources

The resources compiled herein consist of those driven by the University, those that are student driven, and those that originate from Tribal Nations or the greater community. This list is not exhaustive; there are more programs that could be added. Creating a UMN Systemwide Native American Student Resource List should be established and housed in a central location and available online, and having training for admissions and financial aid officers to facilitate student access to these resources would help Indigenous students better understand their financial aid options. Having resources at these three intersections (University-driven, Tribal/community-driven, and student-driven) weaves a net that provides Native American students with the support to persist to graduation.

A document prepared by the Office of Native American Affairs for Tribal Leaders details resources for Indigenous students by campus. 144 Students on campuses across the UMN system have long recognized the lack of knowledge about and accessibility to resources and have started to create resource maps for other students who struggle to navigate these institutions and systems. Although these maps are in their infancy, they begin to imagine what the University of Minnesota may look like through a decolonialized lens. 145 As such, the institution is lagging behind both student-driven and community-driven efforts to

<sup>&</sup>lt;sup>144</sup> University of Minnesota, "List for Tribal Leaders on University of Minnesota Projects."

<sup>&</sup>lt;sup>145</sup> See "Minneapolis Campus Resources Tour."

create an easily accessible resource hub designed to support the success of Indigenous students.

A study by the HOPE Center for College Community and Justice found that Indigenous students are more likely to experience food and housing insecurity than other groups, and that this is correlated to persistence and retention.  $^{146}$  Every campus has a food resource center that students can access, as well as connections to further community resources.

The inability for students to practice food sovereignty while on campus provides the University with the opportunity to develop food resources specific to Native American students. This could resemble the campus pantries offering meat, manoomin, or fish that are sustainably harvested in the community.

In addition to food resources, the Crookston and Duluth campuses have listed on their resource websites that clothing and/or winter gear is also available.

To measure the reach and effectiveness of the resources that have been identified at UMN. we recommend that an evaluation utilizing Indigenous Research Methodologies be conducted to assess impact, accessibility, and availability; to identify areas for additional resources specific to Indigenous students; and other measures to be determined. After an evaluation is conducted, programs that are highly successful should be expanded to all campuses in a way that serves each campus' unique needs. These efforts must be persistent and reciprocal in establishing ongoing communications. Furthermore, a UMN Systemwide Native American Student Resource List should be established and housed in a central location and available online, as well as regularly utilized and updated. This compilation should be circulated widely across the University system including admissions and financial aid advisors, as well as outside organizations such as Tribal Colleges and Universities (TCUs) and Tribal education departments. Future programming can benefit from avoiding the errors addressed in the problematic programming mentioned above. Centering and listening to the needs of Indigenous students and Tribal communities are crucial for Native American student recruitment, retention, and success on all five campuses across the University of Minnesota system.

<sup>&</sup>lt;sup>146</sup> Baker-Smith, Christine, et al. "RealCollege 2020: Five years of evidence on campus basic needs insecurity." See also Crazy Bull and Godrick-Rab, "Opinion: Tribal Colleges, Lifeline to Rural and Disenfranchised Native Communities, Need Our Help more than ever."

## Federal Trust Responsibility

The University of Minnesota locates its beginnings as a Territorial Institution. As such, as an institution of the federal government it has an obligation to Indigenous peoples under the federal trust responsibility. In 1862, a report to the State legislature from the Board of Regents chaired by John Sargent Pillbury further ties the University to this responsibility. Pillsbury promised that the State University succeeds in the rights, endowments, and full legal indebtedness of the Territorial Institution. The report reads, in part:

.... all the rights immunities franchises and endowments here to for granted or conferred to the territorial University are hereby perpetuated on to the said University and all lands which may be hereafter granted by Congress, or other donations for said University purposes. Shall vest in the institution referred to in this section. The State University therefore succeeds to the rights and endowments of the territorial University. It is perhaps a fair presumption that it is expected to also assume the legal indebtedness of the original institution. The Regents have labored under a painful sense of their utter inability to meet the honest indebtedness of the .... Your Board of Regents, however, believe that, through the munificence of Congress, the State University will not be without an endowment. A careful examination of the acts of Congress relative to the Territorial and State Universities of Minnesota, shows that Congress, in the enabling act of February 26, 1857, made a distinct reservation of two whole townships of land to the State of Minnesota, "for the use and support of a State University, to be selected by the Governor of said State." That this reservation does not refer to the lands reserved by a prior act of Congress, "for the use and support of a University in said Territory," (of Minnesota,) is evident from a critical examination of the acts themselves, and a comparison of the language of grants to other States in analagous cases.... No action has yet been had by the Department at Washington, but it is hoped that when a restoration of peace shall allow a deliberate consideration of this claim, the Government will agree with the Regents that the grant to the State University is entirely independent of and additional to the reservation of lands for the old Territorial University. This view of the purpose of Congress is confirmed by the fact that Congress, on the 2nd of March 1861, passed another act donating to the State the old reservation of lands for the Territorial University. The title of the State to these lands is therefore fixed. The claim of the State to the additional lands, rests upon the new and distinct reservation made in the enabling act for a State University. 147

When the University's Regents accepted "full legal indebtedness" of the Federal Territorial Institution, one of those debts was the Federal Trust Responsibility.

<sup>&</sup>lt;sup>147</sup> University of Minnesota, "Annual Report of the Board of Regents, 1862."

## A Legal Obligation Codified by Laws

The federal Indian trust responsibility is the legal obligation the United States has to Tribes. It is founded in statute, and supreme court decisions. In 1831, Chief Justice Marshall defined the relationship between Tribes and the U.S. as akin to "guardian to ward." Although Tribes have maintained their sovereignty and are capable of governing themselves, Marshall described them as "domestic dependent nations." This decision established the beginning of a trust relationship. Congress has since reaffirmed the trust relationship legislatively.

## A Moral Obligation

The federal trust responsibility is also the moral obligation the federal government has to Tribal nations. Broadly speaking, the trust responsibility is a responsibility owed by the federal government to American Indians, not over them. This responsibility is constructed by treaties, statutes, and precedents set by prior conduct. It "transcends specific treaty promises and imposes a duty to promote tribal sovereignty and economic selfsufficiency."<sup>148</sup>

<sup>&</sup>lt;sup>148</sup> Pevar, *The Rights of Indians and Tribes*, 33.

## THE FUTURE

## Niizhoogaabawiwag: Standing Together

## Recommendations

During a three-year period, from 2020 to 2023, TRUTH, the Minnesota Indian Affairs Council, and the 11 Tribes in Minnesota conducted numerous consultations. They worked in parallel with CURA researchers and Humphrey School graduate students, who were uncovering documents about the disenfranchisement of Native peoples and the founding of the University of Minnesota on stolen, unceded lands. The outcome of the many presentations and listening sessions is the following series of recommendations. Below is first a list of all the recommendations gathered during this three-year period, followed by eight broad areas or themes of change for university administrators to bring the institution inline with practices at other institutions. A more detailed strategic plan is available in the appendix.[1]

## **Hot Spots**

In this section, we present several broad areas in which the University of Minnesota can make sustainable investments and meaningful changes that are in line with the institution's values and mission. This is not going to happen overnight. It will take a systemic commitment by the institution to invest in Indigenous peoples for as long as it divests from them. It requires a strategic plan that spans centuries.

## Area 1: Land Back

The Regents should give back lands annually until all lands held by the University revert to Trust lands for Tribal Nations. Space should be set aside on each campus where Indigenous peoples can gather, pray, feast, and learn in accordance with Indigenous epistomologies and beliefs and without intrusion.

[1] Paynter, "Being Better Relatives: How the University of Minnesota Could Transform its Relationships with American Indians."

## Area 2: Reparations in Perpetuity

TRUTH has presented evidence of the deep-seated institutional harm the University of Minnesota has inflicted on Native American communities throughout its tenure. The forced relocation, forced assimilation, and destruction of culture and languages have caused lasting damage that continues to impact Native American communities to this day.

From the highest levels of leadership down, UMN must take responsibility for the harm it has inflicted on Native Americans and work towards reparations. Reparations are a necessary step in the healing process and must be approached in a just and equitable manner.

We call for reparations that acknowledge the harm inflicted and that also provide material and institutional support for Native American communities for as long as the University exists. This includes measures such as financial compensation, access to healthcare and education, and land restoration and repatriation.

We recognize that reparations alone will not fully address the harm that has been done, but it is an important step towards creating a more equitable and just system. We must work to ensure that the voices and perspectives of Indigenous peoples are centered in the process of reparations and that the solutions are community-led, culturally sensitive, and measured for both impact and success.

It is time for the University of Minnesota to confront this painful history and take action to repair the harm that has been done.

The Morrill Act stipulates that the PUF must be held in perpetuity. As a result of the money generated from the sale of stolen lands, the Board of Regents should adopt reparative economics in a way that honors Native self-determination. Just one place these funds could come from is redistribution of the gains made on the PUF. 150 The Regents need not recreate the wheel.

Good models of reparative economics already exist in our region. For example, The Northwest Area Foundation (NWAF) was created by heirs to the Great Northern Railroad to begin to redistribute the wealth created from railroads that depended on the theft of Indigenous lands. Today, NWAF acknowledges how it contributed to the disruption of Native lives and the persistent disparities that exist in Indian Country. NWAF's "40 percent

<sup>&</sup>lt;sup>150</sup> Fuecker et al., "CURA TRUTH Capstone."

to Indian Country" is one way their "ongoing commitment supports Native-centered concepts of prosperity for a self-determined future." 151 If such a foundation were to be established at UMN, it should be overseen by a Native American Advisory Board consisting of representatives from each Tribe, recognized or not, in state or not, that was affected by the founding of the institution.

The University of Minnesota, by virtue of being a land grab institution, will profit from the ethnic cleansing designed by the architects of the University, the founding regents, in perpetuity. This is coupled with the Pillsbury board taking on the territorial institution's liabilities. The University has a practice of bonding out these dividends to municipalities, counties, and cities across the country, but not to Tribes. These entities have benefited from development opportunities through these grants. The University should make this opportunity immediately and equitably available to Tribal Nations.

There has been a sustained failure of the University of Minnesota Board of Regents to adopt systemic policies with positive, measurable impacts that reverse the effects of the ethnic cleansing perpetuated by UMN through genocide, land dispossession, and other measures named in the Geneva Convention. Because of UMNs far and insidious reach, continued land dispossession, and contributions to intellectual white supremacy, "the case for justice must include identification of not only the perpetrators of racial harm but also those who gained from the harm—whether or not they inflicted it."<sup>152</sup> Add to this those who continue to benefit from institutionalized genocide.

## Area 3: Divert PUF Streams

This report has detailed how land dispossession nearly 200 years ago continues to cause disparities across Indian Country. The Board of Regents could use part of the perpetual profit from the sale of stolen lands to fund Area 2: Reparations in Perpetuity.

## **Area 4: Representation**

Over a seven-year period from 2012 to 2019, the University system saw a decrease in the representation of faculty and staff who identified as American Indian or Alaska Native. It was not until 2020—169 years after the institution first opened—that a Native American

<sup>&</sup>lt;sup>151</sup> Walker, "Why' 40 Percent to Native-Led Groups?"

<sup>&</sup>lt;sup>152</sup> Darity Jr and Mullen, From Here to Equality: Reparations for Black Americans.

held a senior leadership role. The University of Minnesota must commit to increasing the number of Indigenous people in staff, faculty, and leadership positions, especially in noncontingent, senior level positions.

Implement a systemwide use of signs, maps, and other campus aesthetics that display the public history of this land's first peoples and recognizes Indigenous sovereignty.

## Area 5: Commitment to Education as Individual and Tribal Self-Determination

The University of Minnesota must become an institution that Native American students want to attend (as well as non-Indians interested in Native American issues), and that faculty and staff want to work for. As a result of the recent "land grab" articles, it is clear to Native Americans that a debt is owed to the Dakota and Ojibwe people. UMN schools and departments must strive to become national centers of excellence in Native American programming—especially the Humphrey School, the law school, the medical and health schools, and the colleges of education at the various campuses. The University of Minnesota should be a national leader in Native American programs. Every UMN graduate, and every professor should know the Native American history of the State of Minnesota and the country. Given the large amount of land taken from the tribes of Minnesota, the University should be a national center of excellence in all Native American programs to begin to undo a horrendous injustice. Recommendations for students include the following:

- Provide full tuition waivers for Native American students on all campuses, based on the Morris program.
- Increase efforts to recruit and retain Native American students at all campuses and include the Dakota who were displaced to other states after 1862.
- Ensure that Native American students admitted to the University are provided with sufficient funds for room and board.
- Improve Native American student support systems at all UMN campuses and colleges by establishing places and people on campuses whose job is to ensure the success of Native American students.
- Establish formalized mentoring programs at each campus and recruit Native American students in pairs or groups from the same location for personal and psychological support.

- Provide a process for all students to take Indigenous Studies courses at any UMN campus by removing registration difficulties.
- Provide funding and staffing for the establishment and continued operation of a Tribal Sovereignty Center as a stand-alone building.

## Area 6: Enact Policies that Respect Tribal Sovereignty and Cultural Heritage

Establish Resources for Indigenous-led research and curriculum. As the region's preeminent research institution, the University of Minnesota can begin to support Indigenous-led research by publicly advocating for Indigenous peoples and allocating stable and abundant funding for Indigenous research and innovation pathways. Temporal and spatial resources and networks can be reallocated to better support the reclamation and restoration of Indigenous epistemologies, perspectives, and languages revitalization. We must also continue to push to decolonize educational settings by incorporating Indigenous curricula, histories, and worldviews.

Conduct a systemwide Inventory of Indigenous Ancestors and Belongings of Cultural Patrimony with the intent to repatriate what is found. Although the university has complied with NAGPRA with respect to the Mimbres ancestors and belongings, the Tribes of the state do not trust that the university has adequately identified and reported other human remains that may be Native American. The university must address these doubts with a more systematic inventory and reporting. Because the human and archaeological remains from many Minnesota sites have traveled among multiple institutions beyond UMN, this work will require an investigation to trace where all the materials have been, collaborating with MIAC's cultural resources division.

While working with MIAC and the 11 Tribes of Minnesota is a positive step, work must be done to begin consultations with Dakota tribes outside of the bounds of Minnesota. It was UMN founders who were responsible for the Dakota exile. The institution has profited greatly from this genocide.

## Area 7: Sites for Future Research

The University of Minnesota has a moral obligation to finance research that a.) maximizes the benefits to Tribal Nations and Indigenous people, b.) critically examines the ongoing impacts its founding and continued existence have on Indigenous peoples, and c.)

promotes actionable and measurable positive impacts in the daily lives of Indigenous peoples. Research should take into account the following contexts and opportunities.

- The quality of life for Indigenous peoples in this state is starkly different from that of their white neighbors. Dr. Samuel L. Myers, Jr., an economist at the Humphrey School of Public Affairs, explains this difference as it relates to Black Minnesotans as the Minnesota Paradox. Myers says that racial disparities are "baked into" the very fabric of the state. This should extend to Indigenous peoples, to show that in a colonial context, the men who founded the state and the university ensured that anti-Indigenous policies left Indigenous peoples to experience some of the worst disparities in the state.
- Research should analyze the ongoing impacts of land dispossession on Tribes with ancestral roots in Minnesota, including those who are recognized, non-recognized, in- and out-of-state, as well as their descendants. 153
- There is need for a complete memory mapping that shows how the landscape changed so drastically from 1851 to 1868, at the hands of the founders of the university.
- A research project should map and analyze bonds issued by the University, including a list of municipalities and organizations that owe their development to such funding schemes.
- Researchers should map and analyze land and lease holdings the University has/continues to hold.
- School Lands, Swamp Lands, and Salt Springs Lands are referenced many times in the minutes and reports of the Board of Regents. Future research should center these lands and the financial gain the University has received from them.
- The role the extension offices played in relocation programs needs to be investigated.

## Area 8: Meet Trust Obligations

The University of Minnesota, upon assuming control of the Territorial institution, also assumed the federal trust responsibility of the Territorial institution. This means UMN has an obligation to consult and partner with Tribal governments to ensure education meets the unique needs of Tribal citizens, to have meaningful consultations with Tribes before

<sup>&</sup>lt;sup>153</sup> See Akee, "Stolen Lands and Stolen Opportunities."

taking any actions that may impact them, and to ensure that tribal sovereignty is upheld through any and all processes. This includes, but is not limited to, maintaining constant communication before, during, and after tribal-related research activities and learning about the Tribe's culture, values, and how they are connected to the land.

## Tribal/MIAC Recommendations

- a. Gathered during outreach and engagement Tribal Visits that took place in Fall 2021.
- b. Gathered during listening sessions held via zoom during the Tribal Research Fellows training week in January 2022.
- c. Gathered during an in-person focus group on 2/7/22.

#### i. **Overall Recommendations:**

- 1. Consultation process should take place for all research with Native interests. These should have an open meeting structure to accommodate decision making:
  - a. As a collective.
  - b. As a single tribe.
  - c. Ojibwe-specific.
  - d. Dakota-specific.
  - e. Exiled Tribes-specific
- 2. Resolution of shared governance structure that allows for reclamation of Indigenous stewardship of expropriated lands.
- Acknowledgment of these issues:
  - a. Truth: MIAC memo and TRUTH Project.
  - b. What was found in the archives.
  - c. True recognition of genocidal foundations and official apology from Board of Regents.

#### ii. Student, Faculty, and Patient Experience:

- 1. Make Red Lake and other Scholarships readily available.
- 2. Facilitate pathway to higher education.
  - a. Especially nursing, medical, or health care fields.
- 3. Provide increased resources for students and employees.
  - a. Establish a Ph.D. in American Indian Studies.
- 4. Close the achievement gap for Native students.
- 5. Create education requirements for all UMN students that honors Indigenous history.

- 6. Add Traditional Knowledge to course offerings, so students are not forced to choose Western modes of learning over Indigenous ones. Create an Indigenous learning hub.
- 7. Develop bridge programs (middle school and high school).
- 8. Introduce internships and support from the University in navigating legal frameworks and developing policy.

#### iii. **University Structure.**

- 1. Elect Native people on the Board of Regents.
- 2. Support Sonosky Chair at Law School in hiring Native American Faculty.
  - a. Broadly also: Humphrey and business schools (Carlson and UMN Duluth).
- Establish a system of shared governance with Tribes (sharing power on a regular basis with Tribes).
- 4. Encourage a system that repairs harm on an ongoing basis.

#### iv. Research.

- 1. Establish immediate research policies for Indigenous research.
- Train all members of the university community on new policies.
- 3. Indigenous community members should be included on IRB Review Boards for UMN research projects with potential impact on Native people or places.

#### **Broader UMN Projects.** ٧.

- 1. For projects that are near tribes, letters of support from University of Minnesota professors should include consultation with tribes.
  - a. Example: economic analysis.

#### vi. Libraries.

- 1. Make archives available to tribes.
- 2. Digitize large-scale collections.
- 3. Fund for travel to archives.
- 4. Commit to giving intellectual control of what is held (designating staff/time to find what is important to tribes).
- 5. Equip tribes to preserve their own cultural heritage.

#### vii. **Cultural Heritage.**

1. Offer free access to Indigenous language classes.

#### viii. **University Past.**

- 1. Create a formal redress policy.
- 2. Commit to teaching this history and offering public commemoration.

#### ix. **University uplifting Native History.**

- 1. Make available a Minnesota-specific Native American History for the general public.
- 2. Support the creation of a K-12 Indigenous curriculum.

#### **Renewed Tuition Waiver Program.** X.

- 1. Remove income restrictions.
- 2. Broaden program to model UMN Morris' policy to make it more inclusive.
- Ensure access to exiled Dakota tribes.

#### xi. Land Back.

- 1. Return Cloquet Forestry Center.
- 2. Create a Land Back and University Leasing option.
- 3. Enter into a land stewardship partnership.
- 4. Establish a land tribunal process similar to what the University of Waikato, New Zealand, has so that Tribes may petition for #LandBack.

#### xii. Research that benefits resource extraction should shift to allocating funds to support reciprocity with tribes.

- 1. Taconite shares to students from Iron Range.
- 2. A similar mechanism to what South Dakota has, where a portion of the money earned (on land sales, resource extraction, or interest gained) goes into a fund that supports Indigenous initiatives and is overseen by a committee of Tribal members.
- The University should create a network of contacts they work xiii. with and committees. This should include subject matter experts identified by Tribes.
- UMN must hold up their land-grant status and federal trust xiv. obligations.

## Capstone Recommendations Based on Peer Institutions' Policies

Key Theme	Opportunity for UMN
Land Acknowledgement	Adopt university-wide land acknowledgement with input and approval from Tribal Nations
Tuition Support	Expand the affinity-based Morris tuition waiver to entire UMN system, and offer other non-academic supports
Tribal Relations Office Location	Keep this position in the President's office, foster a Nation-to-institution relationship
Admissions Identification	Expand admissions demographics data to include Tribal Affiliation, Tribal Lineage, Citizenship
Academic Programming	Build up the American Indian Studies program to be an intergenerational Master's/PhD program
Native Students and Faculty	Confirm number of Native students and faculty; focus on Native student and faculty recruitment and retention

Many of the recommendations in this report, as well as the resolutions passed by MIAC in 2020, align with the guiding principles of the University's Mission Statement and MPact 2025, the University's Systemwide Strategic Plan. The section below details how UMN can integrate and support organizational transformation by providing the support and resources that change of this scale requires, fostering broad involvement by building internal support for change and overcome resistance, and engaging external stakeholders in the process.

# RENEWING SYSTEMS LANDSCAPES

## A Seven Generations Plan

We are in the time of the Seventh Fire Prophecy. We stand at the crossroads our ancestors foretold. There are two sides, Indigenous and non-Indigenous. The prophecy says there is no way forward if the non-Indigenous side does not begin to acknowledge perspectives and ways of being that honoring this land and each other.

The environment that exists in Minnesota was shaped by colonial forces and deeply influences the health and well-being of Indigenous peoples. These systems were not made for Indigenous peoples to thrive in. Rather, they were made to eradicate us. This includes the University of Minnesota, one of the state's first systems. And today, Native Americans have some of the worst intergroup health disparities. This is a direct result of colonialism. This land was colonized by the founders of the University of Minnesota. The actions of these men are inseparable from the business of the University. The institution was established to further the colonial state project and continues to benefit from a codified perpetual disinvestment in Tribal Nations.

In 2017, Justice Murray Sinclair told the world, "The truth is hard. Reconciliation is harder. The first step in this healing journey emphasized the truth. With this awareness we can begin to look forward towards healing."[1]

At that time, during the work of Canada's Truth and Reconciliation Commission, the world still believed in Reconciliation. But what if some things are irreconcilable? Even if they are, we still must move toward healing.

Many organizations create 5-, 10-, or even 20-year strategic plans; however, these are not long enough timelines to address the profound challenges that Indigenous peoples face as a result of genocide and land dispossession. As one way to consider maximize outcomes of a project with such immense magnitude, UMN should plan Indigenous projects on a longer timeline. The University could consult with Rosebud Economic Development Corporation (REDCO) to create a 175-year or seven generations plan. Grounded in the Seventh

Generation teaching, this Indigenous way of planning centers the question, "How do we live today to create a healthy, just, abundant world for our grandchildren?" 155

The University of Minnesota has taken from Native Americans for seven generations. Now it is time to make plans to give for that long, to set things right for the policy changes that come as a result of TRUTH to take into consideration, to lead with humility, integrity, respect, and love for the next seven generations.

## Revising MPact 2025, and future University Strategic Plans

The University's Systemwide Strategic Plan, MPact 2025, outlines five commitments: student success; discovery, innovation & impact; MNtersections; community & belonging; and fiscal stewardship (University of Minnesota MPact 2020). Recommendations for improving relationships with tribal nations can be linked to these commitments as shown in the table below: 156

"Meeting all students where they are and maximizing their skills, potential, and wellbeing in a rapidly changing world."	<ul> <li>Provide financial supports for American Indian students</li> <li>Expand bridging programs</li> <li>Offer Dakota and Ojibwe residential options</li> <li>Ensure American Indian Learning Resource Centers are well resourced</li> </ul>
"Channeling curiosity, investing in discovery to cultivate possibility and innovating solutions while elevating Minnesota and society as a whole."	<ul> <li>Educate every student at the University about American Indians</li> <li>Partner with tribal nations on research initiatives</li> <li>Develop policies for research ethics oversight that include Indigenous values</li> </ul>
MNtersections  "Inspired by Minnesota to improve people and places at world-class levels."	<ul> <li>Be an example for other universities in how to honor Indigeneity</li> <li>Expand Dakota and Ojibwe programs</li> </ul>

<sup>&</sup>lt;sup>155</sup> REDCO, "Siċaŋġu Co."

<sup>&</sup>lt;sup>156</sup> Paynter, "Being Better Relatives: How the University of Minnesota Could Transform its Relationships with American Indians."

"Fostering a welcoming community that values belonging, equity, diversity, and dignity in people and ideas."	<ul> <li>Ensure each campus is a welcoming place for American Indians</li> <li>Create opportunities for every person at the University to learn more about American Indians</li> </ul>
"Stewardship  "Stewarding resources to promote access, efficiency, trust, and collaboration with the state, students, faculty, staff, and partners."	<ul> <li>Recognize the origins of the University's resources and direct them to benefit American Indian partners</li> <li>Restructure funding to allow for building relationships with tribal partners and for compensating their involvement in research initiatives</li> </ul>

## **Shared Values**

Our study highlights multiple moral shortcomings at the University of Minnesota. The ways the University has colluded to profit from the disposession, and genocide of Indigenous peoples is also unethical by the University's own standards. The Board of Regents Mission Statement and Code of Conduct are both at odds with the current state of Indian affairs at the University. Below are some places the University Board of Regents may begin to focus policies in ways that demonstrate a shift in instiitutional mission and values in Indian Country. The examples are not University-driven; rather they are responses from in-depth focus groups with TRUTH Tribal Research Fellows and experts in their communities on Tribal-University relations, who have vested interests in how Indigenous students, faculty, and staff succeed at UMN.

## **Indigenous Values**

By incorporating Indigenous value systems in these areas, The Board of Regents can begin to clear the way for healing in the wake of the genocidal actions of their predecessors.

## Oceti Śakowin Values

- Wócekiya Prayer
- Wóohoda Respect
- Wówaunsidan Caring and Compassion

- Wówahbadan Humility
- Wóksape Wisdom
- Wóokiya Generosity and Helping
- Wówicaka Honesty and Truth

## Anishinaabeg Values

Seven Grandfather Teachings based on minobimaadizi, living in a good way.

- Debwewin Truth
- Zoongidi'ewin Courage
- Manaaji'idiwin Respect
- Gwayakwaadiziwin Integrity
- Zaagi'idiwin Love
- Nibwaakaawin Wisdom
- Dabasendizowin Humility

## **University Values**

#### The BOARD OF REGENTS POLICY: Mission Statement

The University of Minnesota (University), founded in the belief that all people are enriched by understanding, is dedicated to the advancement of learning and the search for truth; to the sharing of this knowledge through education for a diverse community; and to the application of this knowledge to benefit the people of the state, the nation, and the world. 157

In addition to the University's Mission Statement, the Board of Regents Code of Conduct requires that while carrying out the institution's research, teaching, and public service duties, members of the University community must be dedicated to advancing the University's core values. 158

The Board of Regents Code of Conduct applies to:

members of the Board of Regents;

<sup>157</sup> UMN, "Board of Regents Policy: Mission Statement."

<sup>&</sup>lt;sup>158</sup> UMN, "Board of Regents Policy: Code of Conduct."

- faculty and staff;
- any individual employed by the University, using University resources or facilities, or receiving funds administered by the University; and
- volunteers and other representatives when speaking or acting on behalf of the University. (Students are covered by the Board of Regents Student Conduct Code.)

Section II.1 of the Board of Regents Code of Conduct (December 8, 2006) identifies the following core University values:

- excellence and innovation
- discovery and the search for the truth
- diversity of community and ideas
- integrity
- academic freedom
- stewardship and accountability for resources and relationships
- sharing knowledge in a learning environment
- application of knowledge and discovery to advance the quality of life and economy of the region and the world
- service as a land grant institution to Minnesota, the nation, and the world

Section III of the Code of Conduct provides standards of conduct that build and elaborate on core University values. These standards of conduct are:

- act ethically and with integrity
- be fair and respectful to others
- manage responsibly
- protect and preserve University resources
- promote a culture of compliance
- preserve academic freedom and meet academic responsibilities
- ethically conduct teaching and research
- avoid conflicts of interest and commitment
- carefully manage public, private, and confidential information
- promote health and safety in the workplace.

## CONCLUSION

This story is a microcosm of a much larger issue, just one example of how colonialism is manifested through institutions. The University of Minnesota is implicated in the formation of the settler colonial project in Minnesota and beyond through the bonding out of PUF funds that are the perpetual profit of Indigenous genocide. The University is not only sitting on unceded Native Lands, it uses Native Lands and resources to create wealth and knowledge that it also profits from.

This report is titled Oshkigin Noojimo'iwe, Naģi Wan Petu Un Ihduwas'ake He Oyate Kin Zaniwicaye Kte, which we understand to translate roughly into the spirit that renews through fire heals the people. Oshkigin is the spirit that renews the land through the Ojibwe practice of controlled burning, a traditional land management technique. UMN recently acknowledged that traditional uses of controlled burns promote a healthier and more diverse ecosystem than Western land management practices it has taught for more than a century while simultaneously discounting traditional ecological knowledge. This epistemic violence is an echo of the violent land grabs that created UMN.

Fire has been used by Tribes of this region since time immemorial as a tool for cleansing and healing. The belief in the healing power of fire is rooted in the idea that fire is a transformative force that can purify and release negative energy. This is why it is often used to purify people, objects, or spaces.

Fire can also have a symbolic meaning. The warmth and light of fire can provide a sense of comfort and safety, which can be healing. Fire can also create a sense of community and togetherness, bringing people together around a shared experience. When a fire burns, it transforms whatever it encounters, lending power to be reborn anew. Its ability to release negative energy and promote renewal makes it a powerful symbol of hope and growth.

This is why fire is often used as a metaphor for transformation.

We seek not the physical destruction of the institution, but metaphorical controlled burns of institutional ways of being that perpetuate harm. We seek a transformation of policies and practices that have been harming the people and the land. We seek campuses where Indigeneity is seen, heard, and valued. We seek educational and employment experiences where we can grow and thrive the same as our white counterparts. We seek redress for seven generations. With the flames of change we honor those who come before us and

[1] Paynter, "Being Better Relatives: How the University of Minnesota Could Transform its Relationships with American Indians."

prepare the landscape for the future, planting seeds to revitalize what institutional actors and forces have attempted to destroy.

Taken as a whole, this document elicits an examination of the University of Minnesota, from its founding as a territorial institution to its present-day status as a world-renowned Research 1 University. Baked into that history are the many injustices enacted upon Indigenous peoples, from genocide, land thefts, broken treaties, and banishments to ongoing appropriation of cultural knowledge and unfulfulled oppportunities for Indigenous youth to enjoy the educational success offered to other residents.

Since its inception, the University of Minnesota has played a continued role in the disinvestment of Indigenous peoples. When we begin to understand the vast amounts of wealth accumulated through Indigenous land dispossession and simultaneously look at how our institutions have stewarded this wealth transfer, we can see the responsibility they have to redress their investment in white supremacy and begin to repair, redress, rematriate, reinvest in, and heal relationships with Indigenous communities.

We ask that the University of Minnesota acknowledge and recognize the historical and ongoing harm and genocide committed against Native American people by the institution's systems and policies. The forced removal of Indigenous people from their land, the harmful research and eugenics practices devised to do so, the forced assimilation through epistemic violence, and the ongoing erasure of Indigenous cultures and languages that have caused immeasurable pain and suffering.

We seek redress for these atrocities, which have had lasting impacts on Native American communities, including loss of language, culture, community, and have depressed social determinants of well-being among Indigenous peoples including education, healthcare, housing. Reparations and restorative justice are necessary steps towards healing.

We call on the University of Minnesota to address the ongoing harm inflicted on Native American people through systemic change and reparative measures. This includes recognizing and respecting Indigenous sovereignty, providing resources and support for language and cultural revitalization, and ensuring access to healthcare and education.

UMN must acknowledge how the institution's past actions have contributed to the perpetuation of institutional harm against Indigenous peoples and ask non-Indigenous peoples at UMN to commit to working towards meaningful change and healing, both individually and collectively.

This is why the TRUTH Project also offers specific recommendations that offer a way forward for the University to begin to repair its relationship with its Tribal partners. These include ways to make repayments, to support Indigenous people and programs, and to facilitate higher education for Native students.

The active research phase has ended; however, we will continue to be here to work with Tribal Nations to ensure these recommendations are met. Working out 172 years of institutional wrongdoing and reaching trust is going to take a long time. This healing process will take as many generations as it took to begin this truth-telling: seven. It will take the work of many—Indigenous and non-Indigenous—to bring our world back into balance, but now is the time to begin the journey. Rather than shy away from this process, UMN should embrace the opportunity to become a better relative and set an example for other institutions to follow.

We still see that higher education is currently a valuable path for our people and also believe it doesn't have to be so difficult to be Indigenous in education systems. We can find common ground and create more success for Native Americans in higher education.

We hope that other places use this model to embark on similar work within their communities. The interconnectedness of academia, industry, and attempted erasure of Indigenous thought, economics, lifeways, and peoples spirals in countless directions across all sectors of society. Thus, our story is not merely an intellectual argument to have amongst academics. This is about our people. It is about the land. And the land is ready for this circle to be closed so a new circle, a healing circle, can be opened.

## We end by asking:

- How do our actions benefit Tribal Nations and Indigenous peoples?
- What shape does intergenerational healing take?
- How do we center the land?
- How do we redress the inequities created through genocide and repression of Indigenous peoples and culture?
- How do we repair where settler occupation has erased Native lives, culture, and histories by exploiting Native lands and resources while displacing Indigenous people?
- How might an institution serve as a site of healing rather than harm?

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## **Appendix**

Below are links to the supporting documents made by our research partners within the University:

- 1. <u>Memo to Melanie Benjamin, Chief Executive of Mille Lacs Band of Ojibwe from Jamie Edwards and Government Affairs (interns Ben Yawakie, An Gargialoa-Bernier, and Laura Paynter), 22 Jun 2020 in RE: Mille Lacs MIAC Resolution on the University of Minnesota.</u>
- 2. Minnesota Indian Affairs Council. MIAC Resolution 06262020 01 Rick Smith Indian Learning Center.
- 3. <u>Minnesota Indian Affairs Council. MIAC Resolution 06262020 02 Repatriation of American Indian human remains and funerary objects.</u>
- 4. <u>Minnesota Indian Affairs Council. MIAC Resolution 06262020 03Fulfilling the university's obligations to Minnesota's 11 tribal governments.</u>
- 5. <u>Bozich, M. (2022). TRUTH: A Strategic Analysis of the Morrill Land Grab in Minnesota. University of Minnesota Resilient Communities Project. Toward Recognition and University-Tribal Healing Project. Unpublished as of July, 2022. Available from the Center for Urban and Regional Affairs's Resilient Communities Project: https://www.cura.umn.edu/programs/local-government/resilient-communitiesproject.</u>
- 6. Wang, S. Lands of the University of Minnesota. 2022. Center for Urban and Regional Affairs. University of Minnesota Resilient Communities Project. Toward Recognition and University-Tribal Healing Project. Unpublished as of July, 2022. Available from the Center for Urban and Regional Affairs's Resilient

  Communities Project: https://www.cura.umn.edu/programs/local-government/resilient-communitiesproject.
- 7. Fuecker, D., Goodwin, A., Paddock, H., & Titus, M. 2022. The Permanent University Fund: Land Grants and Mineral Leases TRUTH Capstone: Permanent University Fund University of Minnesota Resilient Communities Project. Toward Recognition and University-Tribal Healing Project. Unpublished as of July, 2022. Available from the Center for Urban and Regional Affairs's Resilient Communities Project: <a href="https://www.cura.umn.edu/programs/local-government/resilient-communities-project.">https://www.cura.umn.edu/programs/local-government/resilient-communities-project.</a>
- 8. Fuecker, D., Goodwin, A., Paddock, H., & Titus, M. 2022. University Relationships with Tribal Nations:

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- 9. <u>Doerfler, Jill. "Where the Food Grows on Water: Continuance of Scientific Racism and Colonialism."</u> 2002.
- 10. <u>Report and Recommendations from the Mimbres Advisory Group to President Joan Gabel and Executive Vice President and Provost Rachel Croson.</u> 2022.
- 11. <u>Shulman, Rovin, and Matheson "Report on Red Lake Nation for the University of Minnesota." February 2023. https://drive.google.com/file/d/1ZXcPHtXRSEP84siwqts0qB7iQ3OlTv4v/view.</u>
- 12. Freeman, W. "Response to Report on Red Lake Nation. February 2023.
- 13. Seanna R. Stinnett. A Brief History of the Nortondale Tract. August 8, 2022. Unpublished as of 2/19/2023.
- 14. <u>Interim Statement of Intent\* Department of Earth & Environmental Sciences University of Minnesota-Twin Cities.</u> 2022.
- 15. <u>Tadd Johnson, Senior Director of American Indian Tribal Nations Relations. Memo to President Joan Gabel on UMN Systemwide Native American Student & Community Resources.</u> 01/25/2022.
- 16. <u>University of Minnesota List of Projects for Tribal Leaders.</u>
- 17. <u>Paynter, Laura. Being Better Relatives: How the University of Minnesota Could Transform Its Relationships with American Indians.</u> 2021.