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2

## Of Coyotes and Culverts

### Salmon and the People of the Mid-Columbia River

SUZANNE CRAWFORD O'BRIEN

Some elders predict a day when Coyote will come back and smash all the dams built along the Columbia, washing away environmental pollution and once again bringing the Salmon upriver.

—Mourning Dove, *Coyote Stories*

#### Act One: Coyote and Creation

In a commonly told creation story maintained by the Native people of the middle Columbia River, when Creator decided to make human beings, Creator sent Coyote down from a mountain to ask all the plants and animals for gifts that they would be willing to bestow on this newest creation. These little human things were small and weak, and they were going to need help. In one version of the story, Coyote descends from the mountain, speaking first with Eagle (who offers the gift of sight), then with Elk (who offers his hide), Owl (who gives hearing), Beaver (who offers his teeth), and finally reaches Salmon in the Columbia River. When asked, Salmon replies: "Of course I will. I want to provide two gifts. The first is my body, so the humans will have food that will make them

strong and healthy. I will also gift to the humans my voice, completely, so that they can talk to one another." But, salmon also said, "With these gifts come a big responsibility. I ask that humans speak for me and for all the other animals and plants of the earth. The humans must promise to protect us for future generations."<sup>1</sup> So Coyote reported to the Creator what all the plant and animal people had said. In another version of the story, Creator calls a great council of all animal and plant people, asking each to volunteer a gift for the new humans. In this version, Salmon is the first to step forward, followed by water, who offered to be a home for the salmon. After this, the other plants and animals, the roots, berries, and elk followed by all the rest, stepped forward and offered to be food for the new creatures, "but it was special that the first to give their gifts were Salmon and Water. When the humans finally arrived, the Creator took away the animals' power of speech and gave it to the humans. He then told the humans that since the animals could no longer speak for themselves, it was their responsibility to speak for them."<sup>2</sup>

I begin with the creation story because it's a good place to start. It's the beginning. And because it sets out some of the key foundational ethics on which Native people in this region rely and which shape their relationship with salmon. Salmon are presented here, and in other origin stories, as beings who voluntarily sacrifice their lives so that human beings may live. This gift, however, always comes with responsibility. Human beings are given the responsibility of voice and care: to honor the gift of the salmon and to work to protect it. Importantly, the story also places salmon within a broader interrelated ecosystem: salmon need the water, and the trees that provide shade and fallen branches, creating safe pools amidst the rapids. Their spawned out bodies provide food for animal people, and enrich the soil for the plant people. All these beings volunteer their lives, but demand respect, care, and advocacy in return.

The Native people of the mid-Columbia inhabit the portion of the river running between The Dalles and Priest Rapids. While most of the Native people of this region were assigned to either the Yakama, Warm Springs, or Umatilla reservations, a sizable number refused to join reservation life, and remained fiercely independent—a group now often identified as Columbia River Indians.<sup>3</sup> Tribal affiliation is a relatively new phenomenon in this part of the world, which was aboriginally composed of autonomous self-governing winter villages. As Andrew Fisher notes, "These self-governing communities typically formed the largest political units in a regional social network bound together by shared territory, cul-

tural affinity, economic exchange, and extensive intermarriage. Family ties crisscrossed the Columbia Basin, bridging both geographic barriers and linguistic boundaries, and individuals moved in and out of different social groupings during the year. In this world of interconnected communities, Indians had multiple affiliations and multifaceted identities that would complicate future attempts to put them into singular tribal categories."<sup>4</sup> These villages were linked by kinship and a complex network of intermarriage. And, they were linked by their most important staple: salmon. "Salmon tied people to each other and linked them all to the river. As one elder explained in 1915, the Columbia formed 'a table for [Indians on] both sides of the river. It laid right in between them, and they came and ate and were gone.'" Families and bands who lived on the banks of the Columbia were known in Sahapтин (the dominant Indigenous language family on the southern Plateau) as Wānalama or Wanapam, "people of the river," a name that connotes a spiritual connection as well as a spatial relationship. In the words of Johnny Jackson, a contemporary leader of the River People, "All our traditional values are along the Columbia River."<sup>5</sup>

River villages were multilingual and multiethnic, and individuals had ties to multiple groups. These included the Northwest Sahapтин speakers (Kittitas, Yakama, Klickitat, Tainapam), Northeast Sahapтин speakers (Walla Walla, Lower Snake, Palouse, Wanapam), Columbia River Sahapтин (Tenino, Tygh, Wayam, Rock Creek, John Day, Umatilla), and Upper Chinook or Kiksht speakers (Wascos, Wishrams, Cascades). As Fisher notes, "Multiple bonds of blood and marriage superseded loyalty to a particular village or ethnic group."<sup>6</sup>

Precolonial life on the Columbia River followed a seasonal round. In Late April to early May, the Chinook salmon first appear in the river. Fishing stations along the river, composed of islands, cliffs adjoining falls, and rapids, provided points where fish were forced into narrow channels. In these precarious places men dip-netted, speared, gaffed, and seined fish from the rivers and tributaries. Women were responsible for cleaning, drying, preserving, and packing salmon for winter use. This included pounding the dried fish into "salmon flour."<sup>7</sup> In May, families would travel into the foothills for root digging. In June, women turned toward berry picking and digging roots, while men began hunting deer and elk, moving from encampment to encampment until they arrived at their families' camas meadows, often the sites of large social gatherings. By early July many families would return to the Columbia for summer runs of Chinook, sockeye, steelhead, while women departed to pick late summer berries.

In mid-August families decamped for huckleberry picking in the alpine meadows. But they returned to the river in September once again for the fall Chinook runs, as well as a period of intense trading. By November, their work was done, and the people retired to winter villages, where they engaged in the ceremonial season, honoring spirit powers and maintaining complex oral and artistic traditions.<sup>8</sup> The landscape was more than adequate to provide for their needs. Following the seasonal round could easily provide for a family's necessities: "100-pound basket of itk'ilak (50 20-pound salmon) mixed with dried berries, four gallons of dried roots, some eels, and dried salmon heads—could feed a family for four months of the winter."<sup>9</sup> All the foods of the landscape were treasured, but it was salmon that provided for the largest share of the people's diet, providing up to 50 percent of their caloric intake, and the vast majority of protein.

As the creation story described at the outset of this chapter suggests, Coyote has a special role to play in the creation of the mid-Columbia world. In this region Coyote is a "culture hero and transformer," always traveling upriver and putting the world in order. He is responsible for introducing fish into the Columbia to begin with, for inventing the fish trap and the salmon spear, and created many of the salmon fishing stations on which people relied. He is considered "worthy of the highest respect, despite the ridiculous and lascivious sides of his character," for he is responsible for much of what made life good.<sup>10</sup> He is the Creator's primary emissary, as demonstrated in the creation story narrated above. In another story Creator sends *Speiia* (Coyote) down from Tahoma (Mt. Rainier), to confront warring tribes and demand that they cease their armed conflict. When he is ignored, Creator instructs Coyote to establish "spirit guards with salmon spears at Memaloose Island and adjacent island, with orders to spear any salmon that attempted to pass up stream." Fearful of starvation, the people gave up fighting and "made a lasting peace that has never been broken."<sup>11</sup>

Coyote's stories thus animate the landscape of the Columbia Gorge. Lone Pine (*Wacáqs*), for instance, was the site of stone outcroppings that once reached out across the river, the origin of which was attributed to Coyote. In mythic times, Tenino and Wasco warriors were fighting over a woman. Coyote told them, "Women should never cause war. I'll end all such things. Right here you people of Tenino become rocks, and you Wascos be rocks." A valuable fishing site, it was inundated by the completion of the Dalles Dam in 1957.<sup>12</sup> Five Mile Rapids was known as "Coyote's Fishing Place," where indentations along the top of the surrounding basalt cliffs were said to have been made by Coyote's footprints, and the rapids

themselves were created by Coyote as an act of kindness. "The central idea is that the rich people owned all the good fishing places along the main stream and that Coyote out of the goodness of his heart, built the race so poor people would have a place to take fish. It is believed that it took three days to tell the story of Coyote's Fishing Place."<sup>13</sup> "Coyote's Hole" at Five Mile Rapids was another important fishing station (the name refers to a risqué story about his anus).<sup>14</sup> His work was evident at Cellio Falls as well, "where the rock outcroppings from which the Indians fished, each meticulously named, represent the remnants of a dam destroyed by Coyote."<sup>15</sup>

The landscape is thus shaped by Coyote and bears the imprint of his stories, stories that teach ethical ways of living alongside the plant and animal people. As Virginia Beavert-Martin has emphasized, the teaching of her Yakama ancestors advocates "the equality of all living things and emphasizes the responsibility humans have to protect them." Indigenous foods like salmon, camas, huckleberries, and bitterroot are not merely resources, but are considered "holy food."<sup>16</sup> Bryce Neaman (Yakama) agrees: "To our people to be 'civilized' means to be in harmony with nature, to live a life close to the earth. It means to be able to communicate with a spirit greater than ourselves. This spirit exists in song; and to an Indian person, being in touch with the spirit within song means being in touch with the spirit within one's self."<sup>17</sup> These teachings were exemplified in the words of Smohalla (*Smuxála*), a dreamer prophet who revived the Wáshat religion, today known as the Seven Drums religion and a dominant form of Indigenous religious practice on the Columbia Plateau. Smohalla (1815–1895) was a Wanapam prophet who advocated a return to tribal traditions and worldviews, rejecting Euro-American culture and resisting the takeover of Native land. He famously refused to participate in Euro-American extractive economies. "You ask me to plow the ground! Shall I take a knife and tear my mother's bosom? Then when I die she will not take me to her bosom to rest. You ask me to dig for stone! Shall I dig under her skin for her bones? Then when I die I cannot enter her body to be born again. You ask me to cut grass and make hay and sell it, and be rich like the white men, but how dare I cut off my mother's hair?"<sup>18</sup> Such values are deeply shared by traditional people throughout the region, who demonstrate what Melville Jacobs described as "an impressive intensity of feeling regarding relationships with food beings, which were qualitatively like those which a person had to kindred, and to spirit powers with whom he was symbiotic."<sup>19</sup>

## Act Two: Coyote Learns the Rules

Showing that respect, however, is not always easy. The realities of life, of the desire to get ahead, and the sometimes-capricious nature of human technology and innovation can complicate matters. Salmon are resilient creatures. But they are also part of a complex and interdependent ecosystem: if one strand of the web is broken, the entire system can unravel. This may sound like a twenty-first-century problem, and in many ways it is, but the ancestors of the people of the mid-Columbia River knew this to be true as well. Stories abound on the Columbia River in which Coyote, acting out of greed and impatience, breaks the rules of respect that maintain the web of relationships on which everyone depends. Very often, the cost is his supper. In 1894 Franz Boas recorded lower Chinookan Coyote tales in which our hungry canine violates proper protocol. After catching a silver-side salmon he takes it home and cuts it crosswise, and steams it. When he returns to the river the next day, the salmon are gone. His feces (which are usually his best counselors) tell him that he has violated a ritual restriction. Silver-side salmon are to be cut lengthwise and roasted, and can only be steamed once enough have gone upriver. On the second day, he again cooks the fish inappropriately, and they again disappear from the stream. His feces once more give him a proper cooking lesson, and he learns the right way to prepare the fish. It takes Coyote several tries before he gets it right. Such stories serve as lessons of the proper way to treat the fish, so as to show them proper respect.<sup>20</sup>

On the Columbia River today, these traditional restrictions on when to fish and how to process the fish that are caught are integrated both into fisheries management techniques and into the religious calendar of the Columbia River people. Ceremonial restrictions and first-salmon ceremonies ensure both a continued healthy salmon run and a good spiritual relationship with the fish. In 1808, Lewis and Clark observed a first salmon ceremony at Wishram Village, just above the Dalles. As they noted, "There was great joy with the natives last night in consequence of the arrival of the Salmon; one of those fish was caught; this was a harbinger of good news to them. They informed us that these fish would arrive in great quantities in the course of about 5 days. This fish was dressed and being divided into small pieces was given to each child in the village. This custom was founded in superstitious opinion that it will hasten the arrival of the salmon."<sup>21</sup> In 1843 Henry Perkins learned of a similar practice at Celilo Falls. "Before any of the common people are permitted to boil,

or even to cut the flesh of the salmon transversely for any purpose the *tu-a-ti* (*twari*) medicine man of the village, assembles the people and after invoking the Tah (*taax*) or the particular spirit which presides over the salmon, and who they suppose can make it a prosperous year or otherwise, takes a fish just caught and wrings off its head."<sup>22</sup> At Wishram, villagers celebrated the arrival of the salmon run by ritually filleting and cutting the fish into small bites, distributing them to all the children. The first salmon was afforded special honor, because "those fish had been endowed by the Great Spirit with powers that made them bolder and better able to swim to the spawning grounds, from which their fingerlings would return to the sea . . . The Chinooks believed that they should place a berry in the mouth of the first salmon caught to nourish it on what they believed to be its foodless journey to the spawning grounds."<sup>23</sup> James Selam recalled that a particularly strong swimmer would then be given the task of swimming above Celilo Falls with the remains of the first fish. He would dive deep, and deposit the remains midriver, demonstrating the respectful care the people took, and signaling that other salmon should come up river as well.<sup>24</sup> The first salmon feast is still honored throughout the Plateau, including an annual ceremony at Celilo Village, celebrating the first salmon of the spring.<sup>25</sup>

The harvesting of first foods was considered *Aut-ni kukkii*, "sacred work" done by carefully selected individuals. Such ceremonial leaders were chosen for the depth of their knowledge surrounding particular resources, as well as their spiritual relationship with them.<sup>26</sup> Before these *Aut-ni kukkiianna* ("sacred workers") could harvest first fish, roots, berries, or elk, they had to undergo rites of purification. "The sanctioned or authenticated workers were required to go to the sweathouse for five consecutive days. If the cleansing ceremony was not adhered to, then it was believed that bad luck and bad feelings would come to others . . . approaching the Life Giver with a dirty spiritual life was an abomination."

Coyote stories likewise teach about the importance of relating to salmon with a proper spirit. After observing a people's hunger, Coyote created Willamette Falls, establishing a valuable fishing site. He also created a magical trap, capable of catching an enormous haul of salmon without any effort. He grew impatient, however, for the trap worked too well, catching fish faster than he could start a fire to cook them. Having grown irate, he cursed the trap. Offended, it stopped working. From then on, Coyote and the humans that followed had to brave the rapids to catch their fish.<sup>27</sup> Attitude matters.

Virginia Beavert-Martin affirmed this tradition when she related the teachings of her mother Ellen Saluskin. According to Beavert-Martin, it was vital that food gatherers "purify their mind and body" because such foods worked as "a healing medicine to the spirit and body" for those who were suffering physically, mentally, or spiritually.<sup>28</sup> The *Aut-ni kutkkitiana* offered songs of thanksgiving to the Creator, expressing thanks for the provision of the holy food. It was only when the songs had been sung that "the untrained, unsanctioned or lay members were then permitted to harvest."<sup>29</sup> At important fishing sites like Kettle Falls and Ceilo Falls a salmon chief held this important task, governing both ritual activities and fishing itself. The salmon chief opened and closed fishing on a daily and an annual basis, and limited fishing during the night, after a death, or on Sundays.<sup>30</sup> Such controls on fishing were belittled by Euro-Americans of the nineteenth and early twentieth centuries, but contemporary fishery biologists and ecologists recognize the importance of such practices, which provided the opportunity for sufficient numbers of salmon to proceed to spawning grounds upriver.<sup>31</sup>

While fishing itself is often the purview of men on the Plateau, processing and preserving salmon is the domain of women. And when working with salmon, it is also vital that the individual maintain a good spirit and positive thoughts. As Yakama elder Romana Kiona has emphasized,

It's a culture thing. You cannot use harsh words over a food product in our culture. 'Cause whoever is going to eat that is probably going to get those vibes or they may get ill or something. If you look at our culture, if you're in one of our churches, and in the kitchen, if someone gets angry or sad, they need to leave the kitchen. Cooking and working with our foods is an important attitude thing. And if we feel sad or mean or mad, we might as well just leave the kitchen because you are going to hurt somebody . . . if anybody is mean in the kitchen or sad, they're going to give those vibes [to other people] when they eat that food. And that's what our elders taught us.<sup>32</sup>

Maintaining relationships with the salmon people thus does not end with fishing, but carries on into the processing and preparation of those fish. As Michelle Jacob explains, inherent within this teaching "is also the message that food preparers must have a positive and gentle spirit while working with foods (who have sacrificed themselves for their people), as well as the people who consume the food after it has been prepared."<sup>32</sup>

### Act Three: Coyote Steals the Salmon

But despite the people's willingness to show respect and observe proper protocol, salmon runs are unpredictable and vulnerable to human actions that interfere with their ability to spawn upstream. This vulnerability is demonstrated in other Coyote stories of the mid-Columbia River. In these stories, Coyote is not the Creator's emissary, but rather a figure driven by greed and avarice. Here, his actions account for the absence of salmon, and the destruction of valuable runs. Coyote is often blamed for the absence of salmon within certain tributaries. In many such stories, Coyote sees an attractive woman. And, typical of Coyote, he attempts to seduce her or claim her for a wife. When she refuses, Coyote retaliates by banning salmon from the waterway on which the people live.<sup>33</sup> In "Coyote Becomes Chief of the Salmon," for instance, we are told that he creates falls along the Okanogan, Kettle, and Columbia Rivers, "because in all these places maidens refused him."<sup>34</sup>

Here, Coyote's actions are a direct contrast with those in the creation account, where Salmon, Elk, Owl, and Eagle act out of compassion, generosity, and self-sacrifice. Looking at these stories, a pattern soon emerges: whenever Coyote is motivated by greed, impatience, or arrogance, the result is a diminishing of resources for everyone—including himself.<sup>35</sup> Mid-Columbia Indian culture is guided by core values of kinship, interdependence, and equity. When Coyote violates these ethics, it leads to scarcity. As Rodney Frey has argued, "When Coyote's intentions are to assist others, to 'prepare for the coming of people,' he generally succeeds; when his intentions are for himself alone, he is likely to fail. But even in his failure, Coyote offers important lessons to those listening to his story. He sets forth what one should or should not do in certain situations."<sup>36</sup> Thus, Coyote is both revered and reviled. Louis Simpson was Edward Sapir's primary consultant when he gathered stories on the Columbia River around 1905. Simpson expressed both respect for Coyote and "a degree of scorn," particularly when relating stories of Coyote's folly. When Coyote acts inappropriately, Simpson noted, he suffers social and moral isolation, and is excluded from the relations of reciprocity that defined this region's cultural ethos.<sup>37</sup>

In the Columbia River region, such stories serve as metaphors for considering the impact thoughtless actions can have on salmon runs. The fourteen dams on the Columbia River and sixteen dams on the Snake River were a death knell for many fish, preventing their passage upstream. It is estimated that, prior to colonization, between 15 and 30

million salmon returned annually to the Columbia and Snake Rivers. By the 1970s, that number was reduced to three million, literally decimated, because of overfishing and dams that obstructed fish passage. Today, 2 and a half million anadromous fish find their way up the Columbia, but 80 percent of these are hatchery fish. Wild salmon remain endangered.<sup>38</sup>

The historic fall of salmon populations on the Columbia River parallels the history of tribal fishing rights. The threat to tribal fishing rights began in 1855 with the signing of treaties, as villages along the River granted rights to the newly arrival settlers. Settlers would be permitted to fish in the river, to build homes, and settle in the territories. Thirty years later in the 1880s, Euro-American policy makers further sought to disrupt Native ways of living on the land, using the General Allotment Act and other suppressive policies to undermine their subsistence rights. In 1886 Commissioner of Indian Affairs John Atkins argued in support of the Allotment Act, saying that "The Indian must be imbued with the exalting egotism of American civilization so that he will say 'I instead of 'We' and 'This is mine' instead of 'This is ours.'"<sup>39</sup> The Allotment act was intended to break up any sense of collective ownership and responsibility toward the land, with the goal of ensuring an individual would "abandon his tribal relations."<sup>40</sup> This loss of collective land ownership often meant a loss of access to traditional resource gathering and fishing locations, despite the fact that these had been guaranteed in their treaties. The tribes had reserved the right to fish, hunt, and gather in usual and accustomed places, but their ability to fish would be challenged again and again, as settlers blocked Native access to the river, built hugely extractive fish wheels, and dammed the rivers. By 1900 dozens of fish wheels and five canneries would line the Columbia, overtaking many ancient fishing sites.<sup>41</sup>

When The Dalles Dam was completed in 1957, it flooded one of the oldest continuously occupied communities in the world, with archaeological evidence dating back more than 10,000 years.<sup>42</sup> The dam destroyed the ancient fishing sites at Celilo Falls and Five Mile Rapids, inundating countless unexcavated archaeological sites.<sup>43</sup> Warm Springs tribal members were awarded damages to compensate for the loss of Celilo Falls: after legal fees and related costs, each tribal member received a mere \$145.50.<sup>44</sup> As Warm Springs tribal member George Aguilar writes, "A ghastly silence has reigned at this place for nearly half a century, as the dam's backwaters snuffed out landmarks that told of many Coyote stories. . . . If our Chinookan ancestors saw the current condition of the Columbia River, they probably would sing and perform the Chinook funeral and death song."<sup>45</sup>

#### Act Four: Coyote Frees the Salmon

We can't stop there. After all, the most well-known mid-Columbia Coyote stories are about *liberating* salmon. In those tales we see a role reversal, where Coyote uses his ingenuity and creativity to free salmon runs that had been locked away by the greedy and self-interested. In one of the most common stories, variations of which are told from southern Oregon to northeastern Washington, Coyote encounters three gluttonous sisters who have dammed up the salmon, preferring to keep them for themselves. Coyote disguises himself as a baby, manages to gain entrance to their home, and day-by-day surreptitiously chips away at the dam. Finally, the dam is breached and the salmon are freed. "It is not right for you to have all this salmon penned up in one place!" he scolds the women. "Things are going to change."<sup>46</sup>

I'd like to suggest we consider these salmon liberation stories as another lens through which to think about Native peoples' relationship with salmon, for just as Coyote uses his ingenuity to rescue the salmon, so Columbia River tribes are using their creativity and intellectual acumen to solve contemporary salmon problems.

An example of this is the way in which Native people have had to get their Coyote on in the courtroom. The legal fight to protect both salmon and 1855 treaty rights to salmon fishing has a long and complicated history in the Pacific Northwest that goes back as far as the 1887 case *United States v. Taylor*. In this case a white homesteader had erected barbed-wire fencing across his property, preventing Yakama tribal members from accessing the river. The Supreme Court of Washington found for the Yakama, stating treaty rights to fish guaranteed access, even across private lands.<sup>47</sup> The 1905 case *United States v. Winans* was meant to appeal this decision, and was the first of nine tribal fishing rights cases that would make it to the U.S. Supreme Court. Three key principles were decided in the Winans case. "The first stated that treaties must be construed as the Indians understood them at the time and 'as justice and reason demanded,' since the United States exerted superior power over the 'unlettered' tribal representatives. The second, known as the reserved rights doctrine, held that treaties were 'not a grant of rights to the Indians, but a grant of rights from them—a reservation of those not granted.' Finally, the court also ruled that Yakama "retained their existing rights to cross the land, to fish at usual and accustomed places, and to erect temporary houses for curing their catch."<sup>48</sup>

Contemporary legal victories affirming treaty rights to salmon fishing in Washington State were made possible because of the famous fish-in movements of the Pacific Northwest, which pushed the case into the public eye. On the Columbia River and throughout Puget Sound and the Salish Sea tribal peoples fished, in defiance of state laws that restricted their ability to do so. Tribal leaders like Billy Frank Jr., Janet McCloud (Yet-Si-Blue), and David Sohappay had to employ the best of Coyotes' stubbornness, creativity, and attitude to carry on the fight. Decades of struggle, arrests, and harassment from state authorities came to a head in two vital court cases.

The first of these, *Sohappay v. Smith* (later *United States v. Oregon*) was decided in 1969, determining that treaty-tribes along the Columbia River had the right to a "fair share" of fish, and with minimal regulation. The ruling also made clear that tribes must be allowed the opportunity to be co-managers of salmon resources, and participants in their regulation.<sup>49</sup> Sohappay was a grandnephew of the Wáashat prophet Smohalla, and adhered to the seasonal round and spiritual teachings of his ancestors. He was raised to be a firm believer in the Wáashat tradition, and participated in the first food ceremonies. For Sohappay, the legal battle was not merely about subsistence, but was about culture, tradition, and faith. As he said in 1976, "No man should be required to obtain a permit from any other man to practice his religion. . . . I know of no other church or religion for which to exercise it the permit of any governmental body or person or tribe is required, and I don't think it just that one be required to apply for and obtain a permit before exercising one's ceremonial fishing rites and rights."<sup>50</sup>

The Sohappay ruling did not make clear what exactly a "fair share" of the fish entailed. This matter was settled in the Boldt Decision of 1974 (*U.S. v. State of Washington*). The Boldt Decision affirmed the rights of treaty-tribes in Washington State to "fifty percent of the annual harvest," that the state could regulate tribal fishing "only if all other means of conservation had been exhausted," and affirmed the right of tribes to self-regulate fishing practices.<sup>51</sup> These legal findings led to the formation of two important intertribal governing bodies that continue to bring treaty-tribes together to protect salmon and restore salmon habitat: the Columbia River Intertribal Fish Commission (CRIFC) and the Northwest Indian Fisheries Commission (NWIFC).<sup>52</sup> Tribal rights were further clarified in a 1982 case *U.S. v. Anderson*, which affirmed that treaty rights to salmon also meant that the state and federal government had an obligation to protect salmon

habitat, in effect stating that tribes had a treaty right to healthy rivers that could sustain life. In this case, it meant that temperatures must be regulated by the release of water from dams to ensure the safety of fish.

In his essay on treaty fishing rights, Yale Lewis argues that the 1855 treaties guaranteed tribes three rights: the right to access fish, the right to have the fish harvest equitably apportioned, and the right to healthy habitat. Lewis contends: "If the tribes had a habitat right, they could use it to make the fishing right meaningful, demanding that the state take simple, cost-effective steps to protect fish habitat, such as fixing culverts."<sup>53</sup> The first of these rights was assured in *United States v. Winans*. The second in the Sohappay and Boldt decisions. The third was affirmed in *United States v. Anderson*, and reaffirmed in *Northwest Indian Fisheries Commission v. State of Washington*.

In 2001, the NWIFC brought a lawsuit against the state of Washington, demanding that the state repair or replace culverts that were blocking fish passage. The case addressed barrier culverts running under state roads that ran through treaty tribes "usual and accustomed" fishing places. The state acknowledged the need to repair or replace the culverts, but said it would take an estimated one hundred years to do so. For twelve years, the case worked its way through the courts. Finally, in March of 2013, federal judge Ricardo Martinez issued a permanent injunction, ordering the state to repair nearly 1,000 state-owned fish-blocking culverts within the next seventeen years, an action that would provide salmon access to thousands of miles of salmon habitat. Tribal people, environmentalists, and salmon advocates hailed the decision as a major victory. But within two months the state of Washington appealed the ruling, citing its high cost and current budget restrictions. In 2016, the Ninth Circuit Court of Appeals again found for the tribes, supporting the claim that the state must replace culverts that impede salmon passage.<sup>54</sup>

The ingenuity of Coyote is not limited to the courtroom, but is also illustrated by initiatives put forth by the Columbia River Intertribal Fish Commission. *Wá-Kan-Ush-Mi Wá-Kish-Wít* (Spirit of the Salmon Plan), is an initiative that prioritizes tribal culture, values, and sovereignty, and draws on traditional knowledge to restore salmon populations.<sup>55</sup> The CRIFC defines "traditional ecological knowledge" (or TEK) as that which is "rooted in a familial relationship with the plants, animals, and the environment. Traditional ecological knowledge is passed down the generations through oral traditions such as storytelling, songs and ceremonies." It includes cultural values, worldviews, and practical knowledge

that provide stewardship principles for hunting, fishing, gathering, and cultivating. The authors of this program point out that it has a great deal in common with Western science in that it relies on questioning, non-static view of facts, interpretation of evidence, and quantitative thinking. What Traditional Ecological Knowledge has that science lacks, however, is its explicit moral and ethical worldview, wherein "social, spiritual, cultural, and natural systems are intertwined and inseparable."<sup>56</sup>

When treaty-tribes of the middle Columbia River frame their sustainability efforts around Traditional Ecological Knowledge it means in part that they are integrating traditional knowledge of the seasons and how they are tied to cultural practices into their sustainability efforts. For instance, consulting the oral testimony of elders is helping tribal scientists assess the impacts of climate change, as plants and animals shift in altitude or appear at different times of year than in previous generations. A Traditional Ecological Knowledge perspective also demands that fisheries managers take a whole ecosystem perspective, rather than singling out a single species. It demands a whole watershed perspective that considers biological diversity, the complex way species connect across habitats and throughout a riverine network, and the nature of health within an interconnected ecological community.

Integrating a Traditional Ecological Knowledge value of adaptive management has also led to the creation of tribal fish hatcheries that are more ecologically integrated, recognizing the distinct needs of a particular place. For instance, rather than the factory-production model that dominates at most hatcheries, tribal programs recognize the sacred irreplaceable nature of local places and populations. CRITFC members use only wild, local-origin brood stock, for example, and include the ritual and ceremonial aspects of Indigenous religious life within this very modern approach to fisheries management.

The interplay of sacred traditions and ecological knowledge is perhaps most powerfully illustrated by the use of Wáshat first foods ceremonies as a model for fish and wildlife management. The Wáshat religious movement was revitalized and given a formalized structure by Smohalla in the nineteenth century, though it draws on centuries- if not millennia-old practices of engagement with the natural landscape. The high holy days of the Wáshat ceremonial calendar are the first foods ceremonies, held to honor the sacred foods on which the peoples depend. During a First Foods ceremony, songs are sung in sets of seven, and oratory is given regarding each food and its importance for the people. James Selam

emphasized that all holy foods were of equal importance, and refused to rank one above any other. "All the foods are most important," he argued. They are, however, served in a particular order: "čuúš (water), núsux (salmon), pyakí (bitterroot), lukš or xawš (the lomatium roots), xamsí (bare-stemmed lomatium), and wíwnu (huckleberries)."<sup>57</sup>

As Eric Quaepts, director of Natural Resources for the Confederated Tribes of the Umatilla explains, the order in which the food is brought to the table re-creates the ecosystem as a whole, providing both a philosophical and practical way of thinking about the interconnection of the bioregion. The distribution of foods, one dish at a time, in careful order, both recalls the sacred stories of creation and provides a picture of the ecosystem in miniature, moving from the lowest elevation (water at the river bottom) to the tributaries where salmon are caught, to the foothills where game are hunted, the high prairies where roots are gathered, and the mountainous terrain where berries can be found. The Umatilla, guided by this religious practice, reorganized their natural resources program so that it emphasized each of these key foods. They went even further, merging various tribal programs and departments to create a more integrated system. By employing TEK and drawing on the spiritual knowledge within traditional ceremonies, tribal fisheries and wildlife managers are bringing the ethical and spiritual principles of their ancestors into conversation with contemporary sciences.<sup>58</sup>

Another example of Coyote-like ingenuity can be found within tribal grassroots activist organizations working to revitalize traditional knowledge and ceremonies and to restore salmon habitat. In her book *Yákama Rising*, Michelle Jacob reflects on efforts within her own tribal community to do just that.<sup>59</sup> *Xwayamami ishich* is a nonprofit activist organization that works to heal community and ecosystem "by offering seasonal workshops that bring elders and youth together to teach community members about traditional food gathering and preservation." Jacob contends that *Xwayamami ishich* resists the devastation wrought by colonialism, working to restore kinship relations, Indigenous languages, and traditional food practices.<sup>60</sup> Settler colonialism has undermined Yákama culture in many ways, restricting access to traditional foods, imposing destructive gender norms that undermined traditional Plateau egalitarianism, and providing a food-system comprised of omnipresent junk food, all of which continue the "erosion of traditional Yákama social and economic systems."<sup>61</sup> Because of this, activists such as those at *Xwayamami ishich* "view their work in spiritual terms."<sup>62</sup> The program restores traditional food knowledge,



reinforces traditional teachings about the importance and value of women's roles in Indigenous society, and affirms the value of every individual. They are guided by five key principles: humility, faith, grassroots empowerment, place-based teachings, and intergenerational teaching and learning. A primary lesson the program hopes to convey is the notion that "spirits of people and our foods are interconnected. Ill feelings will be spread to others, so it is important to bring positive, kind feelings to share with others. By teaching the youth these important cultural lessons, the youth learn to respect the foods as sacred gifts, they respect each other, and, perhaps most importantly, they respect themselves as they realize their spirits matter and are interconnected with others."<sup>63</sup>

Contemporary social and ecological challenges can be overwhelming. But tribal leaders and advocates such as these insist that the solution is to be found in strengthening ceremonies, going back to traditional foods, and becoming reacquainted with Mother Earth. As Elsie David, member of the Rock Creek longhouse said a recent interview: "I don't think I would know a great deal of my culture if I just lived on cow and nontraditional food. My grandma used to say, 'You're not going to know anything about our people if you don't eat our food.' If you're going to eat cows, you're going to be dumb like a cow."<sup>64</sup> Such an approach rejects the extractive and hierarchical worldview of settler colonialism, and demonstrates the recognition that restoring balance and reviving Indigenous foodways will, as Jacob tells us, "connect [the people] respectfully with the land—with Mother Earth—and will help lead the people to a better place."<sup>65</sup>

### Notes

1. Charles Sams, "Wakanish Naknoowe'Ihuma: 'Keepers of the Salmon,'" *Oregon Historical Quarterly* 108, no. 4 (Winter 2007): 645, 644–48. See also, <http://www.critic.org/salmon-culture/we-are-all-salmon-people/>.
2. <http://www.critic.org/for-kids-home/for-kids/why-salmon-are-important-to-the-tribes/#sthash.6aGfESBn.dpuf>.
3. See Andrew Fisher, *Shadow Tribe: The Making of Columbia River Indian Identity* (Seattle: University of Washington Press, 2013) for an excellent discussion of the complex, interwoven history of the people of this region.
4. Fisher, *Shadow Tribe*, 15.
5. Fisher, *Shadow Tribe*, 16.
6. Fisher, *Shadow Tribe*, 25.
7. Fisher, *Shadow Tribe*, 19.

8. Fisher, *Shadow Tribe*, 20.
9. George W. Agular Sr., *When the River Ran Wild! Indian Traditions on the Mid-Columbia and the Warm Springs Reservation* (Seattle: University of Washington Press, 2005), 90.
10. Edward Sapir, *Wishram Texts, and Wasco Tales and Legends*, Publications of the American Ethnological Society (1909): xi. See also Agular *When the River Ran Wild*, 226.
11. Agular, *When the River Ran Wild*, 229, quoting Edward Sapir, *Wishram Texts*, 2: 242–24.
12. Agular, *When the River Ran Wild*, 104.
13. Agular, *When the River Ran Wild*, 108–9.
14. Agular, *When the River Ran Wild*, 111.
15. Eugene Hunn, *N'chiWana: The Big River, Mid-Columbia Indians and Their Land* (Seattle: University of Washington Press, 1990), 154–55.
16. Virginia Beavert Martin, "Native Songs Taught by Ellen Saluskin," in *Spirit of the First People: Native American Music Traditions of Washington State*, eds. Willie Smyth and Esme Ryan (Seattle: University of Washington Press, 1999), 69.
17. Bryce Neaman, "Song Traditions of the Yakama," in *Spirit of the First People: Native American Music Traditions of Washington State*, eds. Willie Smyth and Esme Ryan (Seattle: University of Washington Press, 1999), 79.
18. Fisher, *Shadow Tribe*, 84.
19. Melville Jacobs, "A Few Observations on the World View of the Clackamas Chinook Indians," *Journal of American Folklore* 68, no. 269 (1955): 288.
20. Franz Boas, *Chinook Texts*, Smithsonian Institution (1894): 105. See also Susan Staiger Gooding, "Interior Salishan Creation Stories: Historical Ethics in the Making," *Journal of Religious Ethics* 20, no. 2 (Fall 1992): 358 for a summary of Sahapin coyote stories.
21. Reuben Gold Thwaites, ed., *Original Journals of the Lewis and Clark Expedition 1804–1806*, vol. 4 (New York: Antiquarian Press [1904] 1959), 300. See also Hunn, *N'chiWana*, 153.
22. Henry K. Perkins, "Diary and Letters: 1838–1843," edited by Robert T. Boyd. Manuscript, Pacific Lutheran University, Tacoma, Washington. Book 1: 7. Quoted in Hunn, *N'chiWana*, 153.
23. Agular, *When the River Ran Wild*, 114.
24. Hunn, *N'chiWana*, 154.
25. Agular, *When the River Ran Wild*, 122. See Suzanne Crawford O'Brien, "Salmon as Sacrament: First Salmon Ceremonies in the Pacific Northwest," in *Religion, Food and Eating in North America*, eds. Benjamin Zeller, Marie Dallam, Reid Neilson, Nora I. Rubel, and Martha Finch (New York: Columbia University Press, 2014). See also Hiens, 125.
26. Fisher, *Shadow Tribe*, 20.
27. Clark, *Indian Legends*, 99.

28. Ellen Saluskin, quoted by her daughter Virginia Beavert-Martin, "Native Songs," 68.

29. Suzi Slockish, personal communication, included in Ella E. Clark, *Indian Legends of the Pacific Northwest* (Berkeley: University of California Press, 1953): 184. Cited in Aguilas, *When the River Ran Wild*, 6.

30. Hunn, *N'chiWana*, 154.

31. Fisher, *Shadow Tribe*, 22.

32. Jacob, *Yakama Rising*, 97.

33. Hunn, *N'chiWana*, 126.

34. Marian K. Gould and Franz Boas, *Folk Tales of the Salishan and Sahaptin Tribes, Okanogan, and Sampoi Tales* (1917), cited in *Book of Legends*, Colville Confederated Tribes, compiled by Jennifer K. Ferguson (2007), [http://www.colvilletribes.com/book\\_of\\_legends.php](http://www.colvilletribes.com/book_of_legends.php).

35. "Coyote Builds Willamette Falls and the Magic Fish Trap (Clackamas Chinook)," in *Indian Literature of the Oregon Country*, ed. Jarold Ramsey (Seattle: University of Washington Press, 1977), 93. When Coyote is motivated out a desire to help hungry people, he successfully creates the Falls, drawing large numbers of salmon where the people can easily catch them. When he grows impatient with the salmon and with a magic fish trap, the trap stops working, "so after that the people had to spear their salmon as best they could?" *Ibid.* Coyote is the harbinger of both good and bad fortune, depending on his motivations.

36. Rodney Frey, *Stories that Make the World: Oral Literature of the Indian Peoples of the Inland Northwest* (Norman: University of Oklahoma Press, 1995), 65.

37. Louis Simpson and Dell Hymes, "Bungling Host, Benevolent Host: Louis Simpson's Deer and Coyote," *American Indian Quarterly* 8, no. 3 (1984): 172. One particular story that puts Coyote in a less-than-favorable light describes how he performed self-fellatio on himself. This story took place at a rockslide near present-day Mosier, Oregon. The slide was a vision quest site, making Coyote's actions particularly scandalous. As the story goes, Coyote was punished by becoming the laughing stock of the region. See also Thomas Connelly and Mark Tveskov, "Mapping the Mosier Mounds: The Significance of Rock Feature Complexes on the Southern Columbia Plateau," *Journal of Archaeological Science* (1997): 289-300.

38. Karline Barber and Andrew Fisher, "From Coyote to the Corps of Engineers," *Oregon Historical Quarterly* 108, no. 4 (Winter 2007): 525.

39. Fisher, *Shadow Tribe*, 91.

40. Fisher, *Shadow Tribe*, 92.

41. Fisher, *Shadow Tribe*, 103. See also Aguilas, *When the River Ran Wild*, 17.

42. Fisher, *Shadow Tribe*, 17.

43. Barber and Fisher, "From Coyote to the Corps of Engineers," 522.

44. Aguilas, *When the River Ran Wild*, 118.

45. Aguilas, *When the River Ran Wild*, 102.

46. W. E. Myers, "Coyote Feeds the Salmon," *Oregon Historical Quarterly* 108, no. 4 (Winter 2007): 545. Also Donald Hines, *Ghost Voices: Yakima Indian Myths, Legends, Humor and Hunting Stories* (Issaquah, WA: Great Eagle Publishing, 1992), 123-26; "Coyote Builds Willamette Falls and the Magic Fish Trap (Clackamas Chinook)," in *Indian Literature of the Oregon Country*, ed. Jarold Ramsey (Seattle: University of Washington Press, 1977), 93; Eugene Hunn, *N'chiWana. The Big River, Mid-Columbia Indians and Their Land* (Seattle: University of Washington Press, 1990), 154; Louis Simpson (Wisram), "Coyote and the Swallows," in Rodney Frey, *Stories that Make the World*, 45-50. For other examples see Cliff Trazter, editor, *Grandmother, Grandfather, Old Wolf: Tamamwit Ku Sukat and Traditional Native American Narratives from the Columbia Plateau* (East Lansing: Michigan State University Press, 1988). Fisher suggests the story has its origins in a geological event that took place over eight hundred years ago, when "a huge chunk of Table Mountain slid into the Columbia River, temporarily damming it and blocking the salmon runs . . . Generations later their descendants still related stories about the time Coyote freed the salmon from a pair of sisters who had imprisoned them behind a dam." Fisher, *Shadow Tribe*, 16.

47. Fisher, *Shadow Tribe*, 158.

48. Fisher, *Shadow Tribe*, 159-61.

49. Fisher, *Shadow Tribe*, 223-24.

50. Fisher, *Shadow Tribe*, 226.

51. Fisher, *Shadow Tribe*, 225.

52. For a history of the fishing rights movement, see Charles Wilkinson, *Messages From Frank's Landing: A Story of Salmon, Treaties and the Indian Way* (Seattle: University of Washington Press, 2006); and Charles Wilkinson, *Blood Struggle: The Rise of Modern Indian Nations* (W. W. Norton and Company, 2006).

53. O. Yale Lewis III, "Treaty Fishing Rights: A Habitat Right as Part of the Trinity of Rights Implied by the Fishing Clause of the Stevens Treaties," *American Indian Law Review* 27, no. 1 (2002/2003): 281-311.

54. Tony Meyer, "Federal Court Upholds Tribal Treaty Rights in Culvert Case," Northwest Indian Fisheries Commission (April 2, 2013), <http://nwifc.org/2013/04/federal-court-upholds-tribal-treaty-rights-in-culvert-case/>. Brianna Aho, "Attorney General's Office Seeks US Supreme Court Review in Culverts Case," Washington State Office of the Attorney General (August 17, 2017), <http://www.atg.wa.gov/news/news-releases/attorney-general-s-office-seeks-us-supreme-court-review-culverts-case>. Repair and replacement of culverts and the removal of unnecessary dams are the primary focus for many current salmon activists. An article in the *American Indian Law Review* argues that federal law requires that "dam removal is the only option that will rebuild self-sustaining salmon populations and restore fisheries to economically viable levels." Rolfe Wilson, "Removing Dam Development to Recover Columbia Basin Treaty Protected

- Salmon Economies *American Indian Law Review* 24, no. 2 (1999/2000): 357-419.
55. <http://plan.critic.org/2013/spirit-of-the-salmon-plan/about-spirit-of-the-salmon/traditional-ecological-knowledge-and-science/>.
56. <http://plan.critic.org/2013/spirit-of-the-salmon-plan/about-spirit-of-the-salmon/traditional-ecological-knowledge-and-science/>.
57. Hunn, *N'chi Wana*, 209. See also Aguilar, *When the River Ran Wild*, 152. Water is powerfully symbolic because of its ability to give life. Seven is a ritual pattern number for the Wáashat, signaling completion and wholeness. "Seven appointed men hunt for deer and fish for salmon for the first salmon feast; seven chosen women dig for roots or gather berries for the first root and first berry feasts." The earthen floor of the longhouse is also important representing the presence of Mother Earth. Aguilar, *When the River Ran Wild*, 147.
58. Eric Quaempts, Tulalip Nature Resources Director, presentation at second annual *The Living Breath of Wabab'atx' Indigenous Ways of Knowing Cultural Food Practices and Ecological Knowledge Symposium*, University of Washington, September 26-27, 2014. See also Eric Quaempts, Krista Jones, Scott O'Daniel, Timothy Beechie and Geoffrey Poole, "Aligning Environmental Management with Ecosystem Resilience a First Foods Example from the Confederated Tribes of the Umatilla Indian Reservation, Oregon, USA," *Ecology and Society* 23, no. 2 (June 2018): 29-48.
59. Michelle Jacob, *Yakama Rising* (Tucson: University of Arizona Press, 2013).
60. Jacob, *Yakama Rising*, 83, 87.
61. Jacob, *Yakama Rising*, 95.
62. Jacob, *Yakama Rising*, 102.
63. Jacob, *Yakama Rising*, 97.
64. Fisher, *Shadow Tribe*, 151.
65. Jacob, *Yakama Rising*, 90.

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- . <http://www.critic.org/for-kids-home/for-kids/why-salmon-are-important-to-the-tribes/#sthash.6aGEsBn.dpuf>. Accessed June 1, 2015.
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## 3

## Where Food Grows on the Water

## Manoomin/Wild Rice and Anishinaabe Peoplehood

MICHAEL D. MCNALLY

Food for us comes from our relatives whether they have wings or fins or roots. That is how we consider food. Food has a culture. It has a history. It has a story. It has relationships.

—Winona LaDuke

## Introduction

These words of Anishinaabe writer and activist Winona LaDuke serve as an excellent epigraph for a chapter in this volume, because *manoomin*, wild rice, is not only the traditional staple food of Minnesota's Anishinaabe, or Ojibwe, community (variously Ojibwa, Ojibway, Chippewa; plural Anishinaabeg); it is a *sacred* food.<sup>1</sup> But even as I utter "sacred food," I risk the hackneyed image that so often comes with the term sacred. *Manoomin* is not only a sacred food in the sense of a soul food or a healing food or a ceremonial food—although it is all these things. It is, at the end of the day, more than a food source. It has culture; it has history; it has story; and LaDuke can speak in these terms because as we'll soon see, the wild rice plant is no "it" at all, but a subject, a moral person.