

People of the Sacred Language: Revival of the Hocak Language

BY

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## Introduction

### A. Hockak<sup>1</sup> language loss among the Ho-Chunk/Winnebago<sup>2</sup>

The people of the Ho-Chunk/Winnebago Tribe are the “Ho-chun-gra” or “Ho-Chunk” which translates to “People of the Parent Speech,” “People with the Big Voices,” or “People of the Sacred Language.” The Ho-Chunk/Winnebago were originally located in what is now the central Wisconsin area. By 1814, the Ho-Chunk/Winnebago had split into two separate tribes due to long-standing disagreements regarding their proper relationships with first the Europeans, and then the Americans. Half the tribe resisted relocation, determined to remain in their homeland. The other half, desiring to work peacefully with the U.S. became known as the treaty faction. Their efforts to accommodate the United States led to their forced relocation from their homelands in Wisconsin in turn to Iowa, Minnesota, South Dakota, and then to the Thurston County area of Nebraska. With each treaty signed between 1816 and 1867, the Winnebago Tribe of Nebraska lost more land, reducing their original lands in Wisconsin from 8 million acres to only 120,000 acres in northeast Nebraska

The Ho-Chunk/Winnebago people who refused to relocate are today known as the Ho-Chunk Nation of Wisconsin.<sup>3</sup> Despite repeated military

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<sup>1</sup> Winnebago, Hockak Wazijaci, Hockak, Hockank, Hockank

<sup>2</sup> This thesis uses Ho-Chunk/Winnebago when referring to the tribe prior to its separation into two distinct tribes.

<sup>3</sup> They reclaimed their original name, Ho-Chunk, in 1997.

removals, destruction of their villages and sacred objects, and attempts by corrupt federal officials to replace defiant traditional chiefs, the Ho-Chunk pursued a forty-year, fugitive existence in the woods of Wisconsin. After years of fighting the federal government and military, the federal government finally recognized the Ho-Chunk's right to stay in their aboriginal homelands. On January 18, 1881, partly due to the lobbying efforts of sympathetic whites, Congress passed the Winnebago Homestead Act. The act did not provide the Ho-Chunk with reservation status, but provided each family or individuals with 40 acres of land for farming. Today, the Ho-Chunk Nation comprises 7,732 acres spread across non-adjacent land in the following Wisconsin counties: Adams, Clark, Crawford, Eau Claire, Jackson, Juneau, La Crosse, Sauk, Shawano, Vernon, and Wood.

This separation affected not only the tribe's identity, status, and location, but also its culture and language. Hocak, the traditional language, is a Siouan language, part of the language family that includes Ojibwe, Ponca, Iowa, and Lakota.<sup>4</sup> The total number of Ho-Chunk/Winnebago people who are fluent Hocak speakers has declined precipitously. Today, Hocak is an endangered language, spoken by less than three percent of all Ho-Chunk/Winnebago peoples. Of the 6,563 enrolled members of the Ho-Chunk Nation of Wisconsin, 200 are fluent speakers (three percent of the

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<sup>4</sup> Linguistic classification is [Siouan, Siouan Proper, Central, Mississippi Valley, Winnebago](#).

population).<sup>5</sup> By contrast, of the 4,000 members of the Winnebago Tribe of Nebraska, only 24 are fluent speakers (less than .05% of the population).

Language is the foundation of any culture, making it especially vital to cultures whose people have undergone generations of forced assimilation. Ho-Chunk/ Winnebago culture uses Hocak in their traditional ceremonies, songs, prayers, and stories. The extinction of this language would affect how the tribal people communicate with one another and their traditional practices.

Language relates to the condition of the culture because it consists of the same material as logical relations, oppositions, and correlations.<sup>6</sup> As United Nations Educational, Scientific and Cultural Organization (UNESCO) has stated, “Languages are vehicles of value systems and of cultural expressions and they constitute a determining factor in the identity of groups and individuals. Languages are an essential component of the living heritage of humanity”.<sup>7</sup> Language forms the foundation of the culture.<sup>8</sup>

Language is culturally and spiritually important to the Ho-Chunk/Winnebago. The Ho-Chunk/Winnebago language and culture are inseparable – it is part of the Ho-Chunk/Winnebago identity. Given the

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<sup>5</sup> Susan Lampert. “Ho-Chunk Stubbornness-They survived because of it.” *Wisconsin State Journal* 15, Smith, Mar. 1998.

<sup>6</sup> Claude Levi-Strauss, Roman Jakobson, C.F. Voegelin and Thomas A. Sebeok’s “Results of the Conference of Anthropologists and Linguists” in *International Journal of American Linguists*, 1953.

<sup>7</sup> *Language Vitality and Endangerment*, UNESCO Ad Hoc Expert Group on Endangered Languages. Document submitted to the International Expert Meeting on UNESCO Programme Safeguarding of Endangered Languages. Paris, 10-12 March 2003.

<sup>8</sup> Claude Levi-Strauss, Roman Jakobson, C.F. Voegelin and Thomas A. Sebeok’s “Results of the Conference of Anthropologists and Linguists” in *International Journal of American Linguists*, 1953.

importance of language to the Ho-Chunk/Winnebago people, and because I am a member of the Winnebago Tribe of Nebraska, my thesis analyzes the current and historical status of the Hockak language and assesses its future existence within both Ho-Chunk/Winnebago groups.

## B. Thesis Statement

Thesis Statement: The Ho-Chunk Nation has retained more of their tribal language than the Winnebago Tribe of Nebraska because of factors resulting from determination to remain in their aboriginal home.

Research Questions: Specifically, the work seeks to answer two primary questions.

(1) What factors most contributed to the decline and status of Ho-Chunk as a severely endangered language? (2) Why do the Wisconsin Ho-Chunk, as the above statistics indicate, have several more fluent speakers today than the Winnebago Tribe of Nebraska? <sup>9</sup>

## C. Overview of Thesis

Chapter one discusses the process and theories of language loss.

Based on research from David Crystal's *How Language Works* and *Language Death* and Carol Schmid's *Politics of Language: Conflict, Identity, and Cultural Pluralism in Comparative Perspective*, this chapter identifies four factors that

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<sup>9</sup> Using a qualitative approach and secondary and primary research on the Ho-Chunk/Winnebago people, my research materials include books and articles written by Indigenous and non-Indigenous scholars on Ho-Chunk/ Winnebago history, culture, and language. Additional secondary resources include local and tribal news articles. Primary documents include federal documents, including treaties, congressional laws, legal decisions, and reports, tribal documents, including tribal laws and program reports, and unpublished theses. Internet sources will be used when appropriate.

are used to analyze Hocak language loss among the two tribes: movement out of environment; external duress to extinguish language; internal duress; and loss of critical mass.

Chapter two, in its review of early Ho-Chunk history and culture, evaluates how the above four factors contributed to a diminished use of the Hocak language. The chapter first examines the importance of the Ho-Chunk's location and clan system, followed by a review of the tribe's early history and interaction with European powers. Following this, the chapter analyses the treaty-making process and subsequent removals of the Winnebago Tribe of Nebraska. An examination of each treaty exposes the Winnebago's land loss, and the Ho-Chunk's resistance to removal and determination to remain in their aboriginal homelands. The chapter ends with a brief consideration of how several federal policies designed to assimilate the Ho-Chunk/Winnebago people, impacted the language. Using a weighted system of one to four, the chart on page 19, summarizes the impact of each factor on both groups in the historical and modern period.

Chapter three assesses the future vitality of the Hocak language. The chapter briefly reviews the federal government's passage of the Native American Languages Act of 1990 to revive American Indian languages. Secondly, the chapter discusses the language revitalization programs of both the Ho-Chunk Nation and the Winnebago Tribe, and the role they play in their education and tribal community. Chapter four concludes the thesis with

thoughts on the Hocak language, past and future, and points to additional areas that warrant further study.

## Chapter One: Theory of Language Loss

This chapter provides an overview of factors that lead to language loss and indirectly those factors, which improve its maintenance. Linguists have identified three broad stages in the process of language loss. David Crystal refers to the first broad stage as the immense pressure on the people to speak the dominant language-pressure that can come from political, social, or economic sources.<sup>10</sup> Crystal describes this process as potentially 'top down', in the form of incentives, recommendations, or laws introduced by a government or national body; or 'bottom up', in the form of fashionable trends or group peer pressure from the dominant society. Alternatively, the process may have no clear direction, emerging from an interaction among sociopolitical and socioeconomic factors only partly recognized and understood. People, for example, may believe that to have a better chance at life they must learn the dominant language. This belief eventually leads to a decline in the use of tribal languages.

The following stage consists of a period of emerging bilingualism, as people become increasingly efficient in their new language while retaining competence in their old. As time goes by, the new language takes the place of the old language. In the third stage, the younger generation, who has become increasingly proficient in the new language, finds their native language less relevant to their daily needs. The dominant language is attractive because it

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<sup>10</sup> David Crystal, *How Language Works*. (New York; Penguin Books, 2005), 337.

facilitates outward movement from the Indigenous community, offers new horizons, and the promise of improved standards of living. Parents begin to feel that their native language is less valuable in comparison to the dominant language. This often results in a feeling shame by both parents and their children when using the old language.<sup>15</sup> Parents use their native language less and less, either to their children, or in front of their children. As more children are born, adults find fewer opportunities to speak the language to them.<sup>16</sup> The families that continue to speak their language find fewer families to communicate with, resulting in families developing their own inward-looking and idiosyncratic usage, termed *family dialects*.<sup>17</sup> Eventually, use of the tribal language outside the home declines.

As this process continues, the tribal language no longer dominates. Within a generation and sometimes even within a decade – a healthy bilingualism within a family can slip into a self-conscious semilingualism, and thence into a monolingualism, placing the language one step nearer to extinction.<sup>18</sup> Ultimately, this process will lead to the language's status as severely or critically endangered.

Another factor that contributes to language loss is *cultural assimilation*: one culture is influenced by a more dominant culture, and begins to lose its

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<sup>15</sup> David Crystal, *How Language Works*. (New York; Penguin Books, 2005), 338.

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

character because its members adopt new behavior and mores.<sup>19</sup> Cultural assimilation is a major factor resulting in the loss of tribal languages among American Indian tribes. The new dominant language may result from demographic submersion – large numbers of outsiders arriving in the community’s territory and swamping the Indigenous people – as has happened repeatedly in the course of colonialism.<sup>20</sup> Alternatively, one culture may exercise its dominance over another without a huge influx of immigration, but through its initial military superiority or for economic reasons.<sup>21</sup> Both processes are found throughout the history of American Indians including the Ho-Chunk/Winnebago.

Language is an important emblem of dominance. Language politics is a heated source of conflict as groups fight over which language will be the standard or official language of the nation.<sup>22</sup> The English language, through its use as the language of school instruction, became the dominant language in the United States. Immigrant children learned English in school as a means of incorporating them into the American melting pot. Indian children too were forced to learn English in school at the expense of their own languages. The difference, however, is that immigrants desired to become part of the American politic whereas Indian people preferred to retain their own languages and cultures.

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<sup>19</sup> David Crystal, *How Language Works*. (New York; Penguin Books, 2005), 338.

<sup>20</sup> Ibid.

<sup>21</sup> David Crystal. *Language Death*. (New York; Cambridge Press, 2000), 77.

<sup>22</sup> Ibid.

As Noam Chomsky's states, "questions of language are basically questions of power."<sup>24</sup> Joshua Fishman offers a similar perspective by arguing that language becomes part of the secular religion, binding society together.<sup>25</sup> It is a powerful communicative instrument that promotes internal cohesion and provides an ethnic or national identity.<sup>26</sup> Language for Americans Indians is the foundation of their identity and culture, and distinguishes them from other people and other tribes. Traditional languages form the basic medium for transmission, and thus survival, of American Indian cultures, literatures, histories, religions, political institutions, and values.<sup>27</sup>

#### **A. Ho-Chunk as a Severely Endangered Language**

Indigenous peoples, linguistic scholars, and governmental organizations the world over have recognized the need to preserve endangered languages. UNESCO has estimated that one language disappears every two weeks; more than 50% of the 6700 languages currently spoken may soon disappear. In an effort to establish programs to prevent their loss, UNESCO embarked on a major study analyzing the health and potential survival of the world's languages.

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<sup>24</sup> Carol L. Schmid. *Politics of Language: Conflict, Identity, and Cultural Pluralism in Comparative Perspective*. (New York: Oxford University Press 2001), 9.

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

<sup>27</sup> James Crawford, *Language Loyalties: A Source Book on the Official English Controversy*. (Chicago: The University of Chicago Press. 1992), 155.

According to the [Language Vitality and Endangerment Paper](#) , the UNESCO Ad Hoc Expert Group on Endangered Languages used nine factors to determine the endangerment status of a language, including:

Factor 1: Intergenerational language transmission

Factor 2: Absolute number of speakers

Factor 3: Proportion of speakers within the total population

Factor 4: Shifts in domains of language use

Factor 5: Response to new domains and media

Factor 6: Materials for language education and literacy

Factor 7: Governmental and institutional language attitudes and policies, including official status and use

Factor 8: Community member's attitudes towards their own language

Factor 9: Type and quality of documentation<sup>28</sup>

Although no single factor alone can be used to assess the state of a community's language and the type of support needed for its maintenance, revitalization and transmission, these nine factors are useful for characterizing a language's viability and its function in society.<sup>29</sup> Once all information is taken into consideration, UNESCO rates its status according to the following scale:

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<sup>28</sup> "Atlas on Endangered Languages." *UNESCO*. [http://portal.unesco.org/ci/en/ev.php-URL\\_ID=7856&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/ci/en/ev.php-URL_ID=7856&URL_DO=DO_TOPIC&URL_SECTION=201.html) (accessed April 1, 2009).

<sup>29</sup> Ibid.

- unsafe
- definitely endangered
- severely endangered
- critically endangered
- extinct.

According to UNESCO’s Interactive Atlas of the World’s Languages in Danger, the Hocak language of the Ho-Chunk is severely to critically endangered.<sup>30</sup>

**UNESCO Interactive Atlas of the World’s Languages in Danger<sup>31</sup>**

<i>Name of the language</i>	Winnebago (en)
<i>Alternate names</i>	Ho-Chunk, Hochank
<i>Related records</i>	Winnebago (Nebraska); Winnebago (Wisconsin)
<i>Vitality</i>	severely endangered
<i>Number of speakers</i>	250 (Over 250 fluent first-language speakers; the number may be higher.)
<i>Location(s)</i>	Winnebago Tribe of northeastern Nebraska and the Ho-Chunk Nation of central Wisconsin.
<i>Country or area</i>	United States of America
<i>Coordinates</i>	lat = 42.2475; long = -96.4722
<i>References</i>	Corresponding ISO 639-3 code(s): win Record number: 01172

**B. The Loss of Hocak: A Theoretical Analysis**

A language is not a self-sustaining entity and language loss affects Indigenous people across the world.<sup>32</sup> To prevent language loss, people must use and transmit it to one another in their tribal community. Once this stops

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<sup>30</sup> “Atlas on Endangered Languages.” *UNESCO*. [http://portal.unesco.org/ci/en/ev.php-URL\\_ID=7856&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/ci/en/ev.php-URL_ID=7856&URL_DO=DO_TOPIC&URL_SECTION=201.html) (accessed April 1, 2009).

<sup>31</sup> Ibid.

<sup>32</sup> Daniel Nettle and Suzanne Romaine, *Vanishing Voices: The Extinction of the World’s Languages*. (New York; Oxford Press, 2000), 5.

the process of language loss begins. In *Vanishing Voices: The Extinction of the World's Languages*, Daniel Nettle and Suzanne Romaine discuss the process and factors that contribute to language loss.

For a language to survive, a community must exist where people can speak and transmit it.<sup>33</sup> This means that a community must inhabit a viable environment, with the means of making a living.<sup>34</sup> This is seen in Gaeltracht, the western seaboard region of Ireland. This area, which has the strongest concentration of Gaelic speakers in the nation, has survived because the community possesses a viable environment and economy.<sup>35</sup> Another important factor relates to the community's isolation from the dominant population. For example, linguists have noted that the Indigenous people of Colombia who live in the mountains have preserved their native language more effectively than those who live among the non-natives in the lowlands. When people are forcibly removed or must leave their community, the language begins its decline. This process occurred when the government forced the Winnebago from their homelands and moved them to various locations. The Ho-Chunk, however, who refused to leave their homelands and remained free of government interventions, retained the use of their language more successfully.

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<sup>33</sup> Daniel Nettle and Suzanne Romaine, *Vanishing Voices: The Extinction of the World's Languages*. (New York; Oxford Press, 2000), 5.

<sup>34</sup> Ibid.

<sup>35</sup> Ibid. 89.

External duress or policies that lead to internal stress also play a major role in language shift and death. The United States' policies designed to extinguish Indian culture is well-known, ranging from removals, Christianization, forced education, and criminal penalties for practicing religious traditions. Language endangerment may be the result of external forces such as military, economic, religious, cultural or educational subjugation, or internal forces, such as a community's negative attitude towards its own language.<sup>37</sup> The federal government also included in these assimilationist efforts, direct policies designed to destroy native languages. Akira Yamamoto quotes a typical statement, made by a nineteenth-century commissioner of Indian Affairs in the USA: "The instruction of the Indians in the vernacular is not only of use to them, but detrimental to the cause of their education and civilization."<sup>38</sup> This would be the case regarding the loss of American Indian languages, including Hocak.

Overt policies, in turn, lead to internal stresses that are often unnoticed. Internal pressures often have their source in external ones, and both halt the intergenerational transmission of linguistic and cultural traditions.<sup>39</sup> For an example, punishment or policies promoting the dominant language Indigenous people are introduced by a more dominant culture, whose members stigmatize the people in such terms as stupid, lazy, and barbaric, and their

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<sup>37</sup> "Atlas on endangered languages." UNESCO. [http://portal.unesco.org/ci/en/ev.php-URL\\_ID=7856&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/ci/en/ev.php-URL_ID=7856&URL_DO=DO_TOPIC&URL_SECTION=201.html) (Accessed April 1, 2009)..

<sup>38</sup> David Crystal. *Language Death*. (New York; Penguin Books, 2005), 84.

<sup>39</sup> Ibid.

language as ignorant, backward, deformed, inadequate, or even (in the case of some missionaries) a creation of the devil.<sup>40</sup> Dominant language speakers view Indigenous languages as a sign of backwardness, or as hindrance to making improvements in social standing.<sup>41</sup> This eventually leads to negative feelings towards tribal languages. American Indian people subsequently refrain from speaking their languages out of self-defense or as a survival strategy.<sup>42</sup> Ultimately, the stress of repeated uncomfortable social situations, provides many native speakers with the sense that there is no realistic choice but to give in.<sup>43</sup>

For a language to survive there must be a critical mass of people who speak the language. Many Indigenous peoples experienced intense population loss from wars, diseases, and starvation – a loss compounded by land loss, external policies, and internal stress. When a language has lost its speakers, the language dies.<sup>44</sup>

From the above discussion, four major factors can be identified as major contributors to language loss:

- Movement out of environment
- External duress to extinguish language
- Internal duress
- Loss of critical mass

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<sup>40</sup> David Crystal. *Language Death*. (New York; Penguin Books, 2005), 84.

<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

<sup>43</sup> Daniel Nettle and Suzanne Romaine. *Vanishing Voices: The Extinction of the World's Languages*. (New York; Oxford Press, 2000), 5.

<sup>44</sup> Ibid.

A language becomes endangered when its speakers cease to use it, use it in an increasingly reduced number of communicative domains, and cease to pass it on from one generation to the next.<sup>45</sup> This applies to the use of the Hocak language among the Ho-Chunk who were not taught the language by their parents, and did not know the language to teach their youth.

Using these four factors, as well as additional contributory factors, the following chapter examines the two questions presented in this thesis. Which of the above factors most contributed to the decline and status of Ho-Chunk as a severely endangered language? Do these factors explain why the Ho-Chunk were more successful in retaining the language in comparison to the Nebraska Winnebago?

The Hocak language did not decline over night, but was a process started generations ago. It is difficult to pinpoint one factor resulting in language loss among the Ho-Chunk/ Winnebago tribes, but the policies and practices of the United States government greatly affected the Ho-Chunk/Winnebago and their language. Loss of land and removals, and federal and social policies related to religion and education, among others, greatly contributed to a process where the Ho-Chunk/Winnebago could not, or did not pass their language from parent to child.

The identification of those factors most involved in the loss of a particular language can assist a community in designing language

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<sup>45</sup> How do languages become endangered?" *UNESCO*.  
[http://portal.unesco.org/ci/en/ev.php-URL\\_ID=7856&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/ci/en/ev.php-URL_ID=7856&URL_DO=DO_TOPIC&URL_SECTION=201.html) (Accessed March 1, 2009).

revitalization programs of the most benefit. The last chapter considers the future survival of Ho-Chunk by examining both tribes' efforts to preserve their common language.

## Chapter Two: From Sacred to Severely Endangered: An Analysis of Factors Leading to Hocak Loss

### A. Movement out of Environment

The Ho-Chunk/Winnebago, also known as the *Ho-chun-gra*, means “People of the Parent Speech” or “People of the Sacred Language.” The word Ho-chun-gra refers to the Ho-Chunk/Winnebago belief that they represent the original people from whom all Siouan-speaking people sprang.<sup>46</sup> Linguists concur that the Ho-Chunk people relate linguistically to the Osage, Quapaw, Omaha, Kansas, and Ponca people, as well as the Mandan in North Dakota, and Siouan-speaking people in the southeastern United States.<sup>47</sup> The fact that the Ho-Chunk/Winnebago are situated in the geographic center of these groups lends weight to the Hochungra contention that they are the “original people” and explains why the Oto Missouri tribes refer to the Ho-Chunk/Winnebago even today as grandfathers.<sup>48</sup> To know the future of the Ho-Chunk/Winnebago it is important to know from where they came.

Archeologists theorize that the Ho-chun-gra, (from this point forward referred to as the Ho-Chunk), along with other peoples of the Chiwere-Siouan language group, the Iowa, Oto, and Missouri peoples, emerged from the Oneota tradition - a prehistoric culture complex that flourished from A.D. 1000

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<sup>46</sup> Patty Leow, *Indian Nations of Wisconsin: Histories of Endurance and Renewal*. (Madison: Wisconsin Historical Society Press, 2001), 40.

<sup>47</sup> Ibid.

<sup>48</sup> Ibid.

to A.D. 1600 in the upper Mississippi Valley.<sup>49</sup> Although, numerous theories exist regarding the early history of the Chiwere –Siouan people, the absence of good archaeological data from critical periods and confusing ethnohistorical accounts leave many questions unanswered.<sup>50</sup>

The Ho-Chunk recognizes the Moga-Shooch (Red Banks) on the south shore of Green Bay, the deep north between thumb and fingers on today's map of Wisconsin as their aboriginal homelands.<sup>51</sup> This area is the location of their most sacred lands, areas that form the central core of their culture and language. It is this knowledge and understanding that was lost, first through removals, and secondly through the declining loss of the language. The language, especially, provides the Ho-Chunk with knowledge and an understanding of their original homelands, their name, and who they are as a people.

The Ho-Chunk governed themselves through their clan system – an important cultural practice that provides insights into how the Ho-Chunk functioned as a people. As David Lee Smith discusses in *Folklore of the Winnebago Tribe*, the Ho-Chunk clan system was and is complex, due to differing accounts of their origins, customs, and roles.<sup>52</sup> The Ho-Chunk clans

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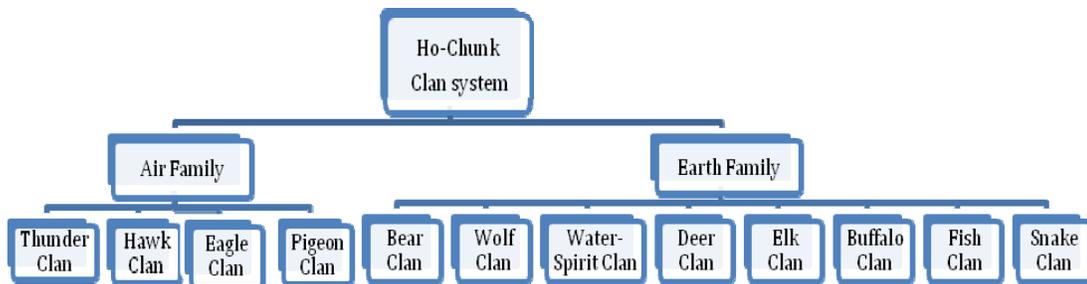
<sup>49</sup> Patty Leow, *Indian Nations of Wisconsin: Histories of Endurance and Renewal*. (Madison: Wisconsin Historical Society Press, 2001), 37.

<sup>50</sup> Ibid. 40. The archaeological data will differ from the origin stories of the Ho-Chunk/Winnebago because the stories emerge from their cultural perspective rather than documented information from a non-American Indian perspective.

<sup>51</sup> Ibid.

<sup>52</sup> The discussion that follows on the Ho-Chunk clan system is taken from David Lee Smith. *Folklore of the Winnebago Tribe*. (Norman; University of Oklahoma Press, 1997), 9.

separate into divisions, one known as the *wangeregi herera*, “those who are above” and the other as the *manegi herera*, “those who are earth”. These appellations refer to the categories of animals for the clans. The term *wangeregi* covers the birds, or those who are above. The term, *manegi*, refers to the land and water animals, or those who are below. The *wangeregi herera*, known as the Air (Sky) Family, consists of four Sky Clans – The Thunder, Hawk, Eagle, and Pigeon Clans. The *manegi herera* are the eight clans of the Earth Family – Bear, Wolf, Water-Spirit, Deer, Elk, Buffalo, Fish and Snake Clans,. Each clan has different myths, clan songs, and roles. Through cooperation, each clan contributed to tribal society by assuming particular responsibilities for an aspect of Ho-Chunk life.



The Thunder Clan supplied the civil leaders, or chiefs of the Tribe. Such positions were restricted to certain families, with positions passed on from father to son. The Hawk Clan provided the warriors or soldiers, authorized to decree life-and-death decisions over captives taken in war. The Eagle Clan and Pigeon Clans supplied soldiers for warfare and hunting. The Bear Clan provided policing responsibilities, while the Wolf Clan performed social welfare

roles, administering public health and safety.<sup>53</sup> The Water-Spirit Clan protected the water supply. The Deer Clan's function concerned the environment and weather. The Elk Clan was responsible for distributing fire through the village, the hunt and on the warpath. From the Buffalo Clan came the chief's town criers. The Fish Clan supplied soldiers for warfare and helped take care of the village. The Snake Clan maintained sanitation and acted as sentries for intruders. Together these last two clans also formed the first line of defense in warfare.

Although responsibilities to their respective clans have changed in the modern world, the Ho-Chunk continues to practice the religious and spiritual traditions of their clan system. Each clan, maintaining the customs of who may learn and when they may be shared, has retained their respective oral songs, prayers, and stories. Passed down from one generation to the next, each clan plays a vital role in preserving the culture and language, practiced against all odds for generations. Maintaining the language is therefore vital to understanding the clan system, for it is within the language that an understanding of the roles, responsibilities, practices, and customs of the clans, is preserved. Without the Hocak language, future generations will not understand the concepts the clan system.

The remainder of this chapter summarizes how the four factors identified in the previous chapter critical in language loss: movement out of

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<sup>53</sup> David Lee Smith, *Folklore of the Winnebago Tribe*. (Norman; University of Oklahoma Press, 1997), 9.

environment; external duress to extinguish language; internal duress, and loss of critical mass, impacted language loss differently between the two Ho-Chunk groups. As this chapter demonstrates, both external and internal factors led to the Ho-Chunk's division into two groups, the Winnebago, whom the federal government ultimately moved to Nebraska, and the Ho-Chunk, who refused to move from their aboriginal homelands.

The chart below evaluates the impact of these four factors, identified in different colors, and includes important factors that contributed to and magnified the import of these four factors. Facets related to Factor 1, movement out of environment, are highlighted in red. Those facets pertaining to Factor 2, external duress to extinguish language, are in blue. Facets in teal highlight those placed under Factor 3, internal duress, orange, relates to Factor 4, loss of critical mass. Each factor is measured on a scale of one to four, with one denoting the least impact and four, the highest.

<b>FACTORS LEADING TO LANGUAGE LOSS</b>				
<b>FACTORS</b>	<b>HO-CHUNK</b>		<b>WINNEBAGO</b>	
	<b>HISTORICAL</b>	<b>MODERN</b>	<b>HISTORICAL</b>	<b>MODERN</b>
<b>Settlement patterns</b>	4	4	4	1
<i>Tribal leadership</i>	4	2	4	2
<b>Economic /political relations with Europeans</b>	4		4	
<i>Changes in Political Structure</i>	4	4	4	4
<b>Treaties/removal</b>	2	2	4	4
<b>Geographic Locations</b>	2	2	4	4

<b>re removals</b>				
<b>Psychological Impact of Removals</b>	2	2	4	4
<b>Christianization</b>	3	3	4	4
<b>Assimilation policies – education</b>	3	3	4	4
<b>Land</b>	2	2	4	4
<b>Other policies</b>	2	2	4	4
<b>Population decline &amp; health issues</b>	2		4	
<b>Internal acceptance of Cultural assimilation</b>	2	2	4	4
<b>Parental support</b>	3	2	4	3

The Ho-Chunk's first written documented encounter with a European occurred in 1634, when tribal members met the French explorer, Jean Nicollet near present day Green Bay, Wisconsin. The tribe soon established a trade relationship with the French based on fur and food. Ultimately, the population decline and economic dependence on European trade goods that accompanied Ho-Chunk participation in the fur trade left the tribe vulnerable to encroachment by white settlers, especially miners who were attracted to the rich lead deposits of the Upper Mississippi Valley.<sup>54</sup> The Ho-Chunk worked the lead deposits every spring and fall, gathering enough of the mineral for personal use and sometimes collecting enough to trade with other tribes.<sup>55</sup>

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<sup>54</sup> Patty Leow, *Indian Nations of Wisconsin: Histories of Endurance and Renewal*. (Madison: Wisconsin Historical Society Press, 2001), 42.

<sup>55</sup> *Ibid.*

The Ho-Chunk played an important, and for the tribe, unfortunate, role in the alliances formed during the French and British wars. Wooed and courted by each side, decisions over which European, and later the Americans, to support, initiated a long-standing tribal dispute, which ultimately contributed to their separation into two different tribes. Initially engaged in a trade relationship with the French, the Ho-Chunk allied with the Mesquakies (Foxes) twice in wars against the French between 1701 and 1737.<sup>56</sup> These wars, fought partly to decide who would control the fur trade, had a dramatic impact on Ho-Chunk tribal culture. In 1728, the tribe's Grand National Council elected Hopoe-Kaw, the first female chief of the Ho-Chunk.<sup>57</sup> Hopoe-Kaw favored peace with the French, resulting in a split with the Ho-Chunk faction opposed to peace<sup>58</sup>

Leadership differences were resolved and the factions reunited in 1755, when both the Green Bay (Wisconsin Winnebago) and the Rock River Winnebago (Ho-Chunk) people joined the French against the British in the "French and Indian War". This war, not only terminated French dreams for an empire in North America, but removed the tribe's ally from the Great Lakes area.<sup>59</sup> Faced with a choice of allies in the War 1812, the Ho-Chunk originally sided with the least problematic of the two outsiders, the British. Eventually,

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<sup>56</sup> Smith, Davis Lee. "Winnebago. (Culture overview)." Encyclopedia of North American Indians. Houghton Mifflin Harcourt Publishing Company, 1996. NA Academic OneFile. Gale. University of Kansas Libraries. 1 Mar 2009  
<<http://find.galegroup.com/itx/start.do?proldAONE>.>

<sup>57</sup> Ibid.

<sup>58</sup> Ibid.

<sup>59</sup> Patty Leow, *Indian Nations of Wisconsin: Histories of Endurance and Renewal*. (Madison: Wisconsin Historical Society Press, 2001), 45.

however, a majority of the tribe left to join the Americans, a move that assisted in the American victory in 1814. This would contribute to the factional split that had developed in 1728 finally broke up the tribe for good.<sup>60</sup>

### **Treaty Making with the Winnebago**

The Ho-Chunk's homeland possessed water, ports, forests, and natural resources and American settlers quickly demanded the government obtain it for them. To accomplish this, the federal government, eventually through any means necessary, forced the Ho-Chunk to cede more and more of their lands through treaties. Between 1816 and 1865, the Ho-Chunk, or now referred to as the Winnebago, negotiated eleven treaties with the federal government. The following chart of the Winnebago treaties and removal will describe the treaties and their removal location. This information is vital to Winnebago history because of the legal agreements that led to the loss of land and the Winnebago's removal from their homelands.

**WINNEBAGO TREATIES AND REMOVALS**

	<b><i>Treaty &amp; Date</i></b>	<b><i>US Objectives</i></b>	<b><i>Tribal Impact</i></b>	<b><i>Impact on Land</i></b>
1	<i>Treaty of 1816 December 30<sup>th</sup></i>	<i>Peace &amp; Friendship</i>	<i>Separation of Tribe Winnebago/ Ho- Chunk</i>	
2	<i>Treaty of 1825 August 19<sup>th</sup></i>	<i>Establish Tribal boundaries with other tribes</i>	<i>Continuous separation of Tribe</i>	<i>Set tribal boundaries between the Sioux, Chippewa, Sacs and Foxes, Menominie, Ioway, Winnebago, and portion</i>

<sup>60</sup> Patty Leow, *Indian Nations of Wisconsin: Histories of Endurance and Renewal*. (Madison: Wisconsin Historical Society Press, 2001),45.

				<i>of the Ottawa, Chippewa, and Potawattomie Tribes. (See map of Treaty of 1825)</i>
3	<i>Treaty of 1827 August 11<sup>th</sup></i>	<i>Establish Tribal boundaries with other tribes</i>	<i>Continuous separation of Tribe</i>	<i>Establishment of tribal territories between the Chippewa, Menominie and Winnebago.</i>
4	<i>Treaty of 1828 August 25<sup>th</sup></i>	<i>Establish Tribal boundaries with other tribes</i>	<i>Continuous separation of Tribe</i>	<i>Set tribal land boundaries with the Winnebago, Potawatamie, Chippewa, and Ottawa.</i>
5	<i>Treaty of 1829 August 1<sup>st</sup></i>	<i>Land cessions</i>	<i>Continuous separation of Tribe</i>	<i>Loss of land tract in southern Wisconsin and northern Illinois.  (See map of Treaty of 1829)</i>
6	<i>Treaty of 1832 September 15<sup>th</sup></i>	<i>Land cession</i>	<i>Continuous separation of Tribe</i>	<i>Loss of land tract in southern central Wisconsin.  Removal to "neutral land" in northeastern Iowa and southeastern Minnesota.  (See maps of Treaty 1832)</i>
7	<i>Treaty of 1837 November 1<sup>st</sup></i>	<i>Land cession Education Agricultural</i>	<i>Last of aboriginal land ceded Continuous separation of Tribe</i>	<i>Final cession of land lost east of Mississippi River.  (See map of Treaty 1837)</i>
8	<i>Treaty of 1846 October 13<sup>th</sup></i>	<i>Land cession Removal</i>	<i>Continuous separation of Tribe</i>	<i>Sold "neutral land" in Iowa Removal to Minnesota  (See map of Treaty of 1846)</i>
9	<i>Treaty of 1855 February 27<sup>th</sup></i>	<i>Land cession</i>	<i>Continuous separation of Tribe</i>	<i>Removal to Minnesota Reservation  (See map of Treaty of 1855)</i>
10	<i>Treaty of 1859 April 15<sup>th</sup></i>	<i>Final relocation</i>	<i>Continuous separation of Tribe</i>	<i>Establishment of the Winnebago Reservation in Winnebago, Nebraska  (See map of Treaty of 1859)</i>
11	<i>Treaty of 1865 March 8<sup>th</sup></i>	<i>Land cession</i>	<i>Continuous separation of Tribe</i>	<i>Establishment of additional land in Nebraska Sold of Winnebago Reservation in South Dakota (previously known Minnesota Reservation) (See maps of Treaty of 1865)</i>

The first four treaties, negotiated between 1816 and 1828, primarily focused on peace and friendship with the United States, establishing boundaries lines among the various tribes in the region. These treaties often provided for the restoration or exchange of prisoners, including the detention of hostages until prisoners were restored.<sup>61</sup> In some of these early treaties, the Winnebago agreed to suppress insurrections or to prevent other tribes from making hostile demonstrations against the United States government or people.<sup>62</sup>

The Winnebago signed their first treaty with the United States on June 3, 1816 (ratified December 30, 1816). A treaty of peace, both parties agreed to forgive past harmful acts committed against each other and to maintain a positive relationship in the future. The Winnebago also agreed that they would not negotiate with other nations. Only a portion of the Tribe's chiefs and members agreed to the terms of this treaty. In response, the United States agreed to protect only those groups signing the treaty and demanded that these chiefs and their members remain apart from the rest of the Winnebago Tribe until all tribal members agreed to peace. Those signing the treaty were further forbidden to assistance or aid the non-signatory members.

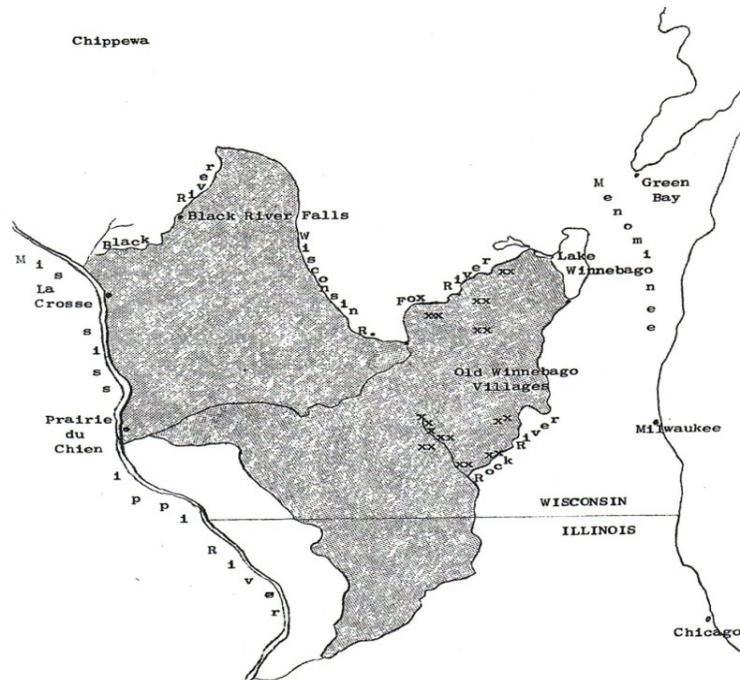
This treaty foreshadowed the U.S. government's role in dividing the tribe into two separate groups. Over time, the U.S. treaty process affected

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<sup>61</sup> Felix S. Cohen, *Felix S. Cohen's Handbook of Federal Indian Law*. (Charlottesville: Law Publishers, 1982), 65.

<sup>62</sup> *Ibid.*

every aspect of Winnebago lives, leading to the more rapid assimilation of the “treaty” group through education, religion and other federal policies, and the more rapid loss of their language.



MAP I. Treaty of 1825: Approximate area of Winnebago country in Wisconsin and Illinois as outlined in Article 7.

63

In 1825, the federal government negotiated a treaty with several tribes in the region, including the Sioux, Chippewa, Sacs and Fox, Ioway, Winnebago, a portion of the Ottawa, and Potawattomi. The treaty provided for peace among the Sioux and Chippewas, Sac and Fox, and Ioway tribes and outlined Winnebago boundaries. Most importantly, the treaty solidified the United States relationship with the tribal signatories, stating that the tribes, “acknowledge the general controlling power of the United States, and disclaim

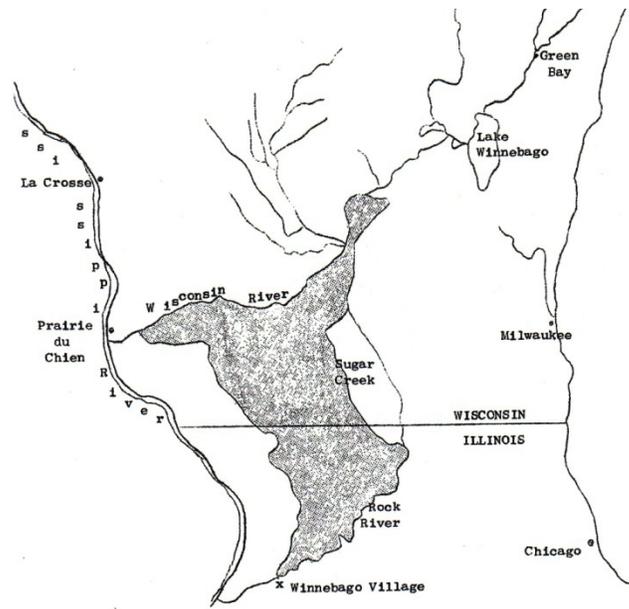
<sup>63</sup> George E. Fay, *Treaties between the Winnebago Indians and the United States of America, 1817-1865*. (Greeley: University of Northern Colorado, 1970).

all dependence upon, and connection with, any other power.”<sup>64</sup>

The 1825 treaty had failed to settle all boundary disputes, especially claims from the New York tribes whom the government had previously relocated to the region. Two years later, in another treaty, tribes agreed to leave the final decision to the President of the United States. The following year, the government again requested several tribes, including the Winnebago, Sac and Fox, Potawatomi, Ottawa, and Chippewa tribes to meet in Michigan to negotiate another treaty. This treaty, signed August 25<sup>th</sup>, 1827 established tribal boundaries and provided for tribes to sign individual land cession agreements with the federal government. The tribes also agreed to allow the United States government to handle trespasser on their lands. In return, government paid the tribes twenty thousand dollars in goods, divided equally among the tribes, for damages and injuries committed by non-Indians who had trespassed across their country for mining purposes. In addition, the treaty permitted the government to establish two ferries over the Rock River. The ink had barely had time to dry, before the federal government was back with another treaty request.

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<sup>64</sup>George E. Fay, *Treaties between the Winnebago Indians and the United States of America, 1817-1865*. (Greeley: University of Northern Colorado, 1970).



Map II. Treaty of 1829: Cession by the Winnebago of the land tract in southern Wisconsin and northern Illinois.

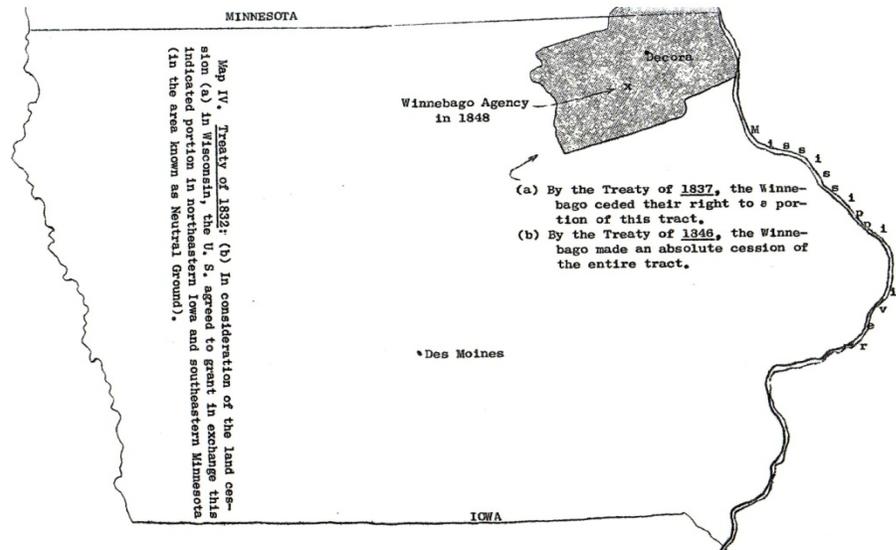
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The following year, the government negotiated yet another treaty with the Winnebago on August 1, 1829 at the village of Prairie du Chien in the Michigan territory. In this treaty, the government insisted that the Winnebago cede a large portion of their lands in Wisconsin, “in order to remove the difficulties which have arisen in consequence of the occupation, by white persons, of that part of the mining country which has not been ceded to the United States.”<sup>65</sup> In return, the government agreed to pay the Tribe thirty thousand dollars in goods, three thousand pounds of tobacco, and fifty barrels of salt to the tribal members located at Prairie du Chien and Fort Winnebago. An additional eighteen thousand dollars and similar amounts of tobacco and salt would be delivered to the tribe annually for thirty years. The United States

<sup>65</sup> George E. Fay, *Treaties between the Winnebago Indians and the United States of America, 1817-1865*. (Greeley: University of Northern Colorado, 1970).

<sup>66</sup> *Ibid.*

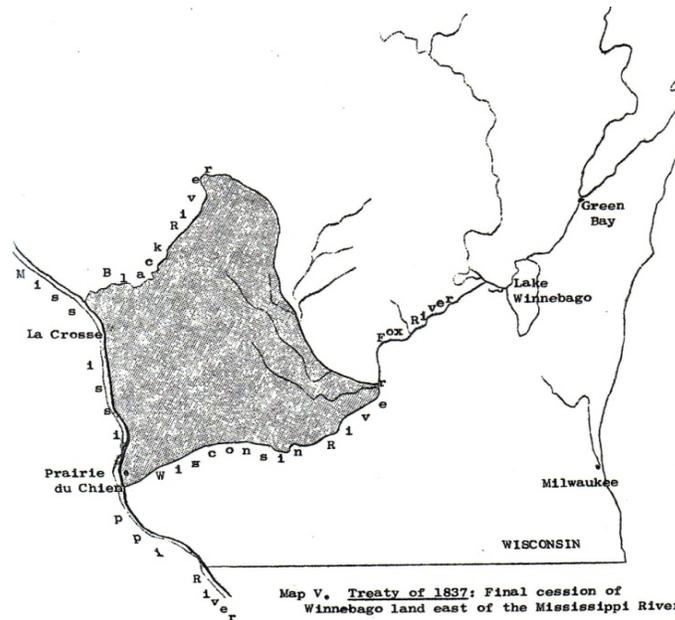
government also agreed to provide three blacksmith shops with tools, two yoke oxen, carts, and services for a portage for thirty years. Other articles provided land to certain tribal members, likely to those families most influential in obtaining the tribe's agreement to the treaty.



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The fourth important treaty the Winnebago signed was in 1832 on September 15th at Fort Armstrong in Rock Island, Illinois. The tribe ceded more land located south and east of the Wisconsin River and near the Fox River. In return, the government agreed to pay ten thousand dollars and to provide education, clothing, board, and lodging for twenty-seven years to the Winnebago people located near Fort Crawford, near Prairie du Chien. The school, for which the government would appropriate three thousand dollars to administer and hire male and female teachers, would teach reading, writing, arithmetic, gardening, agriculture, and other skills.

<sup>67</sup> George E. Fay, *Treaties between the Winnebago Indians and the United States of America, 1817-1865*. (Greeley: University of Northern Colorado, 1970).



Map V. Treaty of 1837: Final cession of Winnebago land east of the Mississippi River.

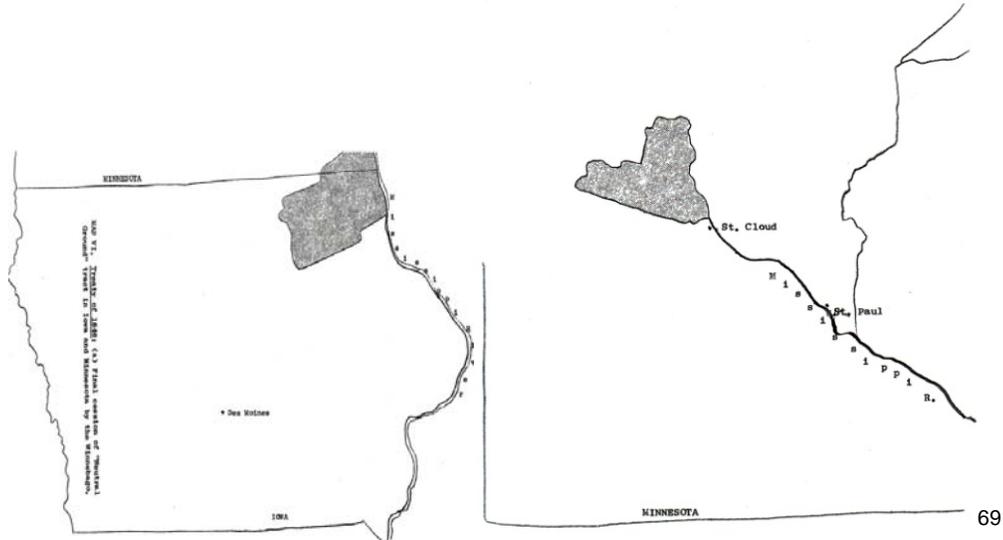
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The treaty of 1837 ceded the remaining of Winnebago land, leaving them without their aboriginal homeland. In return, the Winnebago were given only eight months, to prepare for their removal to a “portion of neutral ground west of the Mississippi” near the Iowa and Minnesota boundaries. This removal would be the first of several to the Winnebago would have to endure. The removal would enforce the separation between the tribe. Although, some of the tribe who would later become a part of the Ho-Chunk would join the Winnebago in the removal process would eventually return to Wisconsin. This would make it more complex situation figuring total population because members of the Tribe were able to leave the removal location without notice by the U.S. government.

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<sup>68</sup> George E. Fay. *Treaties between the Winnebago Indians and the United States of America, 1817-1865*. (University of Northern Colorado: Greeley, 1970).

Map VII. Treaty of 1846: (b) Grant of land in central Minnesota (formerly Chippewa tract) to the Winnebago; a tract of not less than 800,000 acres north of St. Peter's River and west of the Mississippi. [This treaty was subsequently ceded by the Treaty of 1855.]

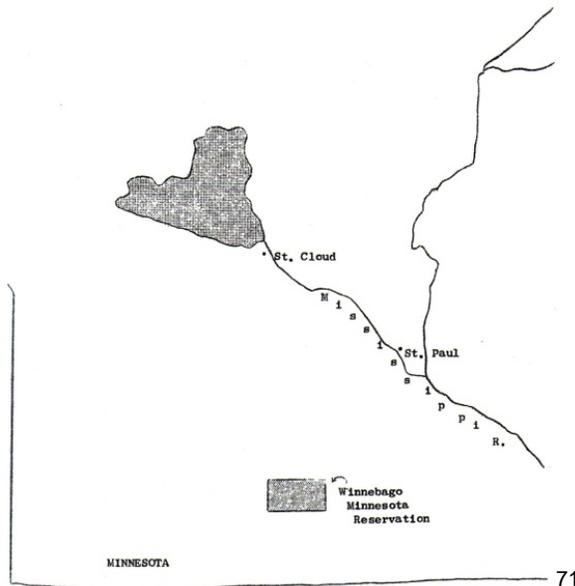


In treaty 1846, on October 30th, the Winnebago agreed to sell their “neutral land” in Iowa and Minnesota and move to Minnesota, near St. Cloud. The government put the tribe’s payment for this land in trust and gave them a year to relocate to their new location. The Winnebago would eventually be forced to move from this area as well, to even less desired lands. Many Ho-Chunk, dissatisfied with the quality of these new lands, refused to move, and others who did move, often returned to their abundant homelands in Wisconsin.<sup>70</sup>

<sup>69</sup> George E. Fay, *Treaties between the Winnebago Indians and the United States of America, 1817-1865*. (Greeley: University of Northern Colorado, 1970).

<sup>70</sup> Tribal Statistics. *Ho-Chunk Nation*. Edited 1/2009 <http://ho-chunknation.com> (accessed March 15, 2009).

Map VIII. Treaty of 1855: Cession of central Minnesota tract (granted by the Treaty of 1846), replaced by a 18 square mile tract on Blue Earth River in southern Minnesota.



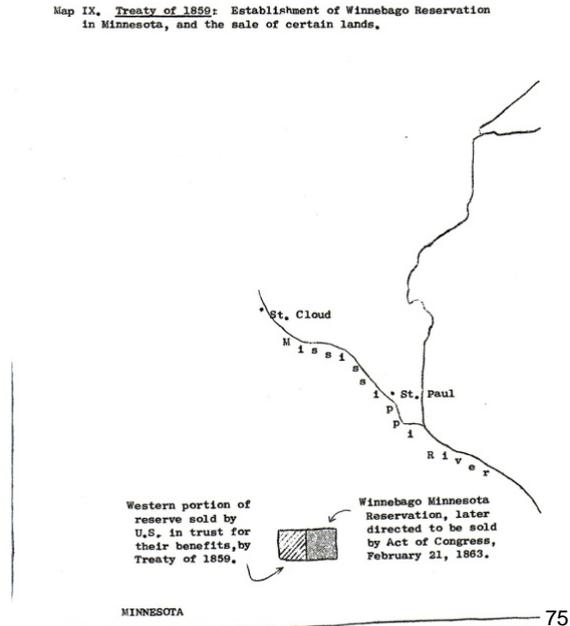
In 1855, the Long Prairie Winnebago exchanged their lands for a reservation near Blue Earth, in south-central Minnesota.<sup>72</sup> This new area was small, only eighteen square miles but the land was fertile and the Ho-Chunk farmed successfully. In 1862, the Sioux in Minnesota, angered over fraudulent treaties, fought back, killing many settlers. Although the Winnebago were not part of the Sioux revolt, terrified whites demanded that the government remove both the Sioux and Winnebago to South Dakota.<sup>73</sup> This would leave the Blue Earth reservation unoccupied, which would leave another opportunity for a treaty, which would be the 1859 treaty; the Winnebago ceded their lands at

<sup>71</sup> George E. Fay. *Treaties between the Winnebago Indians and the United States of America, 1817-1865*. (Greeley: University of Northern Colorado, 1970).

<sup>72</sup> Patty Leow, *Indian Nations of Wisconsin: Histories of Endurance and Renewal*. (Madison: Wisconsin Historical Society Press, 2001), 46.

<sup>73</sup> *Ibid.*

Blue Earth for lands in Crow Creek in South Dakota.<sup>74</sup>

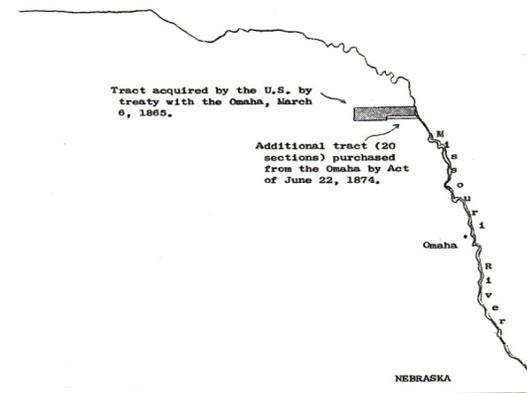
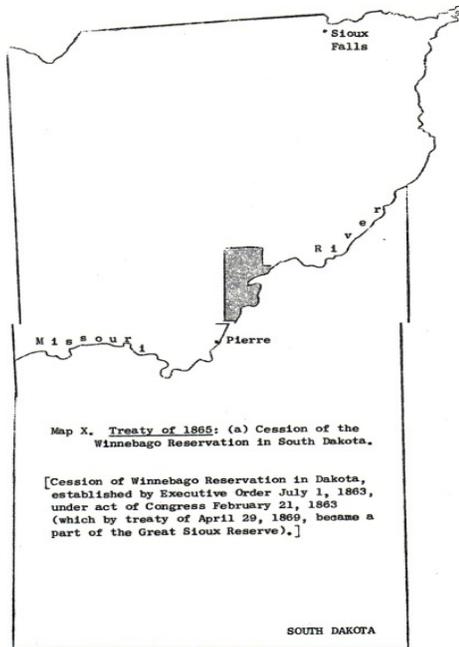


Treaty of 1859 would confirm land for the Winnebago to reside in Minnesota which the Tribe was displeased about. A member of the Winnebago examined the land before the removal, Chief Baptise who noticed the land was not suitable for their occupation. He would make it known that the Tribe did not accept the poor condition of this land and refused to move. Ignoring his plea, the government forced the tribe to move in winter. During the removal, a quarter of the tribe-more than 550 of the nearly 2,000 tribal

<sup>74</sup> Patty Leow, *Indian Nations of Wisconsin: Histories of Endurance and Renewal*. (Madison: Wisconsin Historical Society Press, 2001), 47.

<sup>75</sup> George E. Fay, *Treaties between the Winnebago Indians and the United States of America, 1817-1865*. (Greeley: University of Northern Colorado, 1970).

members – died in route to South Dakota.<sup>76</sup> Of the 1,382 survivors, more than 1,200 fled in canoes down the Missouri River and took refuge among the Omaha in Nebraska.<sup>77</sup> It was here, that the Winnebago would finally settle, on land purchased from the Omaha.



Map XI. Treaty of 1865: (b) Acquisition of Winnebago Nebraska tract.

78

In 1865, the United States government negotiated with the Winnebago for the Crow Creek Reservation.<sup>79</sup> Tired of the government's relentless demands, the Winnebago decided to take matters into their own hands. Although entitled to reservation lands, the Winnebago no longer trusted the

<sup>76</sup> Patty Leow, *Indian Nations of Wisconsin: Histories of Endurance and Renewal*. (Madison: Wisconsin Historical Society Press, 2001), 46.

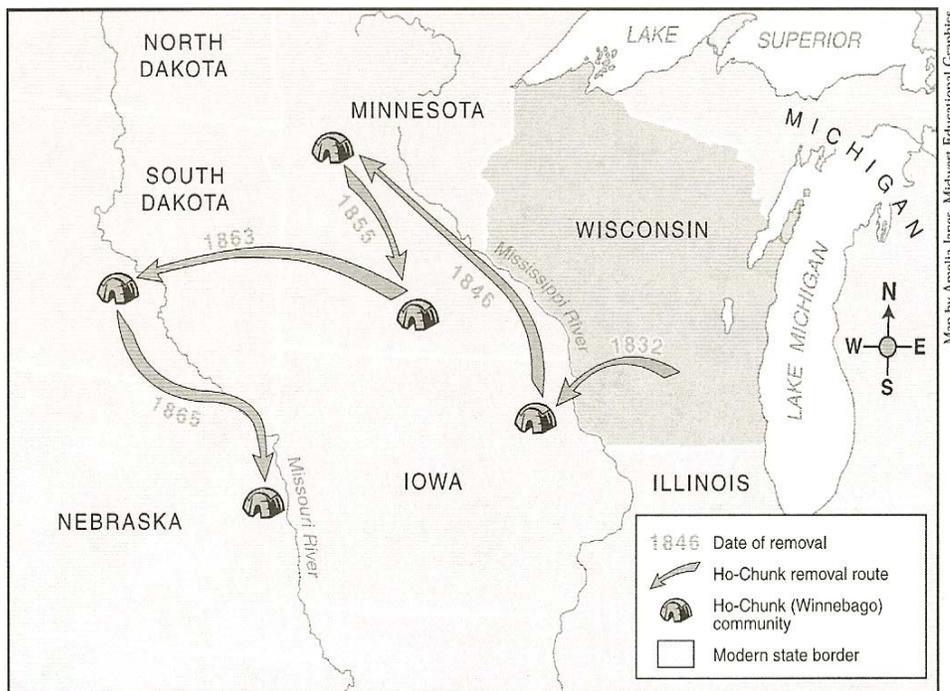
<sup>77</sup> Ibid.

<sup>78</sup> George E. Fay, *Treaties between the Winnebago Indians and the United States of America, 1817-1865*. (Greeley: University of Northern Colorado, (1970).

<sup>79</sup> *History*. Winnebago Tribe of Nebraska. <<http://winnebagotribe.com>> (accessed October 10 2007).

federal government and set out to find their own lands. In return for acting as a buffer between them and the Sioux, the Omaha tribe of Nebraska, agreed to sell the northern portion of the Omaha reserve to the Winnebago for \$50,000.00.<sup>80</sup> In 1866, President Johnson, recognized the Winnebago lands as an executive reservation.<sup>81</sup> Finally, after years of broken promises, wanderings, and removals that had caused the Winnebago to lose their people, their culture, and their language, the Winnebago had a place to call their home.

### Ho-Chunk Removals



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<sup>80</sup> . Winnebago Tribe of Nebraska. <http://winnebagotribe.com> (accessed October 10 2007).

<sup>81</sup> Ibid.

<sup>82</sup> Winnebago History . *Wisconsin History.org*. <http://www.wisconsinhistory.org/whspress/oss/documents/StudentBookNativePeople-Chapter4.pdf> (accessed April 15, 2009).

This legal documentation would be the most effective way to swindle the Winnebago from their homelands. The treaty history of the Winnebago demonstrates the legal obligation that the government had over the tribe. Once they were able to gain this control over the Winnebago, they would remove the tribe further from their homelands repeatedly. The Ho-Chunk that resisted the removals had the option of obtaining allotments in Wisconsin. The allotment process was another way of the U.S. government controlling the land, taking over Ho-Chunk homelands.

In 1913, the federal government applied the General Allotment Act of 1887, or Dawes Act, to the Winnebago. Followed by land cessions, then removals, this was the third major federal policy that divested the Winnebago of their lands – in this case, two-thirds of their Nebraska lands. The Dawes Act, which represented a comprehensive attempt to create a new role for the American Indians in American society, authorized the President to allot tribal lands in designated quantities to reservation Indians and permitted American Indian allottees to select their own lands, so far as practicable, in order to retain prior improvements.<sup>83</sup>

As had the treaty process, the Dawes Act, despite protestations to the contrary, was not to the tribes' benefit, but to that of the United States government and the non-Indian settlers. In addition to its primary objective of obtaining tribal lands and making them available to white farmers, the law had

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<sup>83</sup> Felix S. Cohen, *Felix S. Cohen's Handbook of Federal Indian Law*. (Law Publishers: Charlottesville, 1982),131.

several other objectives. The law was central to the government's civilization program of Indians. By turning tribal communal lands into individually owned plots, the government sought to teach Indians the fundamental principles and supposed benefits of property, rights and economic development.<sup>84</sup> Once learned, and self-sufficient, the government could be released from the expensive burden of Indian appropriations generated in treaties.<sup>85</sup> Through the allotment act and other policies, the assimilationist were determined to "civilize" the American Indians, subject to the same laws as U.S. citizens, and drive them into the mainstream of American society.<sup>86</sup> The government successfully accomplished many of its goals, including breaking up the tribal unit, taking control of Indian lands, and forcing the non-Indian culture on tribal people.

### **The Ho-Chunk Resistance**

A sizeable group of Ho-Chunk refused to leave their homelands. Others left and traveled to Iowa and Minnesota, only to return.<sup>87</sup> Those who refused to move west after 1837 or returned from reservations in the west, remained hidden in small settlements in Wisconsin to avoid detection and removal, despite the poverty and related ills.<sup>88</sup> The government repeatedly rounded up these "renegades," to move them out – even on one occasion

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<sup>84</sup> Ibid.

<sup>85</sup> Felix S. Cohen, *Felix S. Cohen's Handbook of Federal Indian Law*. (Law Publishers: Charlottesville, 1982), 131.

<sup>86</sup> Ibid. 139.

<sup>87</sup> Patty Leow, *Indian Nations of Wisconsin: Histories of Endurance and Renewal*. (Madison: Wisconsin Historical Society Press, 2001), 46.

<sup>88</sup> Robert E. Bieder, *Native Americans Communities in Wisconsin 1600-1960: A Study of Tradition and Change*. (Madison; The University of Wisconsin Press, 1995), 170.

putting them in boxcars and shipping them to Nebraska.<sup>89</sup> Eventually, their resistance would lead to their legal residency in Wisconsin but that would not come until years down the road.

As discussed above, the rapid increase in American settlement in southern Wisconsin and the settlers' misguided fear of Indian attacks in western Wisconsin following the 1862 Minnesota Sioux Uprising, prompted Wisconsin settlers to call again for the Ho-Chunk's removal to the West.<sup>90</sup> In the winter of 1871, army troops rounded up approximately 1,000 Ho-Chunk for removal to Nebraska. Less than 860 arrived in Nebraska. The Nebraska agent proved less than enthusiastic about his new guests. Dissatisfied with their situation in Nebraska and determined to return to their home, approximately 650 had sneaked back to Wisconsin by 1875.<sup>91</sup> Aware of their steady return, the government again attempted in 1874 to remove the Ho-Chunk to Nebraska with the same result.<sup>92</sup> Finally, the United States would give up its efforts to remove these "renegades" (who today would be referred to as "freedom fighters") and allow them to reside in Wisconsin.

For years, the Ho-Chunk who remained and returned to Wisconsin, adapted to a fugitive existence. Possessing no timber or land resources, the Ho-Chunk were not targets for exploitation from lumber companies and

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<sup>89</sup> Patty Leow, *Indian Nations of Wisconsin: Histories of Endurance and Renewal*. (Madison: Wisconsin Historical Society Press, 2001), 48.

<sup>90</sup> Robert E. Bieder, *Native Americans Communities in Wisconsin 1600-1960: A Study of Tradition and Change*. (Madison; The University of Wisconsin Press, 1995), 170-171.

<sup>91</sup> Ibid.

<sup>92</sup> Ibid.

realtors. Working out their own strategy for survival and free outside pressures, the Ho-Chunk survived primarily by picking other people's crops, living in small encampments, or moving like shadows across the land, in mobile and independent existences. Having learned from their previous encounters with non-American Indians, the Ho-Chunk sought no attention and kept to themselves.

Eventually, with the assistance of supportive whites, the Ho-Chunk explored ways to remain legally in Wisconsin.<sup>93</sup> In 1881, Congress passed special legislation that provided the Ho-Chunk with forty acres homesteads.<sup>94</sup> By owning recognized title to what had been their aboriginal lands for thousands of years, the Ho-Chunk could at least gain legal residency in Wisconsin. Yellow Thunder, who appeared to assume the role of peace chief, was the first to take a homestead.<sup>95</sup> Other Ho-Chunk followed Yellow Thunder's example, especially following the federal government's 1875 and 1881 amendments to the 1862 Homestead Act, which extended its benefits to American Indians.<sup>96</sup>

The new legislation enabled the Ho-Chunk to apply for 80-acre homesteads and provided them with funds to improve the land and purchase

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<sup>93</sup> Robert E. Bieder, *Native Americans Communities in Wisconsin 1600-1960: A Study of Tradition and Change*. (Madison; The University of Wisconsin Press, 1995), 171.

<sup>94</sup> Patty Leow, *Indian Nations of Wisconsin: Histories of Endurance and Renewal*. (Madison: Wisconsin Historical Society Press, 2001), 48.

<sup>95</sup> Robert E. Bieder, *Native Americans Communities in Wisconsin 1600-1960: A Study of Tradition and Change*. (Madison; The University of Wisconsin Press, 1995), 171.

<sup>96</sup> *Ibid.*

equipment.<sup>97</sup> Most importantly, the legislation recognized the Ho-Chunk as legal Wisconsin residents, whom the government could not remove. The legislation was not without requirements, however. The Ho-Chunk were required to use the land only for farming and would have to pay state taxes on their homesteads in twenty-five years – a provision that led to many Ho-Chunk losing their lands.

Although now as legal residents of Wisconsin, the Ho-Chunk no longer worried about removal, nonetheless, subsistence and maintenance of a community life proved difficult.<sup>98</sup> The Ho-Chunk were now to become farmers, an occupation to which they were not accustomed. Neither was the notion that land was to be used to make a profit. This was not the traditional Ho-Chunk spiritual understanding of land and resources. Of considerable relevance, was that much of the land they could acquire for homesteads was inferior, as most of the good land had long since disappeared from the market.<sup>99</sup> Not surprisingly, when state taxes came due on their homesteads, many Ho-Chunk were without the means to pay them, leading to the state's confiscation of their lands.

The Wisconsin Ho-Chunk's acceptance of homesteads under the General Homestead Act both secured their ability to remain in the land they loved, but also ensured that the original *Ho-chun-gra* people would now be

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<sup>97</sup> Robert E. Bieder, *Native Americans Communities in Wisconsin 1600-1960: A Study of Tradition and Change*. (Madison; The University of Wisconsin Press, 1995), 171

<sup>98</sup> Ibid.

<sup>99</sup> Ibid.

considered as two distinct groups.<sup>100</sup> The Winnebago, who after several removals, now possessed a reservation in northeastern Nebraska. The Wisconsin Ho-Chunk, were now dispersed over individually-held, non-adjacent settlements scattered over a dozen Wisconsin counties and a few Minnesota counties opposite the La Crosse, Wisconsin, area.<sup>101</sup> Although these homesteads provided security from the threat of removal, the Ho-Chunk's dispersal restricted community life.<sup>103</sup> Despite this arrangement, however, the Ho-Chunk continued to function as one tribe. Living in their traditional bark dwellings, the Ho-Chunk practiced their traditional religious observances, social controls, and dress.<sup>106</sup>

The Ho-Chunk's pride in resisting removal enhanced their determination to maintain their traditional customs and language.<sup>107</sup> Ceremonies were a vital source of community identity, and the Ho-Chunk "depended on their ritual cycle and special ceremonies to maintain group cohesiveness."<sup>108</sup> Though divided by religious factions, the Ho-Chunk relied on each other economically and psychologically – needs that tied the disparate settlements together into an extended community.<sup>109</sup>

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<sup>100</sup> Patty Leow, *Indian Nations of Wisconsin: Histories of Endurance and Renewal* (Madison: Wisconsin Historical Society Press, 2001), 13.

<sup>101</sup> *Ibid.* The Ho-Chunk also possessed a few hundred acres each of tribal lands near the Black River Falls (the largest area, and where the tribal headquarters is located), Wittenburg, Wisconsin Rapids, Wisconsin Dells, Tomah, and La Crosse.

<sup>103</sup> *Ibid.*, 171.

<sup>106</sup> Robert E. Bieder, *Native Americans Communities in Wisconsin 1600-1960: A Study of Tradition and Change*. (Madison; The University of Wisconsin Press, 1995), 171.

<sup>107</sup> *Ibid.*, 205.

<sup>108</sup> *Ibid.*

<sup>109</sup> *Ibid.*, 206.

As the chart above on page 19 indicates, the Wisconsin Ho-Chunk's ability to preserve the language more effectively resulted from their refusal to leave their homelands and the subsequent impact of this decision on Ho-Chunk language and culture. Their refusal to leave Wisconsin ultimately protected them from intense federal intervention. Left alone, they did not experience the same degree of dislocation and federal assimilationist policies that befell the Nebraska Winnebago.

As the Winnebago's treaty history reveals, the more often and further the Winnebago moved from their aboriginal home, the more they had to adapt to new and different environments and customs, including the speaking of English. Increasingly, education and religion became important factors leading to the loss of the Hocak language. Reservation life increasingly replaced ceremonies as sources of tribal identity. Tribal members would later face a choice of remaining on their inadequate reservation lands or moving to urban areas in order to provide for their families. This necessity further reduced the tribal bond, and created among those who were living in the urban areas, a sense of dislocation, loss, and insecurity.<sup>113</sup> Both factors affected the vitality and knowledge of the Hocak language among the Winnebago.

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<sup>113</sup> Robert E. Bieder, *Native Americans Communities in Wisconsin 1600-1960: A Study of Tradition and Change*. (Madison; The University of Wisconsin Press, 1995), 206.

## External Policies and Internal Stresses

As linguistic scholars have pointed out, a second major dynamic in language loss are factors causing external duress. Failing or refusing to understand American Indian's traditions and culture, the federal government implemented coercive policies designed to destroy tribal life and assimilate Indians as individuals into the white mainstream.<sup>115</sup> The following section highlights a few of these major policies, which, directly or indirectly, were intent upon the destruction of Indian languages and cultures. These "external factors of duress" disrupted the Winnebago Tribe's way of living and those of future generations

American Indian boarding schools were key components in the process of cultural genocide against American Indian cultures, and were designed to physically, ideologically, and emotionally remove American Indian children from their families, homes, and tribal affiliations.<sup>116</sup> They were punished if caught speaking their native tongues. J.D.C. Atkins, federal Indian commissioner in the 1800's, describes the necessity to eradicate students' "barbarous dialects," along with every other remnant of Indian-ness.<sup>117</sup> American Indian languages were effectively lost through this practice.

Government policies focused on American Indian children because the

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<sup>115</sup> Robert E. Bieder, *Native Americans Communities in Wisconsin 1600-1960: A Study of Tradition and Change*. (Madison; The University of Wisconsin Press, 1995), 139.

<sup>116</sup>, Margaret Archuleta, Brenda Child & Lommawaima. *Away from Home: American Indian Boarding School Experiences 1879-2000*. (Phoenix: Heard Museum, 2000), 19.

<sup>117</sup> Ibid. 10.

younger the children the better chance of assimilating them. The older generation of American Indians was difficult to assimilate because they would eventually return to their traditional ways. As with the language, Indian children matured with increasingly less exposure to the traditional ways of their tribes.

The American Indian boarding schools that emerged in the United States in 1869 developed out of the mission schools established by religious orders during the colonial era.<sup>118</sup> Mission schools and off-reservation government boarding school for American Indian students significantly changed American Indian cultures, sometimes for the benefit of the tribes, but often to the detriment of students, families, and communities.<sup>119</sup> Boarding schools sought to destroy American Indian languages, cultures and religions. It would be a struggle for the student because of the ultimate purpose of the government from the beginning has been to teach or enable the American Indian people to live self-sufficiently in the presence of white civilization.<sup>120</sup>

The federal government first appropriated funds in 1802 for missionaries to establish schools among the American Indians.<sup>121</sup> Throughout the 1800s, “reformers” urged schools to prohibit students from practicing their traditional religions, replacing the ideas and ceremonies with education and ideas designed to destroy tribalism with its communal base, and to substitute the

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<sup>118</sup> Clifford E. Trafzer, Jean A. Keller, and Lorene Sisquoc, *Boarding School Blues: Revisiting American Indian Educational Experiences*. (University of Nebraska Press: Lincoln, 2006), 233.

<sup>119</sup> Ibid.

<sup>120</sup> Elaine M. Neils, *Reservation to City*. (Chicago: University of Chicago, 1971), 4.

<sup>121</sup> James Crawford. *Language Loyalties: A Source Book on the Official English Controversy*. (Chicago: The University of Chicago Press, 1992), 42.

individualism that marked white society.<sup>122</sup>

Teachers were expected to promote government policies by convincing their students that reducing the size of their land holdings and moving farther west were in the American Indians' best interest.<sup>123</sup>

Over time, the government established boarding schools to educate Indian children in a structure environment away from their surroundings. Once they had arrived, the school started the process of changing their identity and culture. School administrators cut their hair, replaced their clothes, and informed them that if they spoke their languages, they would be punished. The children learned to speak and write in the English language. There boys were assigned to manual labor while the girls practiced homemaking skills. According to the school administrators, four or five years of rigid discipline would eradicate the young American Indian's disorderly habits and provide a transitional process for turning the American Indian child into an acceptable citizen, capable of joining mainstream society.<sup>124</sup>

As teachers and government officials worked to strip American Indian children of their cultural beliefs, church leaders and religious missionaries stood ready to replace them with Christian beliefs and traditions. From the earliest days of contact, the Christianization of natives was of primary concern

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<sup>122</sup> Francis Paul Prucha, *The Churches and the Indian Schools: 1888-1912*. (Lincoln: University of Nebraska, 1979), 176.

<sup>123</sup> *Ibid.*, 42.

<sup>124</sup> Vine Deloria Jr. and, Dan R. Wildcat, *Power and Place: Indian Education in America*. (Golden: Fulcrum Publishing, 2001), 85.

to Europeans and Americans.<sup>125</sup> The introduction of western religions played an important part in the loss of the Hocak language among the Winnebago. French Jesuit Claude Allouez introduced Christianity as early as 1670 when he established a mission at the mouth of the Oconto River.<sup>126</sup> Other Catholic missions followed in Prairie du Chien and Polonia in Portage County in Wisconsin.<sup>127</sup>

An American Indian Mission school, known as the St. Augustine Indian Mission was established on the Winnebago reservation on November 8, 1909. By the 1940s, girls could board at the school. Later, the school provided for boys to attend during the day. By 1982, the mission had become a day school. It took the school almost eighty years after its founding to integrate American Indian cultural elements into the curriculum and liturgy, with an emphasis on strengthening families and relationships within children's lives.<sup>128</sup> St. Augustine Indian Mission still serves the Winnebago community on the Winnebago reservation.

Despite the Ho-Chunk's efforts to remain hidden and free of such external intrusions, the Evangelical Reformed Church established a mission school in 1878 near Black River Falls, Wisconsin.<sup>129</sup> Six years later,

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<sup>125</sup> Vine Deloria Jr. and, Dan R. Wildcat, *Power and Place: Indian Education in America*. (Golden: Fulcrum Publishing, 2001), 80.

<sup>126</sup> Patty Leow, *Indian Nations of Wisconsin: Histories of Endurance and Renewal* [Madison: Wisconsin Historical Society Press, 2001], 50.

<sup>127</sup> Ibid.

<sup>128</sup> "History". *St. Augustine Mission*. <http://www.staugustinemission.com/history/history-2.aspx> (accessed April 15, 2009).

<sup>129</sup> Patty Leow, *Indian Nations of Wisconsin: Histories of Endurance and Renewal*. (Madison: Wisconsin Historical Society Press, 2001), 50.

Norwegian Lutherans established a mission and boarding school a few miles from Wittenberg in Shawano County.<sup>130</sup> Eventually, competition between Protestants and Catholics for the right to “save heathen Indians” led the government to reorganize nationally the Indian boarding school program.<sup>131</sup> The government phased out subsidies to sectarian schools and opened its own boarding schools, such as the Tomah Indian Industrial School in 1893.<sup>132</sup>

To accompany their religious and educational policies of assimilation, the government implemented policies that criminalized the practice of Indian spirituality and prohibited traditional ceremonies. In 1883, the Interior Department enacted a criminal code forbidding “certain old heathen and barbarous customs.”<sup>133</sup> Local agents forced white civilization on Indians by controlling such things as hair length, funeral procedures, and beef slaughtering.<sup>134</sup> In 1921, the Bureau subjected American Indians engaging in specified dances and ceremonials to fines and imprisonment.<sup>135</sup>

These policies, in combination with removal from homelands, boarding schools and an increased presence of Christianity religion played an enormous role in the decreased use of Hocak. Eventually, many parents either did not know, or refused to teach the language to their children, leading to the language’s near disappearance.

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<sup>130</sup> Patty Leow, *Indian Nations of Wisconsin: Histories of Endurance and Renewal*. (Madison: Wisconsin Historical Society Press, 2001), 50.

<sup>131</sup> Ibid.

<sup>132</sup> Ibid.

<sup>133</sup> Felix S. Cohen, *Felix S. Cohen’s Handbook of Federal Indian Law*. (Charlottesville; Law Publishers, 1982), 141.

<sup>134</sup> Ibid.

<sup>135</sup> Ibid.

## **Loss of Critical Mass**

Estimates indicate that in the seventeenth century, Ho-Chunk speakers numbered more than 30,000. As the preceding history reveals, the physical stress of repeated relocations caused the deaths of many Ho-Chunk. For those who survived, death often came at the end of the long journey because of the physical and psychological stresses imposed by the removal process. The tribe also suffered major losses from diseases, starvation, and illness from the poor quality of government rations. This loss proved greater than the numbers indicated for deaths most often affected the elderly, who were the wisdom keepers, the historians, and the linguists of the tribe. With each death, the number of language speakers diminished. Over time, the tribe fell below the critical mass needed to sustain the language.

## Chapter Three: The Future

The preceding chapter has analyzed the factors most responsible for the loss of the Hocak language, explained the reasons for the higher fluency of Hocak among the Ho-Chunk group, and confirmed that Hocak is in danger of becoming a lost language among the Winnebago and Ho-Chunk tribes. The Ho-chun-gra, or People of the Sacred Speech, originally existed as one community, sharing a history, clan government, traditions, and language. Today, the United States government considers the Winnebago and Ho-chunk as separate tribes, divided by external forces, leading to internal pressures. Once the tribe separated, taking their different paths, their sacred language became endangered.

Assimilationist policies, especially among the Winnebago, forced tribal members to abandon their traditional customs and language for the non-Indian ways. Residing on a reservation in Nebraska after several relocations by the United States Government has left a long lasting effect on their language. As a result of the policies and factors described above, the Winnebago Tribe has lost most of its language and fluent speakers. Current tribal records report that approximately fifteen fluent Hocak speakers remain among the Winnebago.

The Winnebago and Ho-chunk are among several tribes who have launched tribal language programs. They are also in great danger of losing fluent speakers among their tribe, who are mainly elders of their tribal

community. With proper documentation and tools, tribal communities are able to preserve their tribal language for future generations. The continuation of the revival of the Hock language leaves assurance that the language will not be lost. The history of the Winnebago is vital to this process because in order to know the future of the tribe the knowledge of the past.

### **A. Federal Efforts to Save Native American Languages**

In 1990 Congress passed the Native American Language Act, a federal policy recognizing the language rights of American Indians, Alaskan Natives, Native Hawaiians, and Pacific Islanders living in U.S. trust territories.<sup>136</sup>

Recognizing the importance of American Indian languages, the government decided to take actions to save native endangered languages. This act provided the federal government's first step in revitalizing American Indian languages by promoting the use of American Indian languages among the American Indians in their tribal community and educational system. Even though American Indian tribes were able to preserve their language, in spite of the government's efforts to eradicate them, this act was both welcomed for its change in policy and for appropriations to assist tribes with their own revitalization programs. For full detail regarding the Native American Language Act of 1990, see Appendix A.

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<sup>136</sup> James Crawford. *Language Loyalties: A Source Book on the Official English Controversy*. (The University of Chicago Press; Chicago. 1992), 155.

## **B. Winnebago Efforts to Save Hocak**

In May 2001, the Winnebago Tribe established The Ho-Chunk Renaissance to preserve and revitalize the Hocak language. Two months later, the group conducted a survey on the Winnebago reservation to determine the number of tribal members fluent in the Hocak language. The results found only twenty-four fluent tribal members, eleven of whom were over sixty years of age. Preserving and revitalizing the Ho-Chunk language is a great concern of the Tribe because it is an essential part of the culture. The songs, prayers and stories are told through their language. Once the language is gone, this will affect how the tribal people communicate with one another and their traditional practices. The Ho-Chunk Renaissance is carrying out the language revitalization mission to tribal members through classroom settings ranging from kindergarten to the college level.

The Director of the Renaissance program, Janet Bird, works with five Ho-Chunk language teachers, two teacher aides, a grant writer, and two support staff. Together they contribute to the goal of revitalizing the Hocak language. Some of the requirements for the program staff include a graduate level education and fluency in the Hocak language. Since the program started, five hundred and forty-four students have engaged in the learning process<sup>137</sup>. The program staffs are also teaching the tribal community in

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<sup>137</sup> Janet Bird, interview by author, Winnebago, November 22, 2007.

daycare centers, elementary school, high school, tribal college, Senior Citizen programs and the youth detention center.

The Program offers different levels of the Hocak language to pre-school children and four levels to high school and college students, Ho-Chunk Renaissance staff have made language tapes and cassette discs available to the students and tribal community. The tapes include several songs; Flag songs, Children's songs, greetings, Ho-Chunk family names, fifty words and fifty phrases all in the Hocak language. Children books, games and flash cards in the Hocak language are used when teaching children in the classrooms.

### **C. Ho-Chunk Efforts to Save Hocak**

The Ho-chunk tribe established the Hoocak Waazija Hacı Language Division in 1993 to revitalize the Hocak language among their tribal community. They have a variety of teaching approaches to preserve the language including: language classes, immersion camps, distance learning classes, Hocak language books, audio tapes, videos, and multimedia computer programs.<sup>138</sup> They also provide on-line information to Ho-Chunk tribal members on their language revitalization website. This website, which utilizes the most recent technology, has proven to be an effective tool to promote the language revitalization program and to provide Hocak language information.

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<sup>138</sup> Ho-Chunk Nation website, "Language". <http://www.hocak.info/> (accessed April 1 2009).

Hoocak Waazija Hacı Language Division collects Hocak documents, tape, videos and photographs for classroom use in their Hocak language and culture curriculum. They also conduct Hocak language speaker surveys within the community and collaborates with higher learning institutions in the teaching the Hocak language and culture to instructors, interns and staff. Hocak dictionaries are available for use in preservation of the language.

In 1994, language instructors began teaching in six Ho-chunk Head Start Centers located in the fourteen county areas where Hocak members reside. In 1995, Hoocak Waazija Hacı language classes were offered to youth and adults. Today the program offers language classes and specialized programs, including Hocak language and cultural immersion camps throughout the entire Hocak Nation.

One of the most important questions for the Ho-chun-gra people is the future of their sacred language. Although the information is insufficient at this point to give a truly informed answer, this thesis concludes by reexamining those factors UNESCO utilized to determine Hocak as an endangered language. Based on the historical examination and the review of both tribes' current language programs the Hocak language will not be lost. Both tribes are working to preserve and promote the language so that future Ho-Chunk/Winnebago generations will know their identity, culture and traditions through the Hocak language.

## Chapter 4: Conclusion

This thesis began with an interest in identifying those factors that led to Hocak's status as an endangered language and the factors that contributed to a difference in the language's retention within the two groups of Hocak speakers. Chapter two evaluated the impact of four groups of factors: movement out of environment, external policies, internal stress and loss of critical mass – on these questions.

As the historical examination revealed, both tribes were victims of federal interference and assimilation policies. As the analysis, summarized in the chart on page 19 indicates, the two most important factors contributing to the decline in Hocak speakers overall, were movement out of environment and external policies. These same factors account for the reason why the two groups retained their language fluency to different degrees.

The most important factor in the Ho-Chunk's ability to retain their language was *movement out of the environment*, and the subsequent impact of this decision on other aspects of their life. The Wisconsin Ho-Chunk's ability to preserve the language more effectively resulted from their refusal to leave their homelands and the subsequent impact of this decision on Ho-Chunk language and culture. Their refusal to leave Wisconsin ultimately protected them from intense federal intervention. Left alone, they did not experience the same degree of dislocation and federal assimilationist policies that befell the Nebraska Winnebago.

The Winnebago Tribe of Nebraska relocated several times, each time further from their original homeland. Now residing on a reservation in Nebraska, these several forced relocations left a long lasting effect on their language. Separation from their original homeland disconnected the Winnebago from their sacred lands and traditional customs. Placed among non-Indian farmers, churches, and schools, every federal policy and message urged the Winnebago to forget their language. Federal assimilationist policies, such as boarding schools, allotment, and criminal penalties for religious practice, forced the Winnebago to abandon their traditional customs and language and adapt to non-Indian customs. The culmination of this history left the Winnebago Tribe with only twenty-four fluent speakers within their tribal community.

From personal experience, the Hocak language began the language shift with my grandparents. My mother who is a member of the Winnebago Tribe does not know the Hocak language but her parents were fluent speakers who spoke Hocak to one another. It never occurred to my mother to ask her parents why they did not teach the language to her & her siblings. My grandfather did not raise his family on the reservation but in an urban area away from the Winnebago reservation, their tribal community. Like David Crystal's third stage that pertains to the younger generation, the Hocak language was less useful for my mother in the urban environment. Eventually, my grandfather stopped speaking the Hocak language when my grandmother

passed because there was no one else to speak to it in the household. The theory of language loss is applicable to my family, as it is to the many other American Indian families who have grown up not knowing their tribal language.

The Winnebago and Ho-chunk are among several tribes who have launched tribal language programs. With proper documentation and tools, tribal communities will be able to preserve the Hocak language for future generations.

## **Appendix I**

### **Native American Languages Act of 1990**

**P.L. 101-477 (October 30, 1990)**

This federal policy statement recognizing the language rights of American Indians, Alaska Natives, Native Hawaiians, and Pacific Islanders was quietly enacted in the waning hours of the 101st Congress. Sponsored by Senator Daniel Inouye, Democrat of Hawaii, the bill passed on a voice vote in both House and Senate without hearings or any vocal opposition. It authorizes no new programs for Native Americans, nor additional funding for existing ones, but is expected to facilitate efforts to preserve indigenous languages.

SEC. 101. This title may be cited as the "Native American Languages Act."

#### **FINDINGS**

SEC. 102. The Congress finds that—

- (1) the status of the cultures and languages of Native Americans is unique and the United States has the responsibility to act together with Native Americans to ensure the survival of these unique cultures and languages;
- (2) special status is accorded Native Americans in the United States, a status that recognizes distinct cultural and political rights, including the right to continue separate identities;
- (3) the traditional languages of Native Americans are an integral part of their cultures and identities and form the basic medium for the transmission, and thus survival, of Native American cultures, literatures, histories, religions, political institutions, and values;
- (4) there is a widespread practice of treating Native American languages as if they were anachronisms;
- (5) there is a lack of clear, comprehensive, and consistent Federal policy on treatment of Native American languages which has often resulted in acts of suppression and extermination of Native American languages and cultures;

(6) there is convincing evidence that student achievement and performance, community and school pride, and educational opportunity is clearly and directly tied to respect for, and support of, the first language of the child or student;

(7) it is clearly in the interests of the United States, individual States, and territories to encourage the full academic and human potential achievements of all students and citizens and to take step to realize these ends;

(8) acts of suppression and extermination directed against Native American languages and cultures are in conflict with the United States policy of self-determination for Native Americans;

(9) languages are the means of communication for the full range of human experiences and are critical to the survival of cultural and political integrity of any people; and

(10) language provides a direct and powerful means of promoting international communication by people who share languages.

## DEFINITIONS

SEC. 103. For purposes of this title—

(1) The term "Native American" means an Indian, Native Hawaiian, or Native American Pacific Islander.

(2) The term "Indian" has the meaning given to such term under section 5351(4) of the Indian Education Act of 1988 (25 U.S.C. 2651(4)).

(3) The term "Native Hawaiian" has the meaning given to such term by section 4009 of Public Law 100-297 (20 U.S.C. 4909).

(4) The term "Native American Pacific Islander" means any descendant of the aboriginal people of any island in the Pacific Ocean that is a territory or possession of the United States.

(5) The terms "Indian tribe" and "tribal organization" have the respective meaning given to each of such terms under section 4 of the Indian Self-Determination and Educational Assistance Act (25 U.S.C. 450b).

(6) The term "Native American language" means the historical, traditional languages spoken by Native Americans.

(7) The term "traditional leaders" includes Native Americans who have special expertise in Native American culture and Native American languages.

(8) The term "Indian reservation" has the same meaning given to the term "reservation" under section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452).

## DECLARATION OF POLICY

SEC. 104. It is the policy of the United States to—

(1) preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages;

(2) allow exceptions to teacher certification requirements for Federal programs and programs funded in whole or in part by the Federal Government, for instruction in Native American languages when such teacher certification requirements hinder the employment of qualified teachers who teach in Native American languages, and to encourage State and territorial governments to make similar exceptions;

(3) encourage and support the use of Native American languages as a medium of instruction in order to encourage and support—

(a) Native American language survival,

(b) equal educational opportunity,

(c) increased student success and performance,

(d) increased student awareness and knowledge of their culture and history, and

(e) increased student and community pride;

(4) encourage State and local education programs to work with Native American parents, educators, Indian tribes, and other Native American governing bodies in the implementation of programs to put this policy into effect;

(5) recognize the right of Indian tribes and other Native American governing bodies to use the Native American languages as a medium of instruction in all schools funded by the Secretary of the Interior;

(6) fully recognize the inherent right of Indian tribes and other Native American governing bodies, States, territories, and possessions of the United States to take action on, and give official status to, their Native American languages for the purpose of conducting their own business;

(7) support the granting of comparable proficiency achieved through course work in a Native American language the same academic credit as comparable proficiency achieved through course work in a foreign language, with recognition of such Native American language proficiency by institutions of higher education as fulfilling foreign language entrance or degree requirements; and

(8) encourage all institutions of elementary, secondary, and higher education, where appropriate, to include Native American languages in the curriculum in the same manner as foreign languages and to grant proficiency in Native American languages the same full academic credit as proficiency in foreign languages.

#### NO RESTRICTIONS

SEC. 105. The right of Native Americans to express themselves through the use of Native American languages shall not be restricted in any public proceeding, including publicly supported education programs.

#### EVALUATIONS

SEC. 106. (a) The President shall direct the heads of the various Federal departments, agencies, and instrumentalities to—

(1) evaluate their policies and procedures in consultation with Indian tribes and other Native American governing bodies as well as traditional leaders and educators in order to determine and implement changes needed to bring the policies and procedures into compliance with the provisions of this Act;

(2) give the greatest effect possible in making such evaluations, absent a clear specific Federal statutory requirement to the contrary, to the policies and procedures which will give the broadest effect to the provisions of this Act; and

(3) evaluate the laws which they administer and make recommendations to the President on amendments needed to bring such laws into compliance with the provisions of this Act.

(b) By no later than the date that is one year after the date of enactment of this Act, the President shall submit to Congress a report containing recommendations for amendments to Federal laws that are needed to bring such laws into compliance with the provisions of this Act.

#### USE OF ENGLISH

SEC. 107. Nothing in this Act shall be construed as precluding the use of Federal funds to teach English to Native Americans.

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