

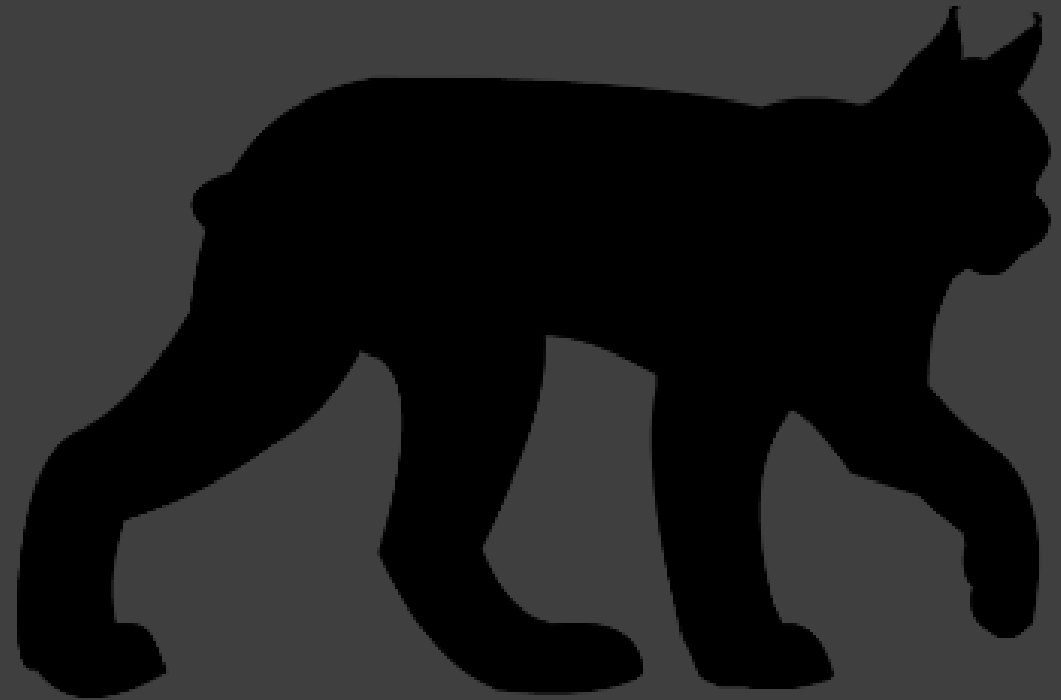
Grand Council Treaty No. 3 Abinooji Inakonigewin

A discussion of Anishinaabe children
pursuant to the Law

KEY NOTE ADDRESS

Lawrence W. Jourdain

November 2019

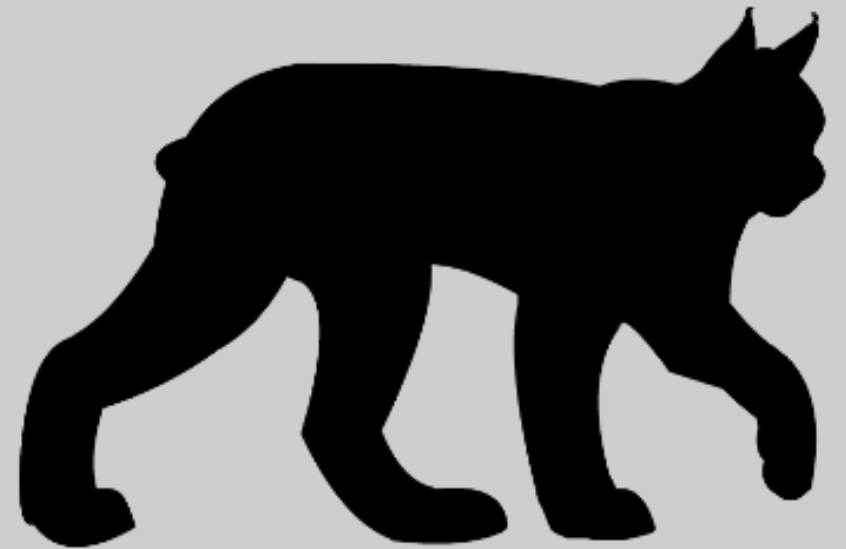


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Developments:

1. Governance Development: 1997-2004.
2. Millennium Resolution: 2000.
3. Community Engagement and Consultations-: 2000-04.

Result: Information gained from these efforts provided the material for the many features of Anishinaabe governance which includes law and law-making.



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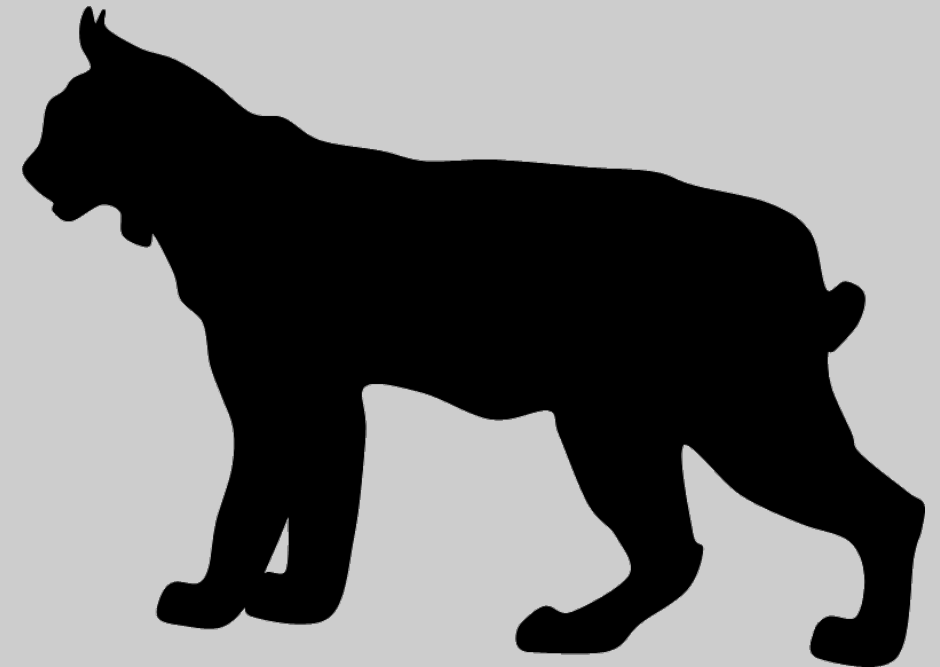
Developments:

Chiefs-in-Assembly Directives:

1. Develop laws.
2. Drafting instructions.
3. Drafting Team.
4. Review and Revisions.
5. Recommendation for consideration of the National Assembly.

National Assembly:

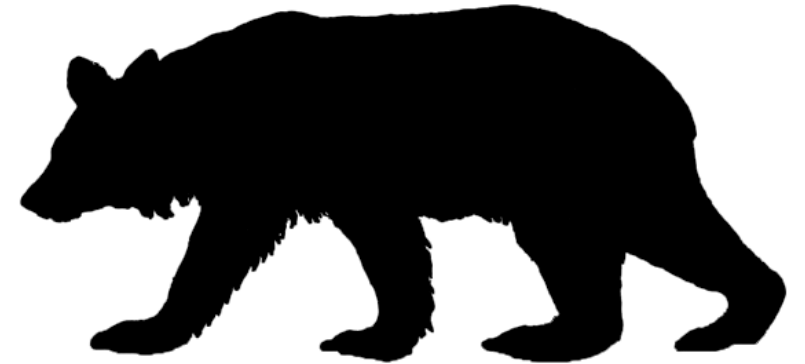
1. Record of Decision: enactment of the AI: May 2005.



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Details of the law:

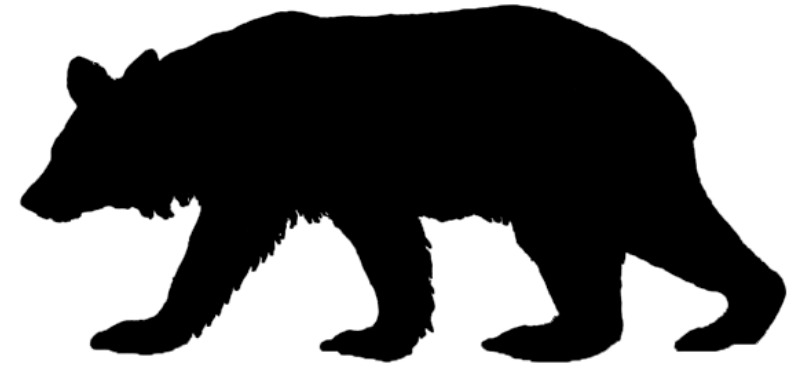
1. Customary law: can be written.
2. Seventeen Whereas Clauses and one Therefore Clause.
3. Four Parts.
4. Sixty-two Substantive Clauses.
5. Sacralization or Traditional Validation of the law.
6. Enacted by the National Assembly.



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Source of the law:

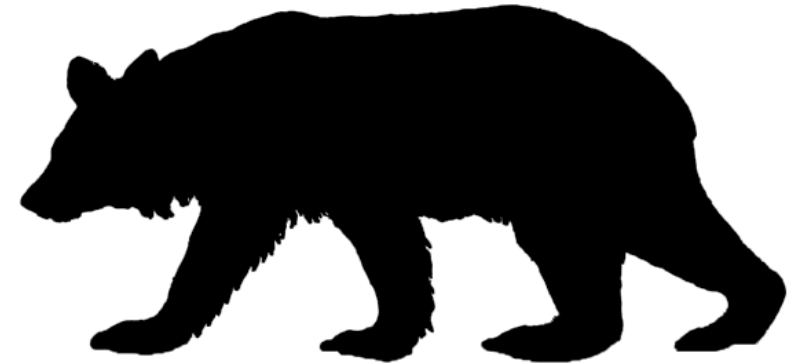
1. Anishinaabe has and was bestowed the authority to make law.
2. Anishinaabe has and was given the power to implement, administer and adjudicate our laws.
3. Anishinaabe has never gave this authority up nor have we relinquished it.
4. Anishinaabe legal principle: MIINIGOISIWIN.



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Purpose of the law:

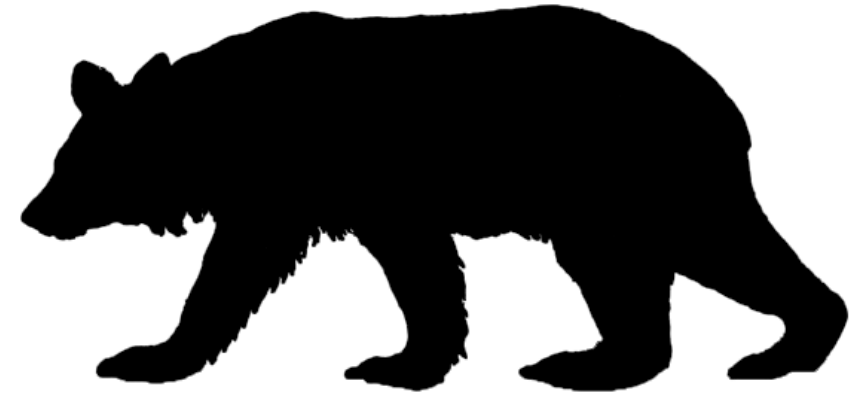
1. Provide for the well-being of children.
2. Ensure the their best interests are understood and given effect.
3. Prevent the intrusion of laws of other jurisdiction in their lives contrary to their best interests.
4. Anishinaabe legal principle: ABIINOJI GISHASOWIN.



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Principles of the law:

1. Nine principles: parental responsibilities; Anishinaabe concepts; child exists in the cultural and social contexts of family, clan community and nation; identity, language, culture and society; support and strengthen the role of family; focus on the causes of molestation, abuse and abandonment; community level; decisions free from intimidation and political interference, and healing is essential.
2. Anishinaabe legal principle: ABIINOJI ONODESIWIN.



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Realities that effect the best interest of the Child:

1. The affects of severing a child is traumatic and long lasting as those of physical amputation.
2. No life is free of risk, nor will it ever be.
3. Living conditions are not reasons for risk.
4. Standards that reduce risk are injurious to the child.
5. Anishinaabe legal principle: ABINOOJI GISHASOWIN.



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Best interest of the Child:

1. The Child is a Soul Wanderer thus the care of the Child is sacrosanct.
2. Must belong, grow and live within a sociocultural environment that includes family, clan, community and nation.
3. Free from any form of maltreatment and live with Anishinaabeg.
4. The Child is the social and cultural continuity of the Anishinaabeg.
5. Anishinaabe Legal Principle: ABIINOJI AATISIWIN.



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Responsibilities to the Child:

1. Every person has responsibility to care for their Child; every citizen has responsibility to care for Child of a clan, extended family and parents can not; every citizen has responsibility to care for a Child the community, clan, extended family and parents can not; every citizen has the responsibility to care for a Child of a citizen when the community, clan, extended family and parents cannot, and finally the nation.
2. Anishinaabe legal principle: ABINOOJI AATISIWIN.



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Authority to intervene on behalf of the Child:

1. Every citizen has the authority to intervene in care of a Child; Community workers have the authority to intervene in the care of the Child; Agency has the authority to intervene in the care of a Child; every person has the authority to make a decision, and the authority is limited as provided by the law.
2. Anishinaabe legal principle: ABIINOJI AATISIWIN.



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Placement of the Child is by consent:

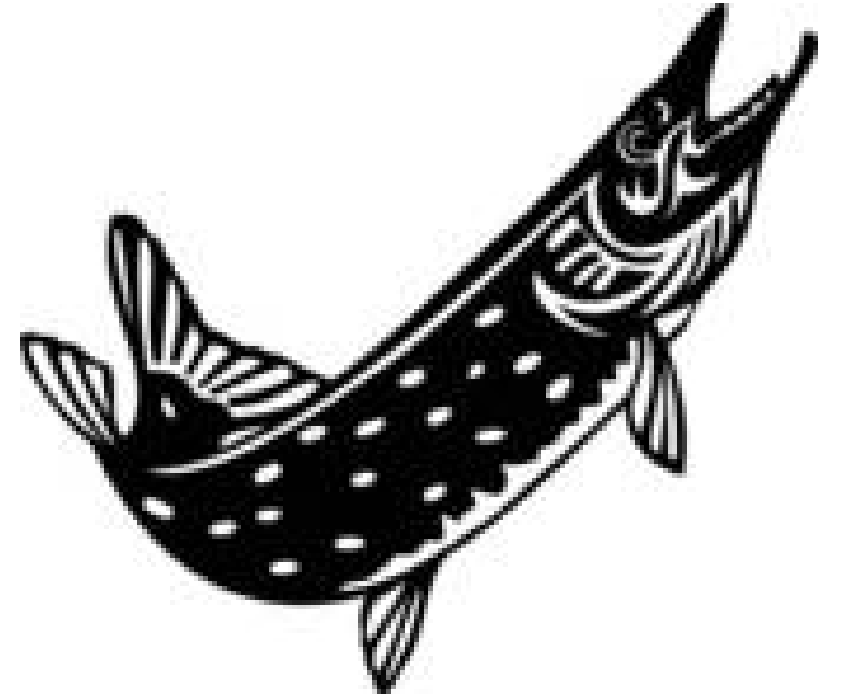
1. Every placement is by consent of all parties.
2. Preferential placement.
3. Only customary care and custom adoption.
4. Anishinaabe legal principle: AKOBIWIN.



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Thirteen Rights of the Anishinaabe Child:

1. Name;
2. Clan;
3. Medicine Lodge;
4. Culture;
5. Language;
6. Identity;
7. Good Life
8. Family;
9. History;
10. Land;
11. Lifestyle;
12. Education, and
13. Safety and Security.



**Grand Council
Treaty No. 3
Abinooji
Inakonigewin**

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