

Bringing Our Children Home Act

(Name of Law in Anishinaabeg, Anishininwak, Nehethowuk/Inninwak, Dakota Oyate, and Denesuline)

This LAW is effective as of the _____ day of _____, 20____

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PART 1 OUR ROOT FOUNDATIONS

We are all children that belong to the Great Spirit and we continue to be gifted onward. We are all responsible for nurturing the well-being of our minds, body, emotions and spirits as children of the Great Spirit. The gift of life we as children receive from the Great Spirit can only be taken away by the Great Spirit.

After Great Spirit created the universe, Great Spirit made a very kind being who helped Great Spirit prepare for the Red Peoples to be placed on Mother earth. The very kind being named the animals and did many other things to help Great Spirit prepare for the Red Nations. When this work was completed, Great Spirit placed the Red People on Mother Earth, on Turtle Island.

Our way of life is threaded through our spirit, which connects us to Great Spirit and to our land. This is where we receive our connectedness and sense of belonging.

Great Spirit gave the *Anishinaabeg, Anishininwak, Nehethowuk/Inninwak, Dakota Oyate, and Denesuline* the ability to continue to create human life and the responsibility to sustain the Red People and the land through our children, our family, and our Nations.

In order to do this Great Spirit provided us with the inherent authority to practice and promote our collective sovereignty and jurisdiction over the land, our children and our Nations.

Great Spirit gave us the great binding law and seven (7) sacred guides; the eagle of love, the turtle of truth, the buffalo of respect, the beaver of

Each statement to be translated into the languages of the Anishinaabeg, Anishininwak, Nehethowuk/Inninwak, Dakota Oyate, and Denesuline

wisdom, the wolf of humility, the m'sabe of honesty, and the bear of courage in order to maintain our collective sovereignty and jurisdiction.

As a people, and in exercising our collective sovereignty and jurisdiction, it has always been our responsibility to care for and protect our children and the future generations of children to come.

We, the *Anishinaabeg, Anishininwak, Nehethowuk/Inninwak, Dakota Oyate, Denesuline* have persevered through the impact of colonization and assimilation. Our original way of life has been displaced by colonialism, which has been enforced by law.

We are reclaiming, practicing and promoting our responsibility to pass down our knowledge, language, culture, identity, values, traditions, and customs to our children.

We, the *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* are bringing back the spirit within our Nations and awaken the spirit in our children so that we may all be the best version of our authentic selves.

Today, we are reclaiming our collective sovereignty and jurisdiction for the care and protection of our children in every way in order to ensure we safeguard their well-being, provide them with a cultural shield according to our respective *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* identity, culture, traditions, values, customs and languages.

This *Bringing Home Our Children Act* is a stepping-stone of the *Anishinaabeg,*

Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak in order to reclaim, to practice and to promote our original jurisdiction and responsibility for our children, for our families, for our *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nations, and our lands.

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PART 2 JURISDICTION AND EXPLANATION

2.1 Jurisdiction

2.1.1 The jurisdiction to reclaim, practice and promote our collective sovereignty as *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nations of people originates from Great Spirit who gave us the original responsibility of spirituality and for Mother Earth, which includes the responsibility of the well-being of our children and families regardless of where they are situated or reside or have established a family or ancestral connection to our Nation(s).

We, the *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nations reclaim the practicing and promoting of our jurisdiction over the well-being of our children and families, regardless of where they are situated or reside or have established a family or ancestral connection to our Nation(s).

2.2 Title

2.2.1 Our sovereign *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nations assert our jurisdiction, responsibility and obligation to our children and families by passing this law which will be known as the *Bringing Our Children Home Act*.

2.3 Definitions and Interpretation

2.3.1 The laws of our *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nations are lowered to us by the Great Spirit. With what has been provided to us by the Great Spirit we have inherently practice and promote our collective sovereignty and self-determination in our entire way of life. Our laws and way of life has been passed down orally since time immemorial through our knowledge keepers. Our Nations have come together to create this *Act* in order to bring our children home and reclaim our collective sovereignty and self-determination. We have set out within this *Act* the basis of our origins as Nations. We all walk with a way of life that has been established by each of our respective Nations according to what the Great Spirit has provided. Within each respective Nation, we have our appointed knowledge keepers who shall be the interpreters of this *Act* at all times.

Unless otherwise stated, the following definitions apply to this *Bringing Our Children Home Act* (“Act”):

“Abrogate” means to do away with by authoritative action, annul;

“Child” means a gift from the Great Spirit who is a human being who is considered to be a dependent human being who is entitled or requires help to be safe, nurtured, care for and loved;

“Citizen” means a human being who resides on an *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nation is listed on the Citizenship List of the *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, or Nehethowuk/Inninwak* Nation;

“Crown” means the Treaty partner of our *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nations, who is head of state of Canada, which is administered through the federal and provincial administrative authority.

“Customary Care Giver” means a person who is not the child’s parent who is appointed according to the customs and practices of a Nation to carry out the care and nurturing of a child;

“Derogate” means to take away from, lessen, impair;

“Family” means a collective of family relations who are human beings who for the purposes of providing safety, nurturing, care and love that is carried out for the family;

“Solving Differences Panel” means a group of people appointed by a *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak*, in which the group that make up the Panel is mandated to address differences according to the provisions contained in this *Act* or according to laws, regulations or policies established by a *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nation;

Inconsistency

2.3.2 If there is an inconsistency between a provision in this *Act* or other enactments passed by Canada or the Province of Manitoba in regards to the jurisdiction, management, administration or governance with respect to our children and families, this *Act* shall prevail or be followed as the standing authority to the extent of the inconsistency as this *Act* has effect within our respective ancestral lands.

Definition in Laws

2.3.3 The *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nations may establish different definitions if the context is required to be reflected in Custom Nation laws, policies and regulations than those provided in this *Act*.

Use of the word “SHALL” OR “WILL”

2.3.5 The word “shall” or “will” signifies that an obligation must be carried out as soon as practicable once this *Act* comes into effect.

Gender

2.3.6 All genders are meant to be included interchangeably in this *Act*.

Titles and Headings

2.3.7 Titles and headings are only inserted in this *Act* for convenience of reference and are not meant to be an interpretative tool.

Non-abrogation and Non-derogation

2.3.8 This *Act* is not meant to do away with or take away from:

- a) Aboriginal Treaty Rights (or inherent) rights of a Nation; or
- b) the special relationship between Canada and our *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* citizens.

2.4 Purpose

2.4.1 The purpose of our *Act* is to reclaim, practice and promote our inherent responsibility, obligation and jurisdiction over our children and families regardless of where they are situated or reside, or have established a family or ancestral connection to a Nation(s). Our children are our most sacred gift and they will receive the care and protection they require.

2.4.2 Sustaining and reuniting the stability of the family is vital in order for us to ensure the needs of our children are met.

- 2.4.3 This *Act* is intended to ensure that our children and families are provided the care and guidance within the family home to the fullest extent possible.
- 2.4.4 Where the needs of the child(ren) are not able to be met in the family home, through a *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nation's customary appointment protocol, the child(ren) will always be firstly sought to be appointed under the care of extended family and within the community the child(ren) are being nurtured and cared for, or within the child(ren)'s original home Nation.
- 2.4.5 Interim measures will be launched immediately upon this *Act* coming into force and the over-arching authority for addressing the care nurturing, reunification and repatriation of our children and families in order to ensure the purpose of this *Act* is carried out.
- 2.4.6 Reconciliation and restitution measures will also be carried out by Canada in order to ensure that our *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nations are equipped with resources identical to that of Canada's provinces so that the purpose of this *Act* can be carried out successfully.

PART 3 LAW MAKING, APPROVAL, and PUBLICATION

3.1 Law-making

3.3.1 The *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nations may choose to make laws respecting:

- a) the well-being, care and protection of the *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nation's children and the family; and
- b) any additional matters that in the *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nation's view requires law creation in relation to the *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nation's children, families, and/or community.

3.2 Approval of Law(s)

3.2.1 Law approval processes will be established by the *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nations that require involvement, participation and approval by the citizens of the *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nations in order for the law to be effective and enforceable.

3.3 Publication of Law(s)

3.3.1 Laws concerning children and families will be made available to citizen members and any other individuals, organizations or governments that require a copy of the Law.

3.4 Protections and Preservation of Law(s)

3.4.1 Our *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* will always ensure that our laws, protocols, regulations and policies will receive due protection so that they may be preserved by our *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak*. Our *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* citizen must always consent to any changes to our laws.

PART 4 WELL-BEING OF CHILDREN and FAMILIES

4.1 Well-being of a Child and a Family

4.1.1 A child has the right to be loved, to be safe, to learn, to enjoy life in the child's original family home to ensure the original basis of well-being of the child is maintained, nurtured and protected in a culturally fundamental way. Children and families have the right to be free from poverty, obtain adequate shelter, clean water, whole and healthy food and clothing in order to create a life that is beneficial for the children and the adults within the family.

4.2 Responsibility for the Well-being of a Child

4.2.1 The holistic responsibility for a child's day-to-day well-being is the responsibility of a parent(s) or customary caregiver(s)

4.3 Care of a Child

4.3.1 Caring for our children must be comprised of the universal standard that Great Spirit has provided us with through the Great Binding Law and Seven Sacred Guides.

4.4 Access to Support

4.4.1 Children and families shall have fair and equitable access to services they require regardless of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability and conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered.

4.5 Preventative Support

4.5.1 Measures will be established and implemented *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* in order to provide our children and families with the foundation, knowledge and tools regarding maintaining and sustaining well-being.

4.6 Support of a Child and Family

4.6.1 Through the collective sovereignty and reclamation, practicing and promotion of self-determination, the governance of the Nation is vested with the responsibility of facilitating the support required in order to adequately sustain the well-being of the child and the family.

4.7 Mediation of a Family

4.7.1 Services will be established and implemented by the *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nations in a way that helps with achieving and sustaining the well-being of the family for the benefit of the child(ren) and families.

4.8 Crisis Support

4.8.1 Measures will be established in order to address the potential or actual compromising of a child's well-being and the well-being of the family.

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PART 5 FINANCIAL MANAGEMENT, ACCOUNTABILITY, and ADMINISTRATION

5.1 Financial Management

5.1.1 Canada will provide transfer payments directly to the *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nations. In addition, the federal Crown and the Nations shall establish a mutually acceptable mechanism for the provision of direct transfer payments that are equitable, in order to carry out our jurisdiction over and on behalf of our *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* children and families regardless of where they are situated, or reside or have established a family or ancestral connection to a Nation(s).

5.2 Accountability

5.2.1 The *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nations will establish transparent financial accounting practices that will require utilizing generally accepted accounting principles and audit reporting.

5.3 Administration

5.3.1 The *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nations will do all that is necessary in order to carry out the administrative requirements of asserting jurisdiction over the Nation's children and families where well-being, care, protection and assistance is required for the child and/or the family regardless of where they are situated or reside or have established a family or ancestral connection to a Nation(s).

5.4 Information Management and Transfer

5.4.1 The Province of Manitoba and Canada shall transfer all electronic and hard-copy information to the respective *Anishinaabeg, Anishininwak, Nehethowuk/Inninwak, Dakota Oyate, Denesuline, Oji-Cree* Nations regarding our children and families.

PART 6 SOLVING DIFFERENCES

6.1 Purpose

- 6.1.1 The purpose of this Part is to enable citizens and persons who hold differing positions to achieve a just, timely and inexpensive resolution of matters of difference, taking into account the respective and applicable *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* values that distinguish dispute resolution from litigation. The Nations will establish a solving differences process.
- 6.1.2 The tenets of the Seven (7) Sacred Guides, best efforts and good faith shall be used to prevent differences or disputes from arising and shall consider the use of solving difference processes at the earliest possible stage of any conflict.
- 6.1.3 Difference or disputes that arose before this *Act* takes effect could also be referred to this Part.
- 6.1.4 Any citizen or person may reach an agreement to settle a dispute without recourse to this Part.
- 6.1.5 Any settlement of difference reached through a solving differences panel will be legally binding when it has been orally discussed, mutually agreed upon, put in writing and properly executed by, or on behalf of the citizen(s) or person(s)..

6.2 Intent

- 6.2.1 The intent of this Part is to ensure that due respect of the inherent rights of the *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nations exercising our jurisdiction over our Nation's children and family will have access to a resolution mechanism.

PART 7 OTHER MATTERS

7.1 Amendment of Act

7.1.1 This Act may be amended with the approval of the *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nations and their citizens.

7.1.2 This Act shall be reviewed every five (5) years by the *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nations or as required..

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ANNEX “A”

Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak Nations Child and Family Well-being:

Historical Background and Timeline

Introduction and Summary

Below is a historical summary of the origins and customs of our Nations before and after settler colonization in relation to our children, our families, our Nations. Before settler colonization, our Nations maintained independence and collective sovereignty provided to us by the Great Spirit. We had and still have a complete and whole way of life. Settler colonization implemented an assimilation strategy during the creation of Canada, which resulted in the forced setting aside and dismantling of our Nation’s original, complete and whole way of life. Our children were stolen from us and sent to residential school. Our ancestors were sent to jail for living their way of life. Our ancestors were enfranchised, becoming non-Indians. Our female matriarchal system was broken down and replaced by a male patriarchal system of living. Child and Family Services and jail institutions were established to address the genocide of the way of life of our Nations. Along the way, our Nations have brought forward our concerns and attempts to regain, reclaim, practice and promote our way of life, as there was never anything wrong with or about our way of life. It is important for our people to know our history, especially our children so that we can reclaim, practice and promote who we are meant to be as *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak*.

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Creation Story – Our *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nations and peoples of Turtle Island have our own Creation stories that tells us of our origins as a people which is spiritually based and land based and incorporated into our entire way of life. Our relationship with Mother Earth and all of creation is a sacred relationship. We talk with Mother Earth; we talk and work with the animals. We need to do this in order to survive and sustain ourselves. When we identify the Red Nation we originate from, we are practicing the highest form of sovereignty that can be practiced. The *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* peoples have passed down our Creation stories orally from time immemorial, which begins with Great Spirit creating the universe, mother earth and life on her with creation of the Red People of the *Anishinaabeg, Anishininwak, Dakota Oyate,*

Denesuline, and Nehethowuk/Inninwak Nations so that we could pursue a good life within all of creation for ourselves and especially for our children and the next generations of children to come. Forty-four (44) laws had been lowered down to our Nations by the Great Spirit. These laws are to be observed throughout our entire existence on Mother Earth. The sacredness of a life of a child has been established from the beginning of creation.

Great Binding Law – Our people were passed down protocol by Great Spirit in regards to how we would conduct ourselves on Mother Earth, as *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak*, as parents and customary caregivers and how we would pass this down to our children, such as “take only what you need”. As well, we have been provided with protocol in regards to the way we would treat one another as *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak*, as parents and customary caregivers of our children, which is set out for us through our seven sacred teachings. In December 2015 a group of elders came together at the Turtle Lodge in Sagkeeng First Nation in Manitoba and placed in written the understanding of the forty-four (44) laws spiritually and orally provided by the Great Spirit as the Great Binding Law:

In the beginning, when time started, a long, long time ago, *Kizhay Manitou*, the Great Spirit, gave us one universal Law – *Ogichi Tibakonigaywin* – a Law that connects us all. Through this Law we were all given our unique languages, songs, ceremonies, ways of life, teachings and stories. We were all given our ways of loving and taking care of Mother Earth.

Kizhay Manitou put spirit in Mother Earth and all of life. We come from the spirit world and flow through the Earth. We will all return to the spirit world and to the Earth when our journey on Earth has been completed.

Through Mother Earth, *Kizhay Manitou* planted the seeds of life, with Original Instructions on how to be and how to sustain our relationship with Mother Earth. Mother Earth gave birth to the plants, the animals, the birds and finally to the human being. *Kizhay Manitou* gave us medicines for everything that can affect us.

Mother Earth is alive and she is the Original Mother of life. She has a living spirit and she is sacred. Mother Earth is so beautiful – she is the most beautiful creation – the most beautiful woman of all.

As the Mother of life, Mother Earth gives birth, and gives us everything we need to live – the food, the water, the medicines, the clothing, the shelter, and most of all, the love, kindness and teachings that a mother gives to her child.

Her teachings are reflected in Natural Laws – the balance of nature in the rising and setting of the sun, the patterns of the weather through the winds, the rains, and the elements of life, the natural flow of the blood of the Earth through the rivers and the oil beneath her, the cycles of the moon and the breaking of the waters when a child comes, as woman gives life in the most natural of ways. As long as we are breathing this beautiful air, whether we realize it or not, there is an invisible umbilical cord that always connects us to our Original Mother – our life source, Mother Earth.

In Nehetho, the word *Waskaawe siweno* (WAS-KAAH-WAY-SEE-WIN) means “Everything around you” and describes how we are all connected.

In Dakota, *Mitakuye Owasana* means “All my relations – we are related.” We are related to the stars in the sky, the birds, the fish, the animals and the plant life.

In Anishinaabe, *Nikanisitook* acknowledges “All my relatives in life.” With the exception of the human being, all of the other living beings of creation have continued to follow their Original Instructions and live in balance and harmony with Natural Laws. It is only the human being that has severed its natural connection to Mother Earth and lost its connection to her Natural Laws.

We cannot continue to disrupt the Natural Laws of life. If even one of us disrespects that Great Binding Law, it affects us all, and it will come back to us. Nature’s Laws are self-enforcing. What we put into our circle always returns to our web of life. Mother Earth will have the final say because she is the Mother to us all.

Nature is always giving us signs to bring us messages. Right now, the human beings are behaving out of balance, and Mother Earth is reflecting that imbalance through climate change.

We are the Earth. We are the voice of the Earth. In our Original Instructions as human beings, *Kizhay Manitou* gave us the responsibility to respect, take

care of, and most importantly to make a journey to Mother Earth, to connect to the land and learn how to live.

We are the free and independent Original People of this land. As the roots of this land, we are the true leaders of our ancestral lands – *Manito Ka Apit* – Where *Kizhay Manitou* – the Great Spirit – sits.

We come from the Dakota, Nehetho, and Anishinaabe Nations who have lived on our ancestral lands since *Kizhay Manitou* placed us here with our languages, songs, ceremonies, teachings and ways of life. We have always been here.

As unique Dakota, Nehetho, and Anishinaabe Peoples, we speak with one voice. We have respect for each other. As the Original People we welcome you. We come forward to share with you. We come to share that love with you. We bring our shared understanding and that is this:

We are all brothers and sisters and we all have a sacred responsibility to take care of and make an alliance with Mother Earth.

We are a peaceful people. We are not asking for anything for ourselves. The human being was the last part of creation to be created. It is our spiritual responsibility to take care of that life.

Kizhay Manitou had a vision of a world filled with peace and love. It is through the land that we can find that peace and love.

All of humanity needs to make a journey to the land, to the sacred sites, places of healing, teaching and connection, to find peace.

We make an invitation to the whole human family, and all the children, to come to our lodges so we can teach them to love the land, connect to the land, and take care of the land. Our journey begins with gratitude to the Earth and to the Spirit. *Kizhay Manitou* gave all of us gifts to share with each other, to take care of the Earth and all life.

In our lodges, the children will hear the teachings, feel the ceremonies and feel the love for Mother Earth.

Our ancestors prophesized of this time – a time of climate change, a time of crossroads, a time of self-examination, and a time of choice. Our choice is not a choice of words, it is a choice of action. We need to stand strong now in alliance with Mother Earth.

We are all in this together. Today, we call on all Nations of the world to join us in the spirit of our Original Instructions to care for Mother Earth together, and find true peace.

It will require a peaceful journey back to the Earth, to find our direction for our survival.

As one of our great Lakota leaders of the past, Crazy Horse, said:

Upon suffering beyond suffering;

The Red Nation shall rise again.

It will be a blessing for a sick world

A world filled with broken promises, selfishness and separations

A world longing for light again!

I see a time, long after the skies have grown dark and dirty

And the Water has become bad-smelling

I see a time of seventh generation,

When all the colours of mankind

Will gather under the Sacred Tree of Life

And one whole Earth will become one Circle again.

Seven Sacred Guides - The eagle of love helps our children acknowledge the love of Great Spirit and love of oneself. The eagle carries the prayers of our children up to Great Spirit. The love Great Spirit provides us with is the love we are to have for all our children. The eagle is a protector as a father is a protector. Grandmother turtle of truth is said to have been present when Great Spirit created *Anishinaabeg*, *Anishininwak*, *Dakota Oyate*, *Denesuline*, and *Nehethowuk/Inninwak* so that we would never lose our teachings. The back of turtle also represents the cycle of a woman's body through the thirteen (13) moons and twenty-eight (28) day monthly cycle. Children are taught truth in order to build trust with parents and customary caregivers. The buffalo is a teacher of great respect. We teach our children to use everything they have like we used every part of the buffalo to shelter, feed and dress our children. The beaver of wisdom teaches us about purpose and community. We teach our children they have a purpose in life and must work at finding out what their purpose is. Our elders pass down their wisdom of life experience to our children. The wolf of humility teaches us we must always be considerate of our children. We share with our children what we obtain to live or enjoy life. The m'sabe of honesty teaches us to be honest with Great Spirit and with oneself. We are taught to accept all of our children in the way that Great Spirit has gifted our children to us. The bear of courage is a gentle animal in nature, but the mother bear will also protect her cub with an intense bravery in order to protect and meet the needs of her cubs.

Clan Structure – The clan system has been used in order to establish the organization of the *Anishinaabeg*, *Anishininwak*, *Dakota Oyate*,

Denesuline, and Nehethowuk/Inninwak. Each clan was vested with a specific responsibility, which included governance of the Nation and care of children. The Great Binding Law through the Seven Sacred Guides are what we follow in order to govern and organize our *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak.* Women determined who would carry out leadership and other responsibilities of the Nation. The role of the woman is viewed as the first law. When a child comes to Mother Earth, it is through the woman's womb that the child is grown and given life. The *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* home represents woman and when we enter into our home we are entering into the womb each time. This is why we need to have respect for our *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* women.

Grandmother's Council – Our *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nations possess a customary protocol for addressing the care and protection of our children. Firstly the responsibility of the child is the responsibility of the entire Nation. When a woman would become pregnant, the mother to be would be counseled by the Grandmothers and women in regards to how the mother to be would need to care for herself and her unborn child. As well the mother to be would be taught about the life journey of the child, in that there are stages and rights of passage for the entire life of a child. There was even a specific manner and ceremony that the birth placenta would be handled. The child would be named through ceremony within four (4) days of being born. There is a specific purpose for the tikinagan, (the infant carrier) and why a child would not touch the ground for the first year of their life. The stand up or walking out ceremony would take place when the child turned one (1) years old. The responsibility of immediate care of a child sits with the parent(s) or customary caregiver. Where the parent(s) or customary caregiver were not able to meet the basic needs and required nurturing of a child, the grandmothers are responsible for determining who would be appointed with the responsibility of the child and would do this through ceremony and talking together. This decision required a meeting of the grandmothers and a meeting with the appointed parent(s) or customary caregiver and instructions would be passed down. Many Nations prior to settler contact had been structure on matriarchy, meaning the grandmothers or clan mothers would be responsible for making decisions on behalf of the Nation and would direct the men to carry out or follow through with the decision.

“We honour this gift of life and our responsibility for our Nations and stand together in unity and in strength with the gifts of language and ceremony provided by our Great Spirit to take up our Role as Life Givers, as Mothers, Aunties and Grandmothers. No external entity shall be allowed to remove our gifts from the shelter and love of our homes and Nations.”

1700's

Treaties – Entering treaty began in 1763 with the Royal Proclamation. The Royal Proclamation is a land-focused document that sought to protect the land rights and interests of First Nation peoples. The Royal Proclamation recognizes the Nationhood of our *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* Nations and as well our title to the land, which was the basis for entering into of Treaties.

1800's

The first treaty in Manitoba was signed in 1817. This is a treaty of peace and friendship between the settlers and our ancestors of the day. In order to provide for the peaceful continuation of the settlement, Lord Selkirk and his representatives negotiated with Indigenous leaders in the area for possession or use of the land extending in two mile tracts along both sides of the Red and Assiniboine Rivers in exchange for an annual payment or gift. It has become widely known as the Selkirk Treaty. This is the first formal written agreement in Western Canada recognizing Indigenous land rights.

On August 3, 1871. Treaty-making of the Treaties Number One (1) to Eleven (11) included a provision where a Nation would have a schoolhouse built on the Nation, should a Nation choose. Settlers sought to develop Canada's land base and extract resources by bringing in the railroad, and implementing a colonization and assimilation strategy whereby Treaties had been entered into in order to accommodate this pursuit of settlers/colonists. "The treaties, as written documents, recorded an agreement that had already been reached orally and they did not always record the full extent of the oral agreement," reads the Supreme Court of Canada *Badger* judgment, handed down in 1996. This judgment states that it is necessary to interpret treaties "in the sense that they would naturally have been understood by the Indians at the time of the signing."

Residential School – 1849 – Canada established a Residential School System similar to the United States model in order to solely remove children from their home, family and community for the assimilation and colonization of what had been believed to be savage children. This system was also designed to break the family bond and independent governance structure of the *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak*. The children attending the school had their long hair cut, their original names were changed to English names or they were issued a number. The boys were separated from the girls and further separated by age group, furthering breaking down the family unit. Sterilization of our *Anishinabe, Nehetho, Oyate, Denesuline, and Oji-Cree* women and girls also occurred in order to stop more *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* children from being born.

The Act to Encourage the Gradual Civilization of Indian Tribes in this Province, and to Amend the Laws Relating to Indians (Gradual Civilization Act) – 1857 – This legislation formalized the enfranchisement of male Indians twenty-one (21) years of age, of good character, had no debt and was able to speak, read and write English or French, meaning the male Indian would no longer be considered an Indian through enfranchisement and provided no more than fifty (50) acres of land. Wives and children would automatically lose their status when a man became enfranchised. This Act also formalized the shift and destruction of many First Nation society structures from matriarchal to patriarchal leadership.

Indian Act – 1876 – The Indian Act has served to dismantle the *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* governance structure and control every day life of First Nation people. From 1894 to 1920 the Indian Act had a provision that made it mandatory for children to attend Residential School and illegal for children to attend any other educational institution. In 1885, children and their families were not allowed to participate in ceremonies of the Nation. If adults were caught, they would give up their bundles so they wouldn't have to leave their children and go to jail. In 1925 the Indian Act was also used to outlaw dancing of children and their families. The matriarchal rights of women were further removed through the Indian Act. If an Indian woman married a non-Indian man, an Indian woman would automatically be enfranchised and lose her Indian status along with her children. Non-Indian women who married an Indian man would automatically become status

Indians by marriage. Children were displaced from their home Nations when enfranchisement had been carried out.

1960's

Sixties Scoop - Manitoba Indian children were forcibly removed by non-Indian operated Children's Aid Societies from their parents or customary caregivers and community so non-Indian foster parents would provide the First Nation children's best interests. Many Indian children were also adopted by their foster parents and ended up all over the world (i.e.: Germany, Kentucky USA, Newfoundland)

1970's

Wahbung – Our Tomorrows – 1971 – is a Manitoba First Nations specific document identifies the need to improve the relationship with Canada and is an opposing response to the 1969 White Paper presented by Prime Minister Elliot Trudeau. The intention of Canada's 1969 White Paper had been to eliminate Indian status of children, their families and communities, thereby eliminating Aboriginal and Treaty rights. The response to the White Paper from the Manitoba First Nation

"We would emphasize for the purpose of clarity and to avoid any misunderstanding that the Indian tribes of Manitoba are committed to the belief that our rights, both aboriginal and treaty, emanate from our sovereignty as a nation of people. Our relationships with the state have their roots in negotiation between two sovereign peoples.

"There can be no delegation of authority or responsibility by the federal state to the province without our consent. There can be no deviation or alteration in this relationship without mutual consent. The Indian people enjoy "special status" conferred by recognition of our historic title that cannot be impaired, altered or compromised by federal-provincial collusion or consent.

"We regard this relationship as sacred and inviolate."

The **Canadian Human Rights Act** was not applicable on Manitoba First Nation land when it was enacted in 1977 (and did not become applicable until 2010).

In 1982, out-of-province adoptions of Aboriginal children ceased and the province commissioned Chief Judge Edwin Kimelman of the Provincial Court of Manitoba to carry out a review of the existing child welfare system in regards to Aboriginal children. The report found that *“the child welfare system was guilty of “cultural genocide”* and that the system needed to be substantially modified. Moratorium on adoption, making adoptions

1990's

Aboriginal Justice Inquiry (AJI) – In 1991 the Manitoba AJI report was issued publicly. The AJI also looked at child welfare. Chapter 14 of the report is on the subject matter of child welfare where the AJI Commission found that “No analysis of the justice system can be complete without understanding the devastating effect these relations, guided by government policies, have had on Aboriginal families. For many Aboriginal societies, existing child welfare practices have ranked as a major destructive force to their families, communities and cultures.

“Some people have suggested that the child welfare and criminal justice systems are distinct and should function completely independently of each other. We do not agree. We believe many of the reasons why the numbers of Aboriginal people are so disproportionately high in the child welfare system are the same as the reasons why they are so over-represented in the criminal justice system. “Clients” of one system frequently become “clients” of the other system. It would be impossible to present a complete picture of the criminal justice system, and the youth justice system, without also analyzing the field of child and family services.”

The AJI also highlighted that residential schools laid the foundation for the epidemic we see today of domestic abuse and violence against Aboriginal women and children.

2000's

In 2000, the **Aboriginal Justice Inquiry – Child Welfare Initiative (AJI-CWI)** was jointly created between the provincial government and First Nations to develop and implement a plan to restructure the child welfare system within Manitoba. Four parties took part in the development of this initiative. The most significant objective of this joint initiative was that off-

reserve authority for First Nations be expanded which the Province of Manitoba delegated.

JORDAN's PRINCIPLE - Jordan was born in 1999 with multiple disabilities and stayed in the hospital from birth. When he was 2 years old, doctors said he could move to a special home for his medical needs. However, the federal and provincial governments could not agree on who should pay for his home-based care. Jordan stayed in the hospital until he passed away at the age of 5. In 2007, the House of Commons passed Jordan's Principle in memory of Jordan. It was a commitment that First Nations children would get the products, services and supports they need, when they need them. Payments would be worked out later. Today, Jordan's Principle is a legal obligation, which means it has no end date. While programs and initiatives to support it may only exist for short periods of time, Jordan's Principle will always be there. Jordan's Principle will support First Nations children for generations to come. This is the legacy of one of our many loved children Jordan River Anderson. In 2016, the Canadian Human Rights Tribunal (CHRT) determined that Canada's approach to services for First Nations children was discriminatory. Canada renewed its approach to Jordan's Principle. Since the ruling, the CHRT has issued a number of follow-up orders about Jordan's Principle. In May 2017, the CHRT ordered "substantive equality" under Jordan's Principle for First Nations children. This means giving extra help when it is needed so First Nations children have an equal chance to thrive.

The Apology – 2008 – “the Government of Canada now recognizes that it was wrong to forcibly remove children from their homes and we apologize for having done this. We now recognize that it was wrong to separate children from rich and vibrant cultures and traditions that it created a void in many lives and communities, and we apologize for having done this. We now recognize that, in separating children from their families, we undermined the ability of many to adequately parent their own children and sowed the seeds for generations to follow, and we apologize for having done this. We now recognize that, far too often, these institutions gave rise to abuse or neglect and were inadequately controlled, and we apologize for failing to protect you. Not only did you suffer these abuses as children, but as you became parents, you were powerless to protect your own children from suffering the same experience, and for this we are sorry.”

United Nations Declaration on the Rights of Indigenous Peoples - The UN Declaration on the Rights of Indigenous Peoples (UNDRIP) can serve to

enhance the rights of indigenous children and youth. Article 21 and 22 of the Declaration addresses indigenous children and youth, in regards to measures to improve the economic and social conditions of indigenous peoples. Further, the Declaration addresses the right for our peoples to live in freedom, peace and security including protecting children from being removed from their group by force (Article 7.2), the right to all levels of education without discrimination (Article 14.2), the right to be protected from economic exploitation or hazardous work and the right to be protected from violence and discrimination (Article 22.2).

Canadian Human Rights Tribunal - Cindy Blackstock v. Canada – this complaint was filed in 2007 due to the underfunding being provided to address the care and protection of Aboriginal children on reserve who are in the child welfare system. The Human Rights Tribunal found that the Child Welfare System with respect to First Nations is flawed, inequitable and discriminates against children based on grounds of race and nationality or ethnic origin. This human rights complaint has also been instrumental in the implementation of Jordan's Principle on our First Nations.

The **Manitoba government officially apologized to indigenous families of what is known as the Sixties Scoop** — the first such apology by a province for Canada's former practice of forced adoption and relocation of aboriginal children. *"Today as premier I would like to apologize on behalf of the Province of Manitoba for the Sixties Scoop," Premier Greg Selinger ... "It was a practice that has left intergenerational scars and cultural loss. With these words of apology and regret, I hope all Canadians will join me in recognizing this historic injustice. I hope they will join me in acknowledging the pain and suffering of the thousands of children who were taken from their homes."* Geraldine Shingoose, a residential school survivor provided a prayer, *"There's a natural bond that happens when a woman gives birth ... I want to acknowledge those mothers who lost their children. The children who were sent across the oceans, into the States, all over Canada, who were taken for years, I pray for them."* Between the 1960s and 1980s, an estimated 20,000 indigenous children were taken from their parents by child-welfare services and placed with mostly white families. As a result, many lost touch with their culture and traditional language.

Bringing Our Children Home – Assembly of Manitoba Chiefs (AMC) established the First Nations Family Advocate (FNFAO) office in 2015 in order to address the excessive number of Children in Care in Manitoba

(over 10,000 at the time) and also establish a First Nation operated organization that would serve to provide family support and advocacy for both First Nation children and First nation families as well. The Manitoba Chiefs in Assembly created this outside of the existing provincial model.

Missing and Murdered Indigenous Women and Girls (MMIWG) – A legacy of displacing the role of our matriarchs has created a society that has learned to devalue our *Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak* women and girls; many who have died tragic deaths, many while being children in care, many are still missing, and many sexually exploited. Both mothers and children and care have completed suicide because of the destructive internal effect of the breakdown and loss of the family unit. Some families do not report when women and girls go missing due to the loss of confidence in police. Manitoba Nations have experience many tragic losses of our women and girls: Tina Fontaine, Felicia Osborne, Tracia Owen, Phoenix Sinclair and Helen Betty Osborne, and many many others. In 2015 the government of Canada began a National Inquiry in regards to MMIWG. In 2010, the Native Women’s Association of Canada (NWAC) confirmed 582 cases of MMIWG over a twenty-year period in order to raise awareness that the issue of MMIWG is a human rights issue.

Truth and Reconciliation Commission (TRC) – Calls to Action – In 2015 the TRC issued ninety-four (94) Calls to Action for Canada. The first call is to reduce the number of Children in Care by ensuring that fair investigations, adequate resources and cultural education is provided to agencies and social workers who will be better equipped to implement solutions for the child and the family. Call to Action number three (3) calls for the implementation of Jordan’s Principle by addressing the long-standing issue of jurisdiction. Number four (4) addresses the establishment of child welfare legislation that addresses apprehension and custody of children where First Nations can exercise our inherent right to care for our children. In December 2015, the Prime Minister committed to implementing the 94 Calls to Action at the Assembly of First Nations: *“And we will, in partnership with Indigenous communities, the provinces, territories, and other vital partners, fully implement the Calls to Action of the Truth and Reconciliation Commission, starting with the implementation of the United Nations Declaration on the Rights of Indigenous Peoples...We recognize that true reconciliation goes beyond the scope of the Commission’s recommendations. I am therefore announcing that we will work with leaders of First Nations, Métis Nation, Inuit, provinces and territories, parties to the Indian Residential School*

Settlement Agreement, and other key partners, to design a national engagement strategy for developing and implementing a national reconciliation framework, informed by the Truth and Reconciliation Commission's recommendations."

Assembly of Manitoba (AMC) Chiefs Women's Council mandate was expanded in 2017 to include the Child and Family Matters. As well a Memorandum of Understanding was signed between AMC Chiefs-in-Assembly and Canada. Forums and Nation engagements have taken place "Keewaywin" Closer to Home Initiative to discuss and obtain feedback concerning our traditional ways of caring for our children and families and reclaiming our jurisdiction and responsibility for our children and families.

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