

# First Reading

## Proposed Amendments to

### Wiikwemkoong Gchi-Naaknigewin

Wiikwemkoong  
UNCEDDED TERRITORY



December 20th, 2021

#### Gchi-Naaknigewin Preamble

We are Wiikwemkoong Anishinabek. Our home is Odawa Mnis and surrounding islands.

Our lands are unceded. We have retained these lands for our future generations so that they can continue to be Anishinaabe. We have not relinquished any of our rights to any of the lands in the Great Lakes Basin to any nation. We continue to govern the waters, airs, and lands including Islands, as our ancestors have since time immemorial.

The Wiikwemkoong Gchi Naaknigewin will ensure the protection of our rights, both as individuals and as a collective.

#### What is the Gchi Naaknigewin ?

Gchi Naaknigewinis our supreme law, it is our constitution.

- It is a fundamental and overarching law of a nation, Wiikwemkoong Unceded Territory, a law above all other laws.
- It creates, empowers and regulates government.
- It sets out basic principles the local government must conform to.

Although we have traditional forms of governance, such as our Eagle Staff, our Pipes, our Drums, our Songs, our Lodges, our Ceremonies, etc., those cannot speak on our behalf in the courts. Thus, we developed our own constitution, Wiikwemkoong Gchi Naaknigewin, which can speak on our processes. It enables us to make OUR own decision here.

Wiikwemkoong Gchi Naaknigewin is crucial to the development of a healthy community by performing the following:

- Reinforces political authority (i.e. government to government)
- Provides flexibility to determine our own governance structure
- Describes the process for Wiikwemkoong to enact its own laws
- Is a building block to sustained economic development by:
  1. Providing stable and effective institutions and policies,
  2. Establishing fair and effective institutions and policies
  3. Separating politics from business
  4. Establishing and operating an effective public service
  5. Developing a cultural map for community development which defines who we are and where did we come from

## Current Status

Gchi Naaknigewin may be amended by following the steps outlined in section 18.0 Amendment of the Wiikwemkoong Gchi Naaknigewin. The review is to be done every 3 to 5 years. Since the Gchi Naaknigewin was ratified in 2014 a review has not been completed.

On April 13, 2017, the Governance Unit, Governance Committee, and Martin Bayer, Anishinabek Nation Chief Negotiator, reviewed Gchi Naaknigewin and prepared recommendations but they were not brought forward to Council.

On October 19, 2021, the Governance Committee completed a review of Gchi Naaknigewin, as well as considered the recommendations from 2017, and made a motion to have the proposed amendments presented to Council.

The proposed amendments were presented to Council on November 15, 2021 and the following motion was made:

338-2021 Sylvia Recollet and Joseph Wabegijig

*That we accept the proposed amendments on the Wiikwemkoong Unceded Territory Gchi Naaknigewin as presented by the Governance Unit Manager, Nancy Kinoshameg and further that we continue the process that is stated in section 18.0 Amendment of the Gchi Naaknigewin.*

## Section 18– Amendment Process and Proposed Timeline

### 18.0 Amendment of the Wiikwemkoong Gchi-Naaknigewin

18.1 The Wiikwemkoong Gchi-Naaknigewin may be amended by following each of the steps in the process outlined below:

18.2 A request to amend to this Gchi-Naaknigewin may be made by:

18.2.1 A written request by Chief and Council; or

18.2.2 A written formal application signed by 125 Eligible Voters who are at least 18 years old; or,

18.2.3 By the governance committee appointed by Council after the committee conducts its review of the Wiikwemkoong Gchi-Naaknigewin every 3 to 5 years.

Governance Committee review:

- August 3, 2021, and August 17, 2021
- September 7, 2021, and September 21, 2021
- October 19, 2021

Governance Committee Motion 76-2021  
Lorraine Fox and Richard P.E. Peltier

That we accept the Gchi Naaknigewin review and give direction to Governance Unit staff to prepare and present the minutes and the proposed amendments of Gchi Naaknigewin to Ogimaa and Council.

18.3 The proposed amendment cannot be presented to Chief and Council until three months after Chief and Council are elected into office;

- 18.4 The proposed amendment of the Wiikwemkoong Gchi-Naaknigewin is first presented at a meeting of Chief and Council held at least 90 days before the amendment is to be decided by Chief and Council in a first reading when any Wiikwemkoong Anishinaabek in attendance was given a reasonable opportunity to ask any questions and voice any concerns on the proposed amendment.

**First Reading**, November 15, 2021

Band Council Motion 338-2021

Sylvia Recollet and Joseph Wabegijig

That we accept the proposed amendments on the Wiikwemkoong Unceded Territory Gchi Naaknigewin as presented by the Governance Unit Manager, Nancy Kinoshameg and further that we continue the process that is stated in section 18.0 Amendment of the Gchi Naaknigewin.

- 18.5 At the first reading, the Chief or any Councillor may ask any question and voice any concerns on the proposed amendment of this Wiikwemkoong Gchi-Naaknigewin.
- 18.6 The Chief and Council will determine after the first reading if any amendments to the proposed amendment of this Wiikwemkoong Gchi-Naaknigewin are required or advisable.
- 18.7 Then the proposed amendment of this Wiikwemkoong Gchi-Naaknigewin, as amended, if amended, is posted in a public place in the Administration / Band office of Wiikwemkoong.

To be posted December 2021

- 18.8 Then the proposed amendment of this Wiikwemkoong Gchi-Naaknigewin, as amended, if amended, is published in a community newsletter before it is decided upon by Chief and Council.

To be published December 2021

- 18.9 The proposed amendment of the Wiikwemkoong Gchi-Naaknigewin, as amended, if amended, is presented to Chief and Council in a second reading, at least 30 days before the proposed amendment is to be decided by Chief and Council. At this second reading, the proposed amendment may, at Chief and Council's discretion, have been amended in accordance with the questions or concerns raised at the first reading.

**Second Reading**, scheduled for January 24, 2022

- 18.10 At the second reading, as at the first reading, any Wiikwemkoong Anishinaabek present at the meeting may ask any question and voice any concerns about the proposed amendment of the Wiikwemkoong Gchi-Naaknigewin.
- 18.11 Chief and Council will determine after the second reading if any amendments to the proposed amendment of the Wiikwemkoong Gchi-Naaknigewin are required or advisable.
- 18.12 A meeting with Chief and Council is held to approve the proposed amendment of this Wiikwemkoong Gchi-Naaknigewin and at least 75% + 1 Council votes in favor of the proposed amendment of this Wiikwemkoong Gchi-Naaknigewin to put the amendment to a vote by the Wiikwemkoong Anishinaabek.

**Decision**, scheduled for March 4, 2022 Notice of Referendum, to be posted May 16, 2022

- 18.13 The proposed amendment will be approved if 50% +1 of the accepted ballots in a referendum of Wiikwemkoong Anishinaabek are in favour of the proposed Gchi-Naaknigewin.

**Referendum**, scheduled for July 4, 2022

- 18.14 There will be no second vote in step 18.13.

*\* Dates subject to change*

## Proposed Amendments to Wiikwemkoong Gchi Naaknigewin

Gchi Naaknigewin	Proposed Amendment	Gchi Naaknigewin with proposed amendment
...Chief and Council... 64 times	Replace 'Chief and Council' with "Ogimaa miinwaa e'noodimaagejig"	...Ogimaa miinwaa e'noodimaagejig... 64 times <i>See link to document with track changes for each change</i>
1.3 The Anishinabek of Wiikwemkoong Unceded Territory, together and through its Chief and Council, shall honour and abide by our Anishinabeaadiwin through the values of our Seven Grandfather teachings of <b>Respect, Humility, Truth, Bravery, Love, Wisdom and Honesty</b> and with the common good.	Change the order of the Seven Grandfather Teachings Add the anishinaabemowin word for each of the Seven Grandfather Teachings	1.3 The Anishinabek of Wiikwemkoong Unceded Territory, together and through its <b>Ogimaa miinwaa e'noodimaagejig</b> , shall honour and abide by our Anishinabeaadiwin through the values of our Seven Grandfather teachings of <b>Zaagdiwin (Love), Debwewin (Truth), Mnaadendmowin (Respect), Nbwaakaawin (Wisdom), Dbaadendziwin (Humility), Gwekwaadziwin (Honesty) and Aakdehewin (Bravery)</b> and with the common good.
3.2 Chief and Council must exercise good governance for Wiikwemkoong Anishinaabek collective rights, powers, privileges, jurisdiction and authority and work to:	Removed Chief and Council from the beginning of 3.2 since it is in the section title <b>3.0 The Wiikwemkoong Chief and Council</b>	3.2 Must exercise good governance for Wiikwemkoong Anishinaabek collective rights, powers, privileges, jurisdiction and authority and work to:
3.2.3 Monitor, evaluate and enhance the services for <b>its</b> Wiikwemkoong Anishinaabek;	Change 'it's' to "the"	3.2.3 Monitor, evaluate and enhance the services for <b>the</b> Wiikwemkoong Anishinaabek;
3.4.3 Consult the Wiikwemkoong Anishinabek in community * -planning on annual basis.	Remove "*" (asterisk)	3.4.3 Consult the Wiikwemkoong Anishinabek in community planning on annual basis.
4.1.1.1 Making any law or a decision in relation to:	Removed an extra '1'	4.1.1 Making any law or decision in relation to:
5.1 A draft law may be introduced at meeting of Chief and Council: 5.1.1 5.1.2 5.1.3 By providing a written draft law to the <b>Council</b> .	Replace Council with e'gimaaajig	5.1 A draft law may be introduced at meeting of <b>Ogimaa miinwaa e'noodimaagejig</b> : 5.1.1 5.1.2 5.1.3 By providing a written draft law to <b>e'gimaaajig</b> .

5.1.1 By the <b>Chief</b> ; or	Replace Chief with Ogimaa	5.1.1 By the <b>Ogimaa</b> ; or
5.1.2 By a <b>Councillor</b> ; or	Replace Councillor with e'noodimaaget	5.1.2 By <b>e'noodimaaget</b> ; or
5.4.2 The law has been passed by Chief and Council in accordance with its Rules, but those Rules must require at least three public readings of the draft law at least one month apart and at least 50% + 1 of the <b>Council</b> who vote on the draft law vote in favour of the draft law; and	Replace Council with e'gimaajig	5.4.2 The law has been passed by <b>Ogimaa miinwaa e'noodimaagejig</b> in accordance with its Rules, but those Rules must require at least three public readings of the draft law at least one month apart and at least 50% + 1 of the <b>e'gimaajig</b> who vote on the draft law vote in favour of the draft law; and
5.5 All Council must sign all laws that have been passed in accordance with section 5.4.	Remove 5.5 since it is already stated in 5.4.3	5.4 Laws are enacted by the <b>Ogimaa miinwaa e'noodimaagejig</b> when: 5.4.1 <i>The draft law has been introduced in accordance with section 5.1 and considered by <b>Ogimaa miinwaa e'noodimaagejig</b>;</i> 5.4.2 <i>The law has been passed by <b>Ogimaa miinwaa e'noodimaagejig</b> in accordance with its Rules, but those Rules must require at least three public readings of the draft law at least one month apart and at least 50% plus 1 of the Council who vote on the draft law vote in favour of the draft law; and</i> <b>5.4.3 The draft law has been signed by Ogimaa miinwaa e'noodimaagejig.</b>
6.1 Wiikwemkoong laws will include enforcement provisions appropriate to the subject matter and nature of the law and may include sanctions such as banishment from Wiikwemkoong Unceded Territory. The Wiikwemkoong Gchi-Naaknigewin will allow enforcement of these laws by <b>Police and Chief and Council</b> .	Reverse the order of Police and Chief and Council in 6.1	6.1 Wiikwemkoong laws will include enforcement provisions appropriate to the subject matter and nature of the law and may include sanctions such as banishment from Wiikwemkoong Unceded Territory. The Wiikwemkoong Gchi-Naaknigewin will allow enforcement of these laws by <b>Ogimaa miinwaa e'noodimaagejig and by Police</b> .
7.3 Chief and Council will remain accountable to <b>its</b> Wiikwemkoong Anishinaabek for the exercise of the authority it delegates.	Change 'it's' to "the"	7.3 <b>Ogimaa miinwaa e'noodimaagejig</b> will remain accountable to <b>the</b> Wiikwemkoong Anishinaabek for the exercise of the authority it delegates.

<p>10.1 Chief and Council is accountable to <b>its</b> Wiikwemkoong Anishinaabek for their conduct, decision making and the financial administration of Wiikwemkoong Unceded Territory.</p>	<p>Change 'it's' to "the"</p>	<p>10.1 <b>Ogimaa miinwaa e'noodimaagejig</b> is accountable to <b>the</b> Wiikwemkoong Anishinaabek for their conduct, decision making and the financial administration of Wiikwemkoong Unceded Territory.</p>
<p>14.1: The Chief and Council shall establish an Elders council that is representative of Wiikwemkoong Unceded Territory for guidance and input.</p>	<p>Add wording from 14.3 to 14.1</p>	<p>14.1 The <b>Ogimaa miinwaa e'noodimaagejig</b> shall establish an Elders council that is representative of Wiikwemkoong Unceded Territory for guidance and input <b>on matters of the Ogimaa miinwaa e'noodimaagejig.</b></p>
<p>14.3 The Chief and Council shall establish an Elders Council to provide guidance and input on matters of the Chief and Council</p>	<p>Remove section 14.3 since similar to 14.1</p>	
<p>16.1 The rights set out in this Wiikwemkoong Gchi-Naaknigewin are subject only to reasonable limits prescribed <b>by law</b> that can be justified in a First Nations community.</p>	<p>Add words 'an existing' to 16.1</p>	<p>16.1 The rights set out in this Wiikwemkoong Gchi-Naaknigewin are subject only to reasonable limits prescribed <b>by an existing law</b> that can be justified in a First Nations community.</p>
	<p>Add new section 17.1.1</p>	<p>17.1.1 Motion 285-2014 'That we accept the Statement of Votes – Referendum Poll on the Wiikwemkoong Gchi Naaknigewin dated May 01, 2014 of the Wiikwemkoong Unceded Territory for the Wikwemikong Unceded Indian Reserve of June 14, 2014.'</p>
<p>18.2.3 By the governance committee appointed by <b>Council</b> after the committee conducts its review of the Wiikwemkoong Gchi-Naaknigewin every 3 to 5 years.</p>	<p>Replace Council with e'gimaaajig</p>	<p>18.2.3 By the governance committee appointed by <b>e'gimaaajig</b> after the committee conducts its review of the Wiikwemkoong Gchi-Naaknigewin every 3 to 5 years.</p>
<p>18.5 At the first reading, the <b>Chief</b> or any <b>Councillor</b> may ask any question and voice any concerns on the proposed amendment of this Wiikwemkoong Gchi-Naaknigewin.</p>	<p>Replace Chief with Ogimaa Replace Councillor with e'noodimaaget</p>	<p>18.5 At the first reading, the <b>Ogimaa</b> or any <b>e'noodimaaget</b> may ask any question and voice any concerns on the proposed amendment of this Wiikwemkoong Gchi-Naaknigewin.</p>
<p>18.12 A meeting with Chief and Council is held to approve the proposed amendment of this Wiikwemkoong Gchi-Naaknigewin and at least</p>	<p>Replace Council with e'gimaaajig</p>	<p>18.12 A meeting with <b>Ogimaa miinwaa e'noodimaagejig</b> is held to approve the proposed amendment of this Wiikwemkoong Gchi-</p>

75% + 1 **Council** votes in favor of the proposed amendment of this Wiikwemkoong Gchi-Naaknigewin to put the amendment to a vote by the Wiikwemkoong Anishinaabek.

Naaknigewin and at least 75% + 1 **e'gimaajig** votes in favor of the proposed amendment of this Wiikwemkoong Gchi-Naaknigewin to put the amendment to a vote by the Wiikwemkoong Anishinaabek.

<p>a. Wiikwemkoong Unceded Territory  b. Wiikwemkoong Gchi-Naaknigewin  c. Anishinaabe(k)  d. Anishinaabeaadziwin  e. Inherent Right(s)  f. Supreme Law  g. Unceded  h. Council  i. Resolution  j. Rule  k. Authority  l. Wiikwemkoong Anishinaabek  m. Non Band Member  n. Chief  o. Councillor or Councillors  p. Community  q. Eligible Voter  r. Natural Person  s. Registration  t. Banishment  u. Treaty  v. Public Registry  w. Administrative decisions  x. Conflict of Interest  y. Reasonable Limits  z. Principles of Natural Justice</p>	<p>19.0 Definitions are alphabetized</p>	<p>a. Administrative decisions  b. Anishinaabe(k)  c. Anishinaabeaadziwin  d. Authority  e. Banishment  f. Community  g. Conflict of interest  h. E'gimaajig  i. E'noodimaaget or e'noodimaagejig  j. Eligible Voter  k. Inherent Right(s)  l. Natural Person  m. Non Band Member  n. Ogimaa  o. Principles of Natural Justice  p. Public Registry  q. Reasonable Limits  r. Registration  s. Resolution  t. Rule  u. Supreme Law  v. Treaty  w. Unceded  x. Wiikwemkoong Anishinaabek  y. Wiikwemkoong Gchi-Naaknigewin  z. Wiikwemkoong Unceded Territory</p>
<p>19. h. <b>Council</b> means the collective of the Chief, and Councillors elected by the Band Members in accordance with the Wiikwemkoong Gchi-Naaknigewin and Wiikwemkoong's election law and; until it passes its election law, the election shall be defined under the Indian Act;</p>	<p>Replace Council with e'gimaajig</p>	<p>19. h. <b>E'gimaajig</b> means Council. <b>E'gimaajig</b> means the collective of <b>Ogimaa miinwaa e'noodimaagejig</b> elected by the Band Members in accordance with the Wiikwemkoong Gchi-Naaknigewin and Wiikwemkoong's election law and; until it passes its election law, the election shall be defined under the Indian Act;</p>

<p>19. n. <b>Chief</b> means a Registered Wiikwemkoong Anishinaabek elected in accordance with the Wiikwemkoong Gchi-Naaknigewin and Wiikwemkoong's election law and, until it passes its election law, the election shall be defined under the Indian Act;</p>	<p>Replace Chief with Ogimaa Ogimaa definition add "Whenever the masculine Ogimaa is used, it will include the feminine, Ogimaa kwe."</p>	<p>19. n. <b>Ogimaa</b> means Chief. <b>Ogimaa</b> means a Registered Wiikwemkoong Anishinaabek elected in accordance with the Wiikwemkoong Gchi-Naaknigewin and Wiikwemkoong's election law and, until it passes its election law, the election shall be defined under the Indian Act. <b>Whenever the masculine Ogimaa is used, it will include the feminine Ogimaa kwe;</b></p>
<p>19. o. <b>Councillor</b> or <b>Councillors</b> means a Registered Wiikwemkoong Anishinaabek(s) elected in accordance with the Wiikwemkoong Gchi-Naaknigewin and Wiikwemkoong's election law and; until it passes its election law, the election shall be defined under the Indian Act;</p>	<p>Replace Councillor with e'noodimaaget Replace Councillors with e'noodimaagejig</p>	<p>19. i. <b>E'noodimaaget</b> or <b>e'noodimaagejig</b> means councillor or councillors. E'noodimaaget or e'noodimaagejig means a Registered Wiikwemkoong Anishinaabek(s) elected in accordance with the Wiikwemkoong Gchi-Naaknigewin and Wiikwemkoong's election law and; until it passes its election law, the election shall be defined under the Indian Act;</p>
<p>aa. Seven Grandfather Teachings <b>RESPECT</b> <b>HUMILITY</b> <b>TRUTH</b> <b>BRAVERY/COURAGE</b> <b>LOVE</b> <b>HONESTY</b> <b>WISDOM</b></p>	<p>Change the order of the Seven Grandfather Teachings Add the anishinaabemowin word for each of the Seven Grandfather Teachings</p>	<p>aa. Seven Grandfather Teachings <b>ZAAGDIWIN (LOVE)</b> <b>DEBWEWIN (TRUTH)</b> <b>MNAADENDOWIN (RESPECT)</b> <b>NBWAAKAAWIN (WISDOM)</b> <b>DBAADENDZIWIN (HUMILITY)</b> <b>GWEKWAADZIWIN (HONESTY)</b> <b>AAKDEHEWIN (BRAVERY/COURAGE)</b></p>

**PDF link for Gchi Naaknigewin with Proposed Amendments**  
<https://wiikwemkoong.ca/administration/governance/>

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