

Anishinaabe Nibi Inaakonigewin Report



Reflecting the Water Laws Research Gathering conducted with Anishinaabe Elders

June 20-23, 2013 at Roseau River, Manitoba

Prepared by Aimée Craft

(with the assistance of a group of gifted law students)

Revised spring 2014

Background

This report is the result of collaboration between the University of Manitoba's Centre for Human Rights Research (CHRR) and the Public Interest Law Centre (PILC).

This research was conducted by Aimée Craft, lawyer at the PILC and research affiliate with the CHRR at the University of Manitoba. The research project falls within the broader research project and collaboration on "Water: The Most Precious Gift," which is aimed at ensuring clean water for First Nations people.

The research, and more particularly the gathering, was made possible with funds from law Professor Karen Busby's Social Sciences and Humanities Research Council partnership development grant, the Legal Research Institute of the University of Manitoba, the Dean's Office of the Faculty of Law, the Undergraduate Research Program of the University of Manitoba, as well as an anonymous donation.

An ethics application, in accordance with the Tri-Council Guidelines, was submitted and approved by the University of Manitoba Research Ethics Board.

I'm glad that the University of Manitoba is recognizing our voice and recognizing that something needs to be done for the water. I've often heard that science is going to ask the Anishinaabe for help. I think that's happening now. This teaching lodge is the law of that traditional knowledge.
(Nawaa'kamigoweinini)



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1) Introduction

From June 20th to the 23rd, 2013, Anishinaabe Elders from Manitoba and Northwestern Ontario assembled at The Rapids (on the South Side of the Roseau River) on the Roseau River Anishinabe First Nation reserve. The purpose of the gathering was to conduct what was hoped to be the first of four yearly gatherings aimed at better understanding *Anishinaabe nibi inaakonigewin* (Anishinaabe Water Law).

The following pages are a summary report of the *Anishinaabe nibi inaakonigewin* (ANI) gathering. As the lead researcher on this project, I would like to acknowledge what a challenging piece this has been to write, despite the fact that I have generally not included many of my own thoughts or observations other than in the introduction or concluding remarks.

Each of the Elders that participated in the gathering took the time to reflect in advance on water law. Some even had the time to discuss it in advance amongst themselves. The intention of the gathering was rooted in the idea that “water is living and water is life, in a spiritual and physical way” (Aimée Craft). It was meant to draw out *Anishinaabe nibi inaakonigewin*, attempt to better understand what it is and to work to implement the responsibilities that flow from it. *Anishinaabe inaakonigewin* is more than a theory, but a daily practice of a beautiful way of life:

The way we do things isn't a religion it's a way of life. We are spirits first, before we're even born and the Creator lowered us down to be humans. In everything we do there's a spirit to it. Everything is spiritual. We have to reconnect to these things. When we have prayer we need to have the pipe, we need to get away from time constraints, that's not who we are... If we want strength we need to go to the things that made us strong. (Peter Atkinson)

It is important to give justice to all the words that were spoken during the gathering. The words of the Elders speak for themselves and are part of a bigger picture which should not be isolated from this report.

Just as each and every person that took part in the gathering expressed gratitude for the opportunity to meet on this important issue, I too want to acknowledge each of them for being part of this journey.

This is a journey. I am reminded of the story of Nanabush (Nanaboozhoo) who went all the way to the Rocky Mountains, spreading the law to those places. I hope as writers you can embed these ideas instead of (simply) writing everything down. (Allan White)

Allan White reminded us that with *Anishinaabe inaakonigewin*:

Everything is about responsibility. I hope as writers you can learn and capture that idea. (Allan White)

Each of the speakers acknowledged where their stories and teachings stemmed from and who their teachers were (and are). “Everything that has been said here has come from all of our relatives, all of our ancestors.” (Niizhoosake Copenace)

The following pages are excerpts of the discussion, which have been loosely framed around certain themes. Like all Anishinaabe law, each of the teachings and stories may not fit neatly into only one category or theme – rather they overlap and inform one another. Nonetheless, I have organized the report in the following way:

Section 2 refers to the methods we employed in researching this topic. This is followed by a brief introduction to Anishinaabe worldview in Section 3. Section 4 canvasses different understandings of *Anishinaabe inaakonigewin* (law), its structure and framework, how it is articulated, its foundational principles and its interactions with Western systems of law. Section 5 provides an overview of some of the potential ANI principles that were illustrated by the stories and teachings of the gathering. Section 6 of the report shares seven stories that were shared at the gathering. Our aim is that these stories be discussed in further depth in order to draw out the fullness and be made more accessible in order to support a better public understanding of ANI. Section 7 is focused on some of the recommendations that were made and the call to action and urgency expressed by the Elders.

We've got to do something... At the end we should have a strategy – something concrete. (Peter Atkinson)

While this report is far from perfect or a complete discussion of ANI, it may serve as a springboard for further discussion and common understanding. Best attempts were made to capture the full intention of the speaker's words and to group them in accordance with their meaning, without attributing intentions that went beyond the scope of what was said.

Going forward, the information from the gathering may be used in the following ways:

- Academic publications on Anishinaabe legal theory generally or specifically relating to water;
- Public and conference presentations;
- Support further research on water and *Anishinaabe inaakonigewin*;
- Development of teaching tools in relation to ANI;
- Development of written laws of ANI;
- Development of legal arguments based on *Anishinaabe inaakonigewin* to interpret Canadian law. (i.e. Given that in Anishinaabe law we find principles that confirm that water is life itself, Anishinaabe law might be used as an interpretive tool for section 7 of the *Canadian Charter of Rights and Freedoms* that protects “life, liberty and the security of the person” for all people).

This list is not an exhaustive list and it is coupled with other suggestions that were raised at the gathering, including a water walk.¹

¹ Water walks are intended to raise collective awareness about water issues. See for example: www.motherearthwaterwalk.com
A walk is currently being organized for Lake Winnipeg and will take place in July-August 2014. For more details see: www.lakewinnipegwaterwalk.ca

2) Methodology

The four day gathering was held in a teaching Midewiwin Lodge on the Roseau River Anishinabe First Nation's (RRAFN) reserve No.2 at "The Rapids" or "*zhibashkode'ang*" (under plain: to look under the tall trees and you can see the plains).² This place is considered by Anishinaabe to be sacred land.



Roseau Rapids

The protocols of the lodge were followed by Elders, researchers, CHRR staff and students.

In every place, wherever you enter, there's always rules and procedures and you have to acknowledge it... Procedures are very important... We must respect and honour the sacred formalities of the Great Law. (Allan White)

Although certain protocols and ceremonies will not be described in the notes below, they were conducted in accordance with tradition and in consultation with the keepers of the lodge and the host from RRAFN, Elder Peter Atkinson. The gathering began with a pipe ceremony. Tobacco was passed to the Elders. Water bottles and blankets were distributed to all the Elders as gifts. Water ceremonies were held throughout the gathering and food offerings were made. As this was an open teaching and learning environment, teachings were shared by other Elders and guests.

² Charlie Nelson.

Each morning at sunrise, participants gathered to take part in a daily pipe ceremony that was followed by a water ceremony. Discussions started at around 9:30 every morning. Participants entered the lodge in accordance with Anishinaabe procedural law and protocols. Inside the lodge, a sacred fire located in the centre of the lodge burned for the duration of the gathering. Participants sat in a circle around the centre fire, with men sitting in the South and women in the North. Elder Atkinson sat on the West side of the fire, between the men and women, and led the conversation and ceremony. Throughout the four days, each session was attended by at least four female Elders and four male Elders, although there were more Elders and invited observers on some days.

Discussions occurred between approximately 9:30 a.m. and 12:00 noon and then again between 1:00 p.m. and 5:00 p.m., with a break for lunch and an evening meal. The format of the discussions was that each person was given an opportunity to speak, generally in a clockwise circle. Only one person at a time spoke, while others listened. Many of the Elders spoke in the language (*Anishinaabemowin*) and no translation was provided, although certain Elders translated for themselves or asked another Elder to recount parts of their story in English.

Student note takers took detailed and, where possible, verbatim notes during the gathering. At appropriate times, audio-recordings were made with the permission of the Elders. Notes and recordings are kept confidential in accordance with the Ethics Protocol. Notes from all students are included in the transcript that accompanies this report, in addition to notes by lead researcher Aimée Craft and Elder participant Niizhoosake Copenace (marked accordingly).³ A draft transcript of proceedings was assembled in December, 2013 and provided to each of the Elders with an opportunity to review and comment, both individually and as a group. The Elders were asked to provide clarification or corrections as they viewed necessary. The researcher was available for a review of the notes with any of the participants at their request.

***I hope as writers you
can embed these ideas
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writing everything
down.
(Allan White)***

***Our stories are the
essence of our whole
being.
(Florence Paynter)***

***In my culture
everything is all in one -
it's a way of life.
(Nawaa'kamigoweinini)***

³ Thank you to all the note takers and to Natasha Szach, for compiling the notes of the June gathering and to Will Steinburg for compiling the notes of the December gathering.

3) Worldview

The Elders that assembled for the gathering were clear that the Anishinaabe worldview is different from other worldviews. They emphasized the holistic nature of the Anishinaabe way of understanding:

Anishinaabe are taught to be dedicating themselves to be aware and caring to everything within and around you, at every moment and in daily life.

(Niizhoosake Copenace)

We are actually living it... law is all around us.
(Allan White)

Our value systems need to be understood – responsibility, sharing, love. I have a story... A young white man said “it’s different for me to talk to them about their religion. Under the School Act I can’t teach religion”. I said “that’s the difference between our cultures. In mine there’s no religion but we respect that there’s a higher power. In your culture you live in institutions. Yours is compartmentalized – you have a church, a judicial system, etc. In my culture everything is all in one - it’s a way of life. (Nawaa’kamigoweinini)

The Anishinaabe way of life is centered on relationships, and responsibilities are associated to each of those relationships. These relationships give rise to rights, obligations and responsibilities. Rights, obligations and responsibilities are exercised both individually and collectively by the Anishinaabe.⁴

For centuries, if not millennia, the Anishinaabe have fostered relationships of trade, alliance and peace amongst indigenous groups, with fur traders and later with the French and British Crown.⁵ The starting point for understanding Anishinaabe worldview is in the stories of Creation.

⁴ Aimée Craft, *Breathing Life into the Stone Fort Treaty: An Anishinaabe Understanding of Treaty One*. (Saskatoon: Purich Publishing, 2013), at p 16.

⁵ See *ibid*; Edward Benton-Banai, *The Mishomis Book: The Voice of the Ojibway*. (Minneapolis: University of Minnesota Press, 2010); Aimée Craft, “Living Treaties, Breathing Research” (2014) 26:1 CJWL 1; Jean Friesen, “Grant Me Wherewith to Make My Living” in Kerry Abel & Jean Friesen, eds, *Aboriginal Resource Use in Canada* (Winnipeg, University of Manitoba Press, 1991) 141; Harold Johnson, *Two Families: Treaties and Government*. (Saskatoon: Purich Publishing, 2007); Basil Johnston, *Ojibway Heritage*. (Toronto: McClelland & Stewart, 1976); J.R. Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada*. (Toronto: University of Toronto Press, 2009); Laura Peers, *The Ojibwa of Western Canada: 1780 to 1870*. (Winnipeg: University of Manitoba Press, 1994); Laura Peers & Jennifer Brown. “There is No End to Relationship among the Indians: Ojibwa Families and Kinship in Historical Perspective” (2000) 4:4 *The History of the Family: An International Quarterly* 529; Doris Pratt, Harry Bone & the Treaty and Dakota Elders of Manitoba. *Untuwe Pi Kin He – Who We Are: Treaty Elders’ Teachings*, vol. I (Winnipeg: Treaty Relations Commission of Manitoba and Assembly of Manitoba Chiefs Secretariat, 2014); Arthur J Ray, Jim Miller & Frank Tough. *Bounty and Benevolence: A History of Saskatchewan Treaties*. (Montreal and Kingston: McGill-Queen’s University Press, 2000); Heidi Kiiwetinepinesiik Stark, “Respect, Responsibility and Renewal: The Foundations of Anishinaabe Treaty Making with the United States and Canada” (2010) 34:2 *American Indian Culture and Research J.* 145; Richard White, *The Middle Ground: Indians, Empires and Republics in the Great Lakes Region, 1650-1815*. (Cambridge: Cambridge University Press, 2011); Robert A Williams Jr., *Linking Arms Together: American Indian Treaty Visions of Law & Peace, 1600-1800*. (New York: Oxford University Press, 1997).

We are told that all Creation stories are true. “All of them are how we came into being and how we came to be where we are. They tell of our relationships to the earth, each other and to other beings.”⁶

The way we do things isn't a religion it's a way of life. (Peter Atkinson)

As will be discussed further in this report Anishinaabe worldview is structured around language and oral transmission of teachings. That fundamental difference between written and oral recording is part of understanding the uniqueness of the Anishinaabe perspective.

We have duties and responsibilities that come in all forms which weren't on paper because we didn't have paper. (Allan White)

The Knowledge Holders want to acknowledge that the words that they shared come from time immemorial and were passed onto them by their ancestors or relatives that still walk on Turtle Island. One of our greatest teachings as Anishinaabe is to always acknowledge the person who shared and passed their knowledge to you.

It is also important to speak a little on our Worldview as Anishinaabe. We value our relationship with all of Creation and on wholeness and interconnection as a collective, which is symbolized by the Circle; concentric circles which include at the center our children, then family, community and Nation. Anishinaabe respect and honour the Creator, nature and their laws. Anishinaabe are taught to be dedicating themselves to be aware and caring to everything within and around you, at every moment and in daily life.

Niizhoosake Copenace

⁶ Pratt et al., *supra* note 5 at 17.



Niizhoosake Copenace

The Aboriginal tradition in the recording of history is neither linear nor steeped in the same notions of social progress and evolutions [as in the non-Aboriginal tradition]. Nor is it usually human-centred in the same way as the western scientific tradition, for it does not assume that human beings are anything more than one – and not necessarily the most important – element of the natural order of the universe. Moreover, the Aboriginal historical tradition is an oral one, involving legends, stories and accounts handed down through the generations in oral form. It is less focused on establishing objective truth and assumes that the teller of the story is so much a part of the event being described that it would be arrogant to presume to classify or categorize the event exactly...

Oral accounts of the past include a good deal of subjective experience. They are not simply a detached recounting of factual events but, rather, are “facts enmeshed in the stories of a lifetime”. They are also likely to be rooted in particular locations, making reference to particular families and communities. This contributes to a sense that there are many histories, each characterized in part by how a people see themselves; how they define their identity in relation to their environment, and how they express their uniqueness as a people.⁷

⁷ Royal Commission on Aboriginal People, *Looking Forward, Looking Back, Volume 1, Part 1: The Relationship in Historical Perspective*. (Ontario, Canada Communication Group, 1996) online: <http://caid.ca/RRCAP1.3.pdf> at 38.

4) Law - *inaakonigewin*

a) *Anishinaabe inakonigewin*

The theme that brought the Elders together was *Anishinaabe nibi inakonigewin* (water law). In order to appropriately discuss *Anishinaabe nibi inakonigewin*, a discussion had to take place on how the Elders understand *Anishinaabe inakonigewin* (law). The theme of law was taken up mostly on the second and third days of the gathering, with the researcher posing questions such as:

- “What is law to you?”
- “Is *Anishinaabe nibi inakonigewin* the appropriate language for this gathering?”
- “Describe how *Anishinaabe* law can contribute to, or work alongside, Western law?”
- “Is ‘law’ the right word?”
- “‘*Anishinaabe nibi inakonigewin*’ – how do you feel about these words?”
- “If you had to describe what *Anishinaabe* law can contribute, how would you do that? What are your views?”
- “How can principles be drawn from *Anishinaabe* law that should govern our behaviour?”
- “What role does *Anishinaabe* water law have in water protection?”

Through the teachings of the Elders over the four days of the gathering, some key features of *Anishinaabe* law were shared, in the form of stories and teachings. The following are some of the defining features of *Anishinaabe* law, as drawn out from the Elders teachings. This is not an exhaustive list of the principles that we can draw from the words of the Elders but rather a selection of those that the researcher has understood from what was shared.

The research built upon the assertion put forward by John Borrows and Aimée Craft in the academic literature that *Anishinaabe* law is centered around relationships.⁸

***Anishinaabe law isn't so much about rights but responsibilities to all of Creation.
(Peter Atkinson)***

***The law is the responsibility we have as Anishinaabe. This idea needs to be embedded into what we write about the law, rather than trying to capture the law as an idea.
(Allan White)***

***As long as you know the spirit of the law, that's what's important.
(Harry Bone)***

***When I'm talking about the water and taking care of it, I'm talking about law.
(Peter Atkinson)***

⁸ John Borrows, *Drawing out Law: A Spirit's Guide*. (Toronto: University of Toronto Press, 2010); Craft, *supra* note 4.

Nawaa'kamigoweinini learned from Henry Maskwa that everything is sacred and is deserving of respect. "Everything that we have comes from the Creator, and everything has a spirit. We need to respect that. That goes the same for the water."

Responsibilities are at the heart of the Anishinaabe legal structure. Peter Atkinson reminded us: "We are responsible to each other and the land."

The law is the responsibility we have as Anishinaabe. This idea needs to be embedded into what we write about the law, rather than trying to capture the law as an idea. (Allan White)

Anishinaabe law isn't so much about rights but responsibilities to all of Creation. What we are doing here is practicing my law. Our laws are more about responsibilities than rights. (Peter Atkinson)

Harry Bone expressed that "Anishinaabe law is *inaakonigewin*. *Inaakonigewin* is very important."

Allan White shared that law is about living it and sharing it with each other: "We are actually living it. It's very important to give every little bit of what we know. Law is all around us."

i) Structure/Framework

The Elders spoke of different types of law, using terms such as spiritual law, the Creator's law, the Great Binding Law, natural law, customary law and human law. Generally, the laws fell into four categories: sacred, natural, customary and deliberative. Sacred law was most referred to and other forms of law were said to flow from sacred law.¹⁰

The Great Spirit gave procedural instructions... for the Great Law for the Anishinaabe people (to abide by). (Allan White)

Allan White explained that Anishinaabe law is so vast that it could fill a series of encyclopedias. More than ever, many knowledge holders of Anishinaabe law want to share what they know and make it more widely accessible. "I don't pretend to know Anishinaabe law, but what I do know I have heard from Anishinaabe knowledge holders. Knowledge holders still want to share with the people." (Niizhoosake Copenace)

However, sharing must be done in accordance with Anishinaabe protocols. There are rules (or protocols) that form and inform Anishinaabe law and that are meant to be observed:

Observance of those rules is linked to concrete and spiritual consequences. "Anishinaabe law has always been here. It is something that comes from the Creator... We even have rules and procedures, even about what can be recorded." (Niizhoosake Copenace)

In every place, wherever you enter, there's always rules and procedures and you have to acknowledge it... Procedures are very important... We must respect and honour the sacred formalities of the Great Law. (Allan White)

Allan White explained: "We honour those spirits that fulfill us. When we use proper protocols and procedure, they acknowledge it and they smile with us."

¹⁰ See generally John Borrows, *Canada's Indigenous Constitution*. (Toronto: University of Toronto Press, 2010).

Anishinaabe inaakonigewin can be seen as less prescriptive and positivistic than other forms of law. It is generally related by stories that provide lessons and meanings. However the interpretation rests with the individual: “However you picture that in your own mind – that is yours.” (Allan White) Each person has the ability to understand the spirit and intent of stories and teachings.

As long as you know the spirit of the law, that’s what’s important. The Supreme Court does that. That’s the way it should be done. (Harry Bone)

Harry Bone expressed caution about being too prescriptive and rigid in the application of rules. “There are rules and regulations in Anishinaabe law, but we can’t just focus on that. If we have too many rules, we start to worship the rules.” Rather it is the “spirit and belief” that underlie the law that are meant to provide principles to guide conduct. The Anishinaabe have a responsibility to acknowledge and understand the laws.

We all have a responsibility to acknowledge the laws. Unwritten laws – I have to do them in my own way. (Allan White)

Those are good principles. Law is awareness – the feeling that you can make a contribution. Awareness makes us feel. Awareness is important. It is our responsibility. (Harry Bone)



Zhibashkode’ang, Roseau Rapids

Allan White explained that sacred law, our original spiritual instruction, is rooted in the Great Binding Law or “*Ogichiinaakonige*” – Great Spirit Law. He shared that in the 1960s, during a ceremony, an Elder said to him “*Inaakonigewin* is the source of our law, it is Great Binding Law. If you don’t understand it, you will not understand our laws.”

Sacred laws connect us no matter how we interpret things individually. (Allan White)

This is confirmed in our stories; everything comes from our sacred law and I can only try my best to understand it. Our laws govern us. Our people say from the beginning of time that the laws are here to help us with our life while we’re here. (Niizhoosake Copenace)

Harry Bone shared that *tadibakonige* is the Great Law. It is expressed through *kaaiinaakonigewin* – to make that circle in the pipe ceremony – to the Creator, land, people supported by four directions:

First, it is pointed to the Creator, then the land. When he puffs that pipe, he’s representing all the people. Our laws come from those directions. Where did we come from? The Creator. That’s the first law. He said that as long as you remember those directions you will understand our laws. They are what bind us as people and it describes our journey through life. But I don’t want to be too descriptive; to me it captures a whole framework. (Harry Bone)

Creation stories are important tools to understand sacred law. It informs understandings of the world and responsibilities towards other beings (spirit beings and physical beings). Peter Atkinson shared one creation story, while acknowledging that “all creation stories are true”:

At the beginning, there was total darkness, nothing and no sound. When the first sound came forward, it went through four levels and four beautiful colours. It became thought, awareness, awareness of being, and spirit (in that order). Everything in the universe came from that one sound. When beings pass through the four levels, they receive four gifts: spirit name, clan, way of life, and free will. (Peter Atkinson)

Importance is also given to the laws of nature and the ability of the Anishinaabe to learn from the natural environment:

I get the feeling that there wasn’t any law besides natural law. It came from a spiritual, natural place. We respected that. (Peter Atkinson)

Natural law is an important aspect of Anishinaabe law. Peter Atkinson explained that “Anishinaabe law is natural law. Anishinaabe people only took what they needed. When the Europeans came here that changed.” There is a relationship with the Earth and all living beings. “Everything that we see outside is alive.” (Allan White)

I was thinking about it when I was cutting the grass here. We give our bodies back to the Earth when we die – that is how we give back. For every tree we cut or blade of grass we cut, that is how we give back to the Earth. (Peter Atkinson)

More research regarding different forms and sources of law will need to take place. In addition, the words used to describe those laws and concepts associated to them will need to be explored. Variations between regions and communities should also be canvassed.

ii) Stories, Songs, Language and Dreams

Many of the Elders spoke of stories and teachings that were shared with them by their grandparents. These were recounted orally, from memory. Many of them also acknowledged persons who stood in the place of grandparents (adoptive grandparents).

We are taught by our grandparents. The law is not written; it is shown in pictographs and stories. It is a storyline. I can't write it for you. (Allan White)

Our stories are the essence of our whole being. (Florence Paynter)

Our Elders tell us that our stories help us make connections and create a spark in our thinking. Our stories are so revealing and true. (Harry Bone)

Our grandparents planted seeds in us that lay dormant. But they start to come alive when we hear wisdom and teachings from Elders. (Allan White)

Teachings aren't just to listen to – they're guidance. It's up to each of us whether that teaching will become part of our lives. (Peter Atkinson)

Elders reminded us of the story of Nanaboozhoo, who was tasked to pass on the sacred laws to the Anishinaabe who would interpret them and apply them in their own ways. “It’s a vision; it’s life. Nanaboozhoo gives us these Great Laws that give us all we have.” (Allan White)

Each of the stories has a law or teaching; we may hear or receive them differently, but each interpretation is true. There is law, or many laws, in each story. (Niizhoosake Copenace)

Language is central to our understandings of who Anishinaabe are as people and the way we live our lives. “Our language is the way we sound; *kaanwe'ing*. When we speak it, it is an expression of our spirits and our spiritual protectors that are speaking through our words.” (Niizhoosake Copenace) The words contain subtle meanings, beyond the literal translations of the words. Florence Paynter explained that it is a privilege to speak the language. “Some of us are fortunate enough to know the language.” Translating the words into English serves a purpose but a word of caution was expressed that we must be careful with translating Anishinaabe words and our pronunciation of them. “Our words can tell our history. That is why our words are so important to Anishinaabe people.” (Harry Bone)

***Stories are part of the learning process.
(Allan White)***

***Our Elders tell us that our stories help us make connections and create a spark in our thinking.
(Harry Bone)***

***Each of the stories has a law or teaching; we may hear or receive them differently, but each interpretation is true.
(Niizhoosake Copenace)***

***Teachings aren't just to listen to – they're guidance.
(Peter Atkinson)***

***(My grandmother)
used to tell me “don’t
ever forget where you
come from, don’t ever
lose your language
because it’s sacred and
you will lose the
knowledge of our
people... you’ll lose
your way of thinking”.***
(Harry Bone)

***When I entered the
Anishinaabe life, my
knowledge was
deepened. I had many
dreams and teachers
who helped me listen
to those dreams.***
(Florence Paynter)

***Dreams must be
shared... That’s why we
take time to listen to
each other.***
(Harry Bone)

***It’s OK to share
stories... it’s for the
youth who don’t speak
the language.***
(Nawaa’kamigoweinini)

It was a concern to the Elders that the children are not learning the language. Many had pride in their grandchildren who were learning an Anishinaabe way of life, including the language. They accepted it as their responsibility to teach them and to ensure that the language would not be lost:

We must be careful with the children; that has to do with the language of Anishinaabemowin and that is our responsibility to teach them. Young people are now at a crossroads... it is our responsibility to bring it back. (Allan White)

The Elders were of the view that there is an urgent need to pass on the knowledge of the language and that the stories and teachings should be shared whenever possible. Nawaa’kamigoweinini recalled that his grandfather, who was a healer, would travel into Saskatchewan and Alberta. When he would come home, he would tell stories. There used to be set times of the year when stories and teachings would be shared (usually winter):

I asked Harry about sharing stories, legends, at this time. Anishinaabe people typically leave legends for winter for passing the time. Harry said it would be okay to share at this time because the young people need to learn and this is part of the educational process. Harry tells me that it’s okay to tell legends now – despite the fact that it’s not winter – because the youth need to know. It’s OK to share stories even if it’s not winter and it’s for the youth who don’t speak the language. (Nawaa’kamigoweinini)

Harry Bone shared the story of his grandmother, who was born in 1880. She lived to be 107 years old. She tied language to a way of thinking and the knowledge of Anishinaabe people:

Her stories came from her grandfather, during the time of treaty making. She used to tell me “don’t ever forget where you come from, don’t ever lose your language because it’s sacred and you will lose the knowledge of our people... you’ll lose your way of thinking”. (Harry Bone)

Harry Bone also explained that even if the language appeared to be lost at some time, it could always come back in a dream. Dreams are central to Anishinaabe spirituality and understanding of the world. They are also an important way

of understanding messages and instructions from the spirit. Florence Paynter explained that dreams are important for leading an Anishinaabe way of life. “When I entered the Anishinaabe life, my knowledge was deepened. I had many dreams and teachers who helped me listen to those dreams.”

Last night, the first night of the gathering, I had a dream. It was one of those spiritual dreams. The ones that feel like someone is speaking to you directly, telling you to remember certain details of the dream. They feel like they last all night. Then when you wake up you remember them so vividly, even though you are tired.

The dream was about the lodge that we are sitting in, or a similar lodge. Instead of a fire in the centre of the lodge there was a long rectangular blue cloth, suspended about 2 inches off the ground. It was pegged at the four corners. It was waving up and down like ripples on a lake. The cloth was medium blue, just like one of the colours of the four blue prints I had brought to offer the spirits. Standing in the South was Allan. He was “bringing them in”, which is the best translation of the word that was being communicated in the dream.

When I woke up I was worried. Were we doing something wrong? Why did I feel uneasy?

I went to Allan and offered him asemaa and shared my dream with him. He took the tobacco and expressed that he was honoured to have been part of the dream – he knew that someone would have a dream. Then he explained it to me and what we needed to do.

It was a dream about life, spirit and those things we need to remember to do to ask the spirit for help.

Aimée Craft

Allan shared the dream with the other participants as it was also representative of the importance of Anishinaabe “rules and procedures” which needed to be respected during the gathering. It was an important opportunity for everyone assembled to learn more about the lodge and its protocols.

Harry Bone shared that dreams must be shared “to make sure it happens. Allan told us that this dream is about life, education, and who we are... Dreams must be shared. Aimée's dream was about: life, education, who we are. That's why we take time to listen to each other.”

iii) Relatedness and Equality

We are related to each other and to the animals, plants and other beings on this earth. We acknowledge them in prayer and we acknowledge their contributions. We address others by saying: “all of my relations”, “*nikaanagana*” or “*nindigaawemanidook*”. Harry Bone reminded us that: “we can’t speak by ourselves.” Anishinaabe ways of being and laws are centered on relationships. This also relates the Anishinaabe notion of equality. Equality means treating others with respect. Children are considered equal. So are other “relatives” like plants and animals. We look after those to whom we are related – all of them:

***Sacred laws connect us
no matter how we
interpret things
individually.
(Allan White)***

***The best way to
support one another is
respect. We treat
others as equals, and
that is the same for the
children, we respect
them as equals. We
use the expression “all
my relatives”; this does
not mean my relatives
just as people but
everything are our
relatives.***

(Niizhoosake Copenace)

***Once in a while, we put
all our conveniences
aside and meet here at
the fire. I'm glad we
are here and meeting.***

***We can talk all we
want about the UN and
these grand places but
when it comes down to
it, it's about you and
me.***

(Charlie Nelson)

*I would like to see Anishinaabe all across Canada
and the US... to live in harmony but with our law,
our Anishinaabe law. The nature, insects, etc. can
speak the language we speak... we are big brothers
of nature and we must speak for them.*

(Allan White)

*When we do things, we do them with the support of
the people – all people. It's the women's
responsibility to lift that water but need support from
men, children, Elders – can't do it by ourselves.*

(Niizhoosake Copenace)

*When the treaties were made, a part of the discussion
was about the land and how much everyone needs.
This was not just about the humans but also how
much everyone needs, such as the fish or the bears.
Look at how our relatives are doing it – not
discussing it at all (ex: fish). At Treaty, they
considered all of the other beings and their needs.
Just go ahead and do what needs to be done.*

(Violet Caibaiosai)

Allan White told the story about an Elder in Whitefish Bay who stood up for the children who were being placed in foster care. The Elder had asked why they weren't staying with other family members. Based on the responsibility that each person has to their relatives, an approach was taken by the community to start ensuring that there were places for the children to stay with their relatives. This law of responsibility for the children and care for relatives has been recognized by Canadian courts.

iv) *Mino-bimaadiziwin* (now and for 7 generations)

Laws are meant to allow for good relations and ultimately for each living being to have *mino-bimaadiziwin*: a good life. Peter Atkinson shared a teaching - each one of us was given these things: a spirit name, a clan, a way of life and free will. Ceremony is a way to live and honour that good life:

*The good life is about getting wellness from our work and the things we do. The use of one pipe represents all pipes. Those are my auntie's words.
(Charlie Nelson)*

We consider the actions of our ancestors in making our way in our lifetime:

When we gather, we have to remember that our ancestors gathered seven generations ago and thought of us. They thought about how they would give us our teachings – they passed them on to their children and grandchildren who became our great-grandparents. We need to keep this in mind and always think about the seven generations. Children need to be involved, even if they're just present. They'll remember this. We need to pass those teachings on by teaching our children and grandchildren. We need to involve them so that one day they will meet like we are doing. That's how our teachings are passed on. (Peter Atkinson)

*We show those who have gone on how we respect them by meeting in places like this. Make those connections for one another; help each other remember.
(Florence Paynter)*

The knowledge we have is transmitted to the unborn. I am grateful for all the knowledge the mothers and grandmothers have conveyed to us. We need to pay attention to natural laws and work as best as we can in meeting everyone's needs. (Violet Caibaiosai)

The teachings tell us that by fulfilling our duties and obligations, we are gifted with a good life, *mino-bimaadiziwin*. Some of our actions are preventative. For example, we acknowledge our duties and our responsibilities in order to help prevent us from harm. Respect also leads us to knowledge.

To live the traditional way of life is one of the most difficult things we can do. But it's always very rewarding, particularly to come into a lodge and observe a way of life that's been given to us and passed from generation to generation. (Nawaa 'kamigoweinini)

***We show those who have gone on how we respect them by meeting in places like this. Make those connections for one another; help each other remember.
(Florence Paynter)***

***The knowledge we have is transmitted to the unborn. I am grateful for all the knowledge the mothers and grandmothers have conveyed to us. We need to pay attention to natural laws and work as best as we can in meeting everyone's needs.
(Violet Caibaiosai)***

***When we fulfill our duties, it replenishes us... the spirits look after us.
(Niizhoosake Copenace)***

We do things for our grandchildren. We are responsible for preparing the next generation. We are responsible to teach them our way of life, including our language. We have responsibilities to ensure a good life for the generations to come:

I know for them I have to do something so the Earth is clean and can give them a good life... so that we can care for each other. (Niizhoosake Copenace)

Violet Caibaiosai shared a story about a young man she had met. In his community, they had agreed to have mining, if the mining company would agree to ensure that the land and water was in the same condition seven generations into the future – for the children and the animals. The mining company chose not to mine under those conditions.

v) Governance

Peter Atkinson shared teachings of the original clans and their relationship to governance. In his view, the animals and the clan inform our governance. Clans were the democratic means by which laws were made and enforced by the Anishinaabe. In his view, the clan system should be taken up again and employed as the system of governance of the Anishinaabe. There were seven original clans: loon, crane, fish, bear, hoof, marten (adopts those without a clan), bird (bald eagle is the leader and adopts those from non-Indigenous parents):

The animals made promises to us. The loon is always there for us – we can hear him. The crane is also always there for us. The loons and cranes are the leaders. The system is the purest form of democracy because from the day you're born until the day you die you have a say in community decisions. Clan mothers select their leaders. Much of that selection is based on the seven sacred principles. Clan leaders are supposed to talk about the desires of their clan, not their individual desires. If they don't, they'll be replaced. Each clan has its own responsibilities. If we were passing a law, it would be discussed, each clan would be consulted and law would pass only if all clans were in agreement. (Peter Atkinson)

Allan White shared some of the words of a Chief at the Treaty 3 negotiations that explain open governance:

I stand before the face of the nation and of the commissioner. I trust there will be no grumbling. The words I have said are the words of the nation and have not been said in secret but openly so that we all could hear. And I trust those who are not present will not fault with what we are about to do today. And I trust that... what we're about to do today is for the benefit of our nation and for our white brothers. And I trust that nothing but friendship will reign the nation and our white brothers. And now I take off my glove to give you my hand and sign the treaty. And now before you all let it be said this has not been done in secret. It is done openly in the light of day.

Allan White explained the importance of the Chief's words for understandings of nationhood:

We're a nation of Anishinaabe. We have a responsibility to creation. We base our knowledge, we base our activity for everything that we do, and we speak from a nation – we still do that today. We lost it – we seemed to have misplaced it for a while. We have our knowledge and activity for everything and we speak as a nation. We've been dormant 100 years. This is a statement from Anishinaabe politics in 1873: "we have a responsibility". (Allan White)

b) Anishinaabe Law and Western systems of Law

One of the issues that the Elders discussed was how Anishinaabe law relates to Western law (also known as British common law, French civil law or Canadian law). They considered how Anishinaabe law was in place prior to contact and the making of the treaties, and that it was never set aside. Some of the key differences between Anishinaabe law and Western law were discussed. Elders were asked to think about how Anishinaabe law and Western law interact currently, whether or not they should interact and how they might interact better.

One key distinction the Elders drew between the two systems is that our laws aren't as much about rights as responsibilities. Anishinaabe law is much deeper: looking after each other, the land, the water. What we're doing here is Anishinaabe law; talking together, figuring out what to do about water. (Peter Atkinson)

The source of Anishinaabe law also distinguishes it from Western Law in its spiritual nature:

Everything stems from the Creator. We have rules and procedures too. (Niizhoosake Copenace)

*No government can stop the Great Spirit Law.
(Allan White)*

At the gathering, I shared this story about my understanding of Anishinaabe law:

I was in a boat with my dad and grandfather on the Winnipeg River. My dad was steering and my grandfather was giving directions because he knew all the spots along the river. My dad was sitting at the back of the boat. At one point, my grandfather pointed to one side, to a rock. My dad mis-understood and steered the boat into the rock. We hit the rock and damaged the propeller on the motor. Later, when we arrived at our destination, my father asked "how come you led me directly into the rock?" My grandfather answered that he was pointing to the rock and explained that his role was to tell my father of the dangers, but not tell him how to deal with them. "Your guide will tell you what's there; he's not going to tell you what to do".

Western law tells us what to do, not what is there. It doesn't let us make up our own minds about what to do.

Western law tells us exactly how to act; Anishinaabe law will not. Anishinaabe law acts as a guide and tells us what is. (Aimée Craft)

We have suffered greatly from the laws, legislation and policies that have been imposed. I'm grateful for the laws our people have sustained for us so we can have a place and people we can go to. (Florence Paynter)

We want to be able to share Anishinaabe law, which came from the Creator, with others... to pass these teachings on to others who may not know this way of life. It is crucial to pass the knowledge. (Niizhoosake Copenace)

The lesson was a turning point for me in relation to Anishinaabe law. Western law tells us what to do, not what is there. It doesn't let us make up our own minds about what to do.

Western law tells us exactly how to act; Anishinaabe law will not. Anishinaabe law acts as a guide and tells us what is. (Aimée Craft)

Niizhoosake Copenace views Canadian law and Anishinaabe law as parallel, but explains that Canadian law hasn't respected Anishinaabe law.

You need to hear our way of life, our laws. Canadian law is imposed and never really did any good. (Peter Atkinson)

We have suffered greatly from the laws, legislation and policies that have been imposed. I'm grateful for the laws our people have sustained for us so we can have a place and people we can go to. (Florence Paynter)

Canadian law has imposed many limits on Anishinaabe people and it has caused frustration, fragmentation and suffering.

We have a government in place that has made decisions which affect the Earth. This place here [points to the river] was a spawning ground for sturgeon. It was plentiful with sturgeon. Today, there is a lot of anger. People say "we used to be able to do this here; now there are laws that say we can't. We used to be able to walk across the rapids on the sturgeon, that's how many there were". (Charlie Nelson)



Roseau Rapids

There is a place for Anishinaabe law to stand alongside Canadian law but not in a way that disrespects or compromises Anishinaabe law. “I can’t compromise it; Creator gave us those laws. We can’t change them. I can’t tear down that other system but I am going to foster that Anishinaabe way of life.” (Niizhoosake Copenace)

We want to be able to share Anishinaabe law, which came from the Creator, with others (youth and other cultures) in a clear way. It’s time to explain it in a simple and clear way. The way these stories are shared will be captured in written form here. In the past, Anishinaabe people used to not want these stories to be written, but now there is a greater want to have these stories written in order to pass these teachings on to others who may not know this way of life. It is crucial to pass the knowledge. (Niizhoosake Copenace)

There are consequences to breaches of *Anishinaabe inaakonigewin* that are not paralleled in western legal systems:

In the European legal system the laws can be changed, but for Anishinaabe Inaakonigewin you can’t change that - laws are given by the Creator and they are applied. You never see First Nations people challenge that law. We have corrective measures - if we challenge the Creator there’s a calamity in the future. (Nawaa’kamigoweinini)

Our law has that link and won’t be changed... not only should we talk about issues but we must find a way to put these things into practice. We must practice the law we talk about as a spirit. We also need to protect Mother Earth. There are Creator’s laws, natural laws, human laws. Like Nawaa’kamigoweinini said, our laws are connected. Not only do we talk about issues, we move them. That’s what we are taught is we must practice those laws every day. (Harry Bone)

Harry Bone expressed that we need to reconcile Western and Anishinaabe laws and thought:

Until the Western law, lawyers and academics can reconcile our laws with theirs, our rights will not be fully recognized. People say that we’re still suffering, but we still have our language and our beliefs. The dreams and the spirit of our people are given by the Creator and they’re part of our land and our history... We have to speak for the water and for the land; that’s the responsibility we have throughout our lifetime. So we have to continue this discussion. (Harry Bone)

Allan White said that we are “trying to avoid two conflicting laws. I have to do whatever possible, whenever possible.”

... to talk about law, we need to reconcile our law with the laws of other races. We have an equality imbalance and we need to make sure our voices are part of that. (Harry Bone)

Some Elders expressed the view that Anishinaabe law has a place within the Canadian legal context but that to date the recognition and respect of Anishinaabe law has not been fully implemented:

Let me put it this way: what defines a nation? People, land, language, history and culture, and a system of government. We have had these things for thousands of years. If this is the criteria for a nation why is it so hard to recognize us as a nation? Our Creator, our land, and our language are the first three things they tried to take away from us in residential school. Our words tell us our history and don’t need to be written. Our words are important because one word can mean so many things. We should believe in something greater than we are. Now the courts are beginning to recognize our laws. (Harry Bone)

**Natural law is natural,
it is human law that
we struggle with.
(Harry Bone)**

**You can't bring in an
Anishinaabe judge
trained in Canadian
law – that is not
Anishinaabe law.
(Peter Atkinson)**

**Laws have always
been interpreted by
two laws (civil law and
common law) but
there is a third law –
lawyers are just 2/3
lawyers as they don't
understand an
important third law –
Anishinaabe law...
Indigenous law is
going to influence the
common and civil
laws.
(Harry Bone)**

According to Peter Atkinson, recognition of Anishinaabe law is not about creating partnerships, but rather about being respectful allies or relatives that do not interfere with each other's law and governance:

I don't know about being partners – can't be government by someone else's regulations. We will make our own regulations. Allies – respect what we want to do, correct what was imposed on us many years ago. (Peter Atkinson)

The Elders were clear that it is not about having Anishinaabe people in the Canadian legal system, it is more profound. “You can't bring in an Anishinaabe judge trained in Canadian law – that is not Anishinaabe law.” (Peter Atkinson)

First and foremost, it requires a recognition that *Anishinaabe inaakonigewin* exists. It then requires knowledge and understanding of *Anishinaabe inaakonigewin*. In the end, it requires acknowledgement of *Anishinaabe inaakonigewin* as a separate but equal system of law.

Laws have always been interpreted by two laws (civil law and common law) but there is a third law – lawyers are just 2/3 lawyers as they don't understand an important third law – Anishinaabe law. Sometimes when we start from the details of our laws, we need to look at where they come from. They change and evolve. Indigenous law is going to influence the common and civil laws. (Harry Bone)

Harry Bone said that “our system doesn't work like common law rights. There is more importance placed on the spiritual law and the law of nature.” He illustrated some of the differences between Canadian law and Anishinaabe law. For example, natural law is not very present in Canadian law, while Anishinaabe law draws so much from natural law: “the river flows one way, the rain comes, the bird yells. You can't do anything about it. Canadian law doesn't consider this.” He made the analogy between common law and a cooked meal: “you want to know what you're eating and where it came from, but you cannot.”

Elders explained that in *Anishinaabe inaakonigewin*, one must start from the premise that “water will never cease to flow downhill” (Peter Atkinson), which is natural law. Whereas much of Anishinaabe law draws on sacred law and natural law, Harry Bone explains the struggle with Western law in the following way: “Natural law is natural, it is human law that we struggle with.” (Harry Bone)

5) Anishinaabe nibi inaakonigewin

Water is so significant... I am so fortunate to be here and to understand the value of the water... It is the last natural resource we Anishinaabe have to stand up for. It is precious. (Florence Paynter)

a) Water has a spirit

The Elders were clear that water was placed on the Earth before humans. Water has a spirit and is looked after by spirits:

There are four levels above the Earth too. The third is water. It is said that a spirit hit the Earth when the Earth was only water, and it took water up to the third level. It's said that water will always flow and always be beautiful. (Peter Atkinson)

Peter Atkinson explained that rocks collect knowledge from all the things they have seen. It is the same for water. “The water that flows was here in the beginning. The water has a strong spirit.” Violet Caibaosai reminded us that “we must remember how much knowledge there is in water - understanding about life. Whatever we’re feeling, the water will pick up on it.”

There are four types of water. Four spirits said they would look after the four kinds of water: fog, salt, fresh, and the water our babies grow in. That's why we have the four blue cloths. These spirits do a lot of work for us so we need to honour and respect them. (Niizhoosake Copenace)

We were told too that our children couldn't play by the water at night. One time in our community, an old woman heard someone singing down by the lake. She said she saw a mermaid singing that beautiful water song. (Peter Atkinson)

That's a promise of Misowaagumikwe – that water will never stop flowing. (Peter Atkinson)

Nawaa’kamigoweinini explained that his grandfather used to share the story of the spirits of Clear Lake and those spirits who look after the water for the future. “Today, we still continue to enjoy Clear Lake, even though we don’t live right on the shores of the lake. We still get to use it for healing, medicines, and food.”

Don't think about law in a temporal way. It's the spiritual law, sacred law that is important here. Laws of sacred people of this homeland – all based on the same thing at the end of the day. That is my kookum's story of that sacred law of water – “it can harm you and it can protect you.” It's important for kids to learn about our sacred law of water. There are so many more “storylines” of water law. When you look at pictographs, there is so much to that. We are not the only ones that occupy that water. We appreciate that river – it's also the spirits that are with us every day: love, truth, responsibility. They do their own acknowledging of that water. (Allan White)

Violet Caibaosai told a story of her friend who was making an offering to the water. Someone was filming her and when you look at the video you can see a shimmery spirit in the film.

A few of the Elders mentioned that they always used to be very careful about using standing water. It is important for water to be able to flow.

Our people were placed on lakes, rivers and streams with the reserve system. We knew there was life because we could see the bottom. We could see the fine sand. We could swim and not worry about safety – stepping on broken glass or whatever else is at the bottom now. We would be able to drink from the streams as long as they were flowing. Now we see so much diversion; it's not natural. It's not natural to tamper with the veins of Mother Earth. People think it only impacts the Anishinaabe, but it impacts everyone. (Florence Paynter)

We heard that when water flows, it represents life and health, just like the blood that flows in our veins. Nawaa'kamigoweinini explained that when we make offerings to the water, they are taken downstream, often long distances away. This is a reminder that water connects all of us and that water is the blood of Mother Earth.

b) We do not “own” water

As stated clearly by Niizhoosake Copenace; “We do not own water.” The Elders were clear that contrary to the Western view, Anishinaabe law does not consider water to be a resource that is owned or acquired: “Water is for everyone.” (Harry Bone)

I'm very conflicted when we talk about the law of water. I don't really see a law on water that would interpret “I own that water”. But we all have a responsibility to acknowledge that water with the laws we were given – instruction from the Spirit. These are unwritten. I don't need the government of Canada or Ontario telling me that I'm breaking the law by doing that – it's a gift that I have, given to me by the Spirit. If we stop doing that, we're setting up a very bad example for future generations. No government can stop this Great Spirit Law. If I stop doing it, I'm setting up my children and grandchildren for failure. If you don't honour that Great Law of the Spirit, bad things will ensue. (Allan White)

The Elders distinguished Anishinaabe concerns about the water from mainstream concerns. It's not just flow and allocation. “For us, as Indigenous people, water is not just about quality and quantity – water is everything!” (Nawaa'kamigoweinini) Harry Bone explained that “water makes us who we are and that's why we have to protect it. I think it's important to keep momentum going about water.” Charlie Nelson explained that access to clean water is a right, but that access is incompatible with owning water:

When we grow up we have access to certain things like wood and snow and certain kinds of snow is better for certain things. My father scolded people for cutting down wood in his territory but that's kind of like a human right... accessing our lands, territories and resources is human rights. I asked my uncle once about a place in the Whiteshell and he was concerned about it, wants someone there to look over the place. My uncle said quickly “so long as I don't have to ask permission to use that which was place there by the Great Spirit”. Accessibility of water is a human right. If water is ever governed and owned then we've lost accessibility. It's hard to think that once we could go to the river and drink. Our human right is being polluted and affected by other humans. (Charlie Nelson)

Even though Anishinaabe do not own the water, there are responsibilities to the water:

We need to put our foot down and protect the water for seven generations. (Peter Atkinson)

We must ensure clean water for us, our children, grandchildren and future unborn generations. (Niizhoosake Copenace)

Harry Bone shared that the word for treaty is “*agooiidiwin*”. In his view, the water was part of what the Anishinaabe maintained in the treaty. It was not surrendered or given up:

The Treaty Commissioner said “what I am promising you is on top of what you already have.” The way our Elders interpreted that is that the promise was on top of the land and the water, the natural law. The right to water was already in that treaty. (Harry Bone)

Mervin Sinclair shared that while water is not owned, there is a sense of belonging to certain places and bodies of water. Where people from one community go, others will respect that. He says that water was never given up:

I used to work with Conservation enforcing legislation. Our people, the only place we feel is ours is the lake in our community. Other communities respect that. That's the type of respect that we have with our people. The government enforces policies on water (that don't reflect that). Lake Winnipeg is like an ocean and you have to know how they work. Anishinaabe never gave up water. (Mervin Sinclair)

The Elders told of prophecies that one day water would be sold:

In my community, an old man used to say “one day we will be buying water”. Everyone laughed and thought he was crazy. (Florence Paynter)

Older people knew the importance of water. My grandmother would say “it won't be long before you are buying water”. We're losing our water rights. These waters were always ours to protect. (Mervin Sinclair)

There is also the notion that everyone should have access to clean water:

At one time our people could swim in the water. That water was our blessing. (Florence Paynter)

Violet Caibaiosai shared that “all life has a basic right to water”, not just human beings but all of Creation. It is a natural or birth right:

I am a Water Walker. I learned a lot walking. Learned that all of life has a basic right to water. I learned that all of life has a basis of water... not just human beings – all life. (Violet Caibaiosai)

c) Water is life

A common theme throughout the gathering was that water is reflective of life. “Life and health flow from the water.” (Harry Bone)

Without it, couldn't sustain Mother Earth or life at all. Without water, life becomes very brittle. (Nawaa'kamigoweinini)

Harry Bone shared that the “spirit of the lake promotes a sense of who we are – more than just drinking, more than just washing. Water is living and has a spirit – try living without it.”

Water plays an important role in ceremonies in order to remind us of life. When you go without water in your fast or in the Sun Dance ceremony, “you realize how blessed we are as a people. Again, water goes through all life. When we're fasting, in the morning when the Earth is moist, just taking these deep breaths so we don't dry inside is just so beautiful.” (Florence Paynter)

The ability to live and survive on the land is linked to the water:

I learned a lot of lessons from my parents. They set fish nets and traps on land... I understand the importance of the water. Without it, we cannot live. I'm a member of the fish clan. Whenever we went out somewhere we could live off the land... without the water we would not be able to survive. (Darlene Courchene)



Neil Courchene

Water is an important part of how we come into this world. It carried us through the gestation period and it announces our birth. Florence Paynter shared some of her teachings around birthing, breastfeeding and remembering that we are tied to our past generations:

One of the fundamental things that all races go through is birth. When that baby is born, it's put on your stomach. Everything is tied (because of the umbilical cord). And it makes you remember that every generation of women is tied to one another. It's a beautiful teaching about our link to our ancestors. (Florence Paynter)

This Elder told me that we always breastfed. That was also an extension of that. And that gives them love, nourishment, security and safety. And my granddaughters have been doing this. This is one of the things we need to get back to. Nursing a little one is an extension of you. (Florence Paynter)

Water interacts with the moon and helps guide our bodies and cycles as women, as well as our ability to give life:

Water is everything. Water tells our body when we are going to have cycles. Turtle didn't have a shell and grandmother moon would come down and kiss the turtle (thirteen times), which became thirteen plates. We space our children to ensure that one is strong in spirit before bringing in a new one and give body a chance to heal. (Florence Paynter)

Water exists not only in the form of flowing water but is found in all living things. It provides life to other beings, including medicines:

Water needs to be looked at in a holistic sense, including its impact on plants and animals. Not just water in lakes and rivers and snow, et cetera, but also if we don't have water there are no plants and medicines. (Nawaa'kamigoweinini)

The Elders shared the teaching that there is duality to everything - water gives life and it can also take life away. We are required to acknowledge the water, the spirits of the water and its ability to give and take life:

If we're not careful, water is willing and ready to take our lives. Rolling River is on a plateau – river rolls down the hills. There are steep valleys on either side. There is an island at the bottom of the river where water comes down from plateau. I wrapped my canoe around that island once. When I saw my grandfather a few days later he said to me: "You had no business being there – that's where the little people live. They played a trick on you." Only way to make them happy is to offer tobacco to the water and spirits that live around there. (Nawaa'kamigoweinini)

d) Water can heal

Water is an important source of healing. Violet Caibaiosai related her experience walking with the water around the Great Lakes as part of the Water Walk. "During times of difficulty is the time to get healing from the water." She explained that it is "healing when you walk with the water every day":

That reminds me of walking around Lake Superior. There was a stretch of the road that was far from the shore. Every morning we filled our copper pot with water, and I was thinking 'how are we going to get the water now?' A day later the water was low in the pail, and then it rained for two days and filled the pot to the top. I thought 'ok, my concerns are being met'. It's about

***It's not natural to tamper with the veins of Mother Earth.
(Florence Paynter)***

***Without the water, we wouldn't have life.
(Darlene Courchene)***

***(Y)ou need to say things as simply as possible so people understand the spirit of the water.
(Violet Caibaiosai)***

***Water is living and has a spirit.
(Harry Bone)***

understanding our relationship and place in creation and remembering in ceremony. It's about respecting the spirit, that all creation hears our thoughts. My dad would say "be careful what you think because your thoughts will be heard". We can think about remembering to do these things and the relationship we have with creation - the balance we have in life. People will think opposite to you, but that's part of creation too. (Violet Caibaiosai)

Allan White explained that many years ago he was not carrying on a good way of life. An Elder told him to put fire water (alcohol) aside. He was shown a new way of life. "That's when water came in."

Florence Paynter spoke of her grandfather who was a healer. He used water in his healing ceremonies. "That's all he had was his voice and his water and that person was able to walk out of there and leave whatever behind." Many Anishinaabe refer to what is called "blood memory". Blood memory is knowledge which is carried inter-generationally by Anishinaabe people. For example, Florence Paynter referred to those gifts of using water for healing inherited by her grandson through blood memory:

My father passed away a few months after my grandson was born. He only knew my father for a few months. One time, I was very sick and he brought me a glass of water and was [blowing water on my face]. He got that knowledge from his grandfather. His blood memory told him to do that. We all have that. That's how we help our Mother. We remember and can help collectively. (Florence Paynter)

e) Women are responsible for water

Because of their ability to give life, women are the protectors of the water. Those responsibilities are exercised on behalf of the children and the generations to come. The responsibilities are immediate as well as forward looking:

I have a deep love and respect for all of Creation, but the responsibility of women is water. I've been taught that fulfilling my duty replenishes us; spirits love to see us doing that and they watch over us when we do. We each need to fulfill our duties – for us, our children, our grandchildren, and those yet to be born. (Niizhoosake Copenace)

This relationship between women and water was expressed in the treaty. The teaching is that the reference to water continuing to flow is for the birth water that the women carry. It is linked to the continuing life for Anishinaabe and future generations that are contemplated by the treaty promises:

The stories that we tell here demonstrate our relationship to water. For example, the treaties say "as long as the waters flow" - this is a woman's teaching. We know that the commissioner said these words. (Harry Bone)

Water comes from all the women. Water flows from women. The treaty says "for as long as the sun shines, the grass grows and the waters flow"... Treaties should be reworded to reflect women's relationship with water. (Neil Courchene)

The men shared some stories about water but were very attentive to acknowledge their ancestors and relatives that had shared the stories with them. Many of them heard their stories from their grandmothers and the women that were instrumental in teaching them.



Florence Paynter, Violet Caibaiosai, and Niizhoosake Copenace

Florence Paynter shared that she carries a song that is sung to “*Wasawaabanow kwe*,” the spirit that looks after life for *Anishinaabekwe*.

Violet Caibaiosai, who participated in many water walks, explained that during the walks, every morning they were greeted by water. “I’d see the dew on every blade of grass – on everything. Sometimes we’d wake up with frost on our tents. I was reminded about all the forms the water takes and all the things she does. I thought about our Earth Mother. Water heals Mother Earth.” In some places where the water was suffering, the women would feel the pain of the water and it was difficult to walk. They felt that the water was calling out for their help:



Darlene Courchene

Every time we came by a small stream, we would offer our song and tobacco. We passed one that I thought didn't have life in it because of all the pesticides. But, I offered tobacco and something came up right away to take it. The water is hungry for our help. We have to unclog our Mother's veins so she can live – so we can live. I saw at the end of that second lake how congested her veins are becoming. She's really struggling. It's just like us – if we don't take care, we're going to have health problems. It's a privilege to see how many others are walking. (Violet Caibaiosai)

Harry Bone shared that a young woman from his community had a dream that she had to walk around the lake as an offering to the water, to protect the spirit of the water. “This link is very strong. What’s important is that the water has a spirit itself that provides a sense of who we are.” (Harry Bone)

f) We must respect the water

Allan White shared one of the teachings he was given by his father about how to acknowledge the water and make offerings to it, asking for safe passage on the water:

When I was 13 years old, I worked in tourism with thousands of American tourists in the Lake of the Woods area. I worked from the lodge running errands... One morning the boss asked me to prepare a room... I then heard someone call my name:

Boss: Allan, where are you?

Allan: Here

Boss: They're waiting for you.

Allan: Who?

Boss: Your guests... take them fishing.

Allan: Okay

I told my father I went guiding and he said to me "every morning before you leave put a cigarette in the water... before you go out and guide you should put your tobacco in the water. Do your duty. Put tobacco in water before, to protect your boat, protect your guests." And you did, you put tobacco in the water before you cracked your motor. Just the Anishinaabe did that, not the white guys. (Allan White)

Tobacco is a very powerful medicine that is used in offering prayers. Respect and good intentions are demonstrated by making tobacco offerings to the water and the spirits that care for the water. Darlene Courchene shared: "as I listen to all of you... I too remember when my mother used to tell us to always offer tobacco to the water... always offer that *asemaa* first before you take anything from the water."

Nawaa'kamigoweinini remembered that his grandfather (who did not have the gift of regular sight) would go pray with his pipe when storms were approaching:

I remember that my grandfather would light up his pipe when he saw a storm approach and go on top of a hill to communicate with the Creator. Sometimes I went with him and it rained on us, but that did not stop him from communicating. We didn't experience the harshest part of the rainfall; it seemed to go around us and respect the offering of tobacco. Making those offerings is who we are as Anishinaabe; our culture, our way of life, our traditions. (Nawaa'kamigoweinini)

Violet Caibaiosai explained that during the water walk, they used canoes to travel on the sacred route on Lake Michigan. The water was rough, with big waves. Only two of the five canoes made it across the water. While she was in the canoe, she was praying hard and offering tobacco to the water, praying for a safe journey across – that is why they were able to make it across the water, despite the waves and weather.

Peter Atkinson said that there was a time when we weren't supposed to swim in the water. Florence Paynter explained that women weren't allowed to swim in it when they were on their time. And no one was allowed to pee in it.

Our topic is water; our responsibility to water, “as it was given to you”, in terms of what that responsibility will be, and how we will protect it. We seem to have forgotten that responsibility. We see the dams in our territories, the damage to the rivers and lakes. In my territory, I remember four natural springs. Now, not one is functional. That was the purest, cleanest water. And I'm not sure if we can recover that, or if we're supposed to go out and look. We've neglected our responsibility. This water that we talk about is also part of the sweat lodge and the sun dance, and all the ceremonies that we have. Now we don't see that. It's only been very recently that we've begun to respect water again – in the last ten years. In sitting here, this is our teaching lodge – our university. There are so many stories within the pipe. It's truth, honesty, love, respect. There's so much knowledge in there. There's nothing but the truth in there.

(Nawaa'kamigoweinini)

g) Water can suffer

The impact of the arrival of Europeans in the territory, colonization and assimilation by Europeans was an undertone to the discussion about the current suffering of water. The Elders spoke of places where the water is suffering, from pollution, interruptions in the flow, spills and contamination. Many projects, developments and agricultural practices have impacted the water and have left it polluted. There are consequences.

Charlie Nelson shared a story about the children of Cross Lake whose lives were changed by the Hydro dams. Many of the children committed suicide. He wonders if the spirit of the beaver is upset by the building of dams and diversion of water:

We have to look at our lifestyle. When Hydro made a big dam, it changed a lot of things in the community of Cross Lake. Their lives became so different that a lot of kids committed suicide. Maybe the dam affected the spirits of the animals and plants – they are tormented and can no longer take care of the people. Maybe the spirit of the beaver is upset because the beaver is the one in charge of the dams. We must pray for the wellness of youth... we must not give up. (Charlie Nelson)

Allan White shared the experience of the people on Lake of the Woods. In 1885, a power dam was built in Kenora. Before the dam, water was free flowing. In the 1940s, they could see underwater reeds dancing. After the 1950s, water was controlled and no longer a free flow:

We didn't see underwater dancing grass anymore. They flooded the whole lake fourteen feet for power dams. Anishinaabe lost a lot of land. Since the 1950s, fish are not migrating anymore. We used to spear them. There is more algae – stabilized water doesn't flow anymore. There is no more sturgeon. Anishinaabe water law is about being responsible. We are responsible. (Allan White)



Nawaa'kamigoweinini

Nawaa'kamigoweinini cautioned us that we “need to give consideration to health and preservation of the water – for our own existence.”

Every action we take that is negative will have a reaction. (Peter Atkinson)

Mervin Sinclair shared the recent story of Lake St. Martin. Approximately 800 people were evacuated. The Premier declared a ‘state of emergency’ “but you can’t say that. This is *not* a natural disaster... it is an artificial disaster. With all the decisions, there was no consultation with the community. The channel that was artificially created is not natural.” He is concerned with the loss to the community by being displaced for many years because of flooding. “We have lost a lot of Elders.” He wants to see something done: “Water has a lot of power... women are strong... us men are here to support you.”

Darlene Courchene explained the impact of the Pine Falls paper mill that used to pollute the water: “We could not swim in it anymore. Now this is changing and it’s becoming clean again.” The mill is no longer operating.

Niizhoosake Copenace shared concerns about the use of chlorine in the water:

I was at a gathering in the summer and met a woman who asked about the water and people getting sick from water treatment facilities and things put in the water. They say chlorine isn’t good for us and the spirits want us to clean the water in a different way. It is said that chlorine is associated with cancer and sickness, we need to find other ways (to clean water) and that

includes ceremony. They told her to say that more needs to be done and a gathering should be had on water and them involved. (Niizhoosake Copenace)

Darlene Courchene explained that the leadership in her community used to make offerings to the water on behalf of the community. “We also used to do ceremonies, making offerings for the people of Sagkeeng on the Winnipeg River. It was passed on to our leadership to do this on behalf of the people, but throughout the years it’s been sporadic. Sometimes it doesn’t get done. It’s my duty to remind them to make that offering/ceremony.”

h) Water needs a voice

Harry Bone shared a personal story about his grandmother when she was a young woman. She was gifted with a vision that the Elders interpreted for her – she was told “the water needs a voice”:

My grandmother lived to be 107. One morning, as the sun was coming up, she went to the creek by the house to get water to make tea. She saw a small little man with long white hair. She watched him and then turned away to get her water. When she looked back, he was gone. She asked Elders about this. They told her that the message was that somebody needs to speak for the water. They explained that the water she had taken meant that she would have to speak for the water and be its voice. The pipe meant that she had a role and that was to teach - the four directions. They also said that white hair represented that she would live a long time to be able to speak for the water. (Harry Bone)

Darlene Courchene also shared a personal story about a dream she had where her late father asked her to care for the land and the water:

One night in my dreams, my father grabbed my face and said to me: “take care of the land”. He didn’t let go until I agreed and said “yes”. I realized that to take care of the land, you have to take care of the water. Without the water, we wouldn’t have life. That’s what my dad was trying to teach me; he used to do ceremonies to pray to that water. Now we see how our land is eroding through Manitoba Hydro. There are reports that Lake Winnipeg is dying. It is also our lifeline. I guess this is what my father was saying to take care of the water. I will be part of the Water Walk and do whatever I can to help. (Darlene Courchene)

When asked how we can speak for the water and what it means to speak for the water, Violet Caibaosai shared that the message has to be as simple as possible for people who may not be as easily connected to the spirit. “Water doesn’t speak English so you need to say things as simply as possible so people understand the spirit of the water.” Harry Bone explained that people are speaking for the water. For example, some of the youth from the ‘Idle No More’ movement have asked about the water and are speaking for the water to bring awareness to issues of access to clean water.

Speaking *Anishinaabemowin* in our ceremonies is needed in order to carry our responsibilities:

We’ve lost a lot from contact and newcomers and we struggle to get the Anishinaabe into the mainstream of who we are as Anishinaabe. We have to continue that strong will that has been implanted in us by Nanabush. We are sending these messages to our unborn and new children and their children and great-grandchildren how important it is to speak the mother tongue. We have to find a way to make sure. When we talk about water our language is important for ceremony. When I speak in English the spirits pull away but when I speak in the Anishinaabe language they come back and sit near the sacred items. The premier can’t come in here and preach to us because the spirits here today wouldn’t understand. If we miss this opportunity it

will be a disaster - whatever the next generation can recapture no one knows. Teachings are not to be in English because grandfathers and grandmothers will stray from you. The pipe carries the language. Our struggle will continue and be answered as long as our children are known to Anishinaabe in seven generations so the ceremonies may continue in the same way as seven generations before us. Somewhere in that generation water will replenish but we have to prove this to Mother Earth and the spirits of Turtle Island: that we can carry our responsibilities. We'll also help our white brothers to find a way through science, but we must help them know how water is life. (Allan White)

At the end of the June 2013 gathering, Florence Paynter shared a water ceremony and prepared the cloth offerings. She demonstrated that our actions are one of the ways we speak for the water, including when we are part of ceremony. “Everything that was done here was in ceremony. We can take our cloth and tobacco all together and offer that with food to the water that runs here. That’s what the *Adizookaan* in her dream told Aimée. It’s what we do as a people.”



Water Ceremony, June 2013

Water Ceremony

I dreamed about that third level and how our dreams can guide us. I have been sent more dreams for the future work we need to do. Maybe because I have the language, I've been asked to do things like ceremony. I just love it so much. I stand here today because we've made a declaration on behalf of our sisters, our grandmothers, that we'll do the work on behalf of all Creation...

We're going to mix our tobacco together because of what we said we're going to do. We're allowed to do this. Our people used to say that when we get ready to do our work the rain and the thunder will come to cleanse the land (which it has). After we've collected that tobacco our thoughts, our hopes and dreams about all of Creation (will go into it). Aimée has offered her cloth that she has brought to the lodge. It's amazing what we each have brought. Each of us will put our tobacco and prayer into that bowl. Then I'll ask my sister to render that song and acknowledge all of Creation...

In the Creation story the humans were the last to be put on this Earth. Water came way before – it's that important. That grandmother sits at the third level and guards the water. All humans were birthed in the same way and our bodies are made up of so much water. We're reminded of that. Thank you to all who have answered the call. We know enough to have been taught enough to answer that spiritual call. They tell us that when we have children it's a continuation of that life. We are tied to the physical and spiritual realm and we continue that through the generations. We want the future generations to know that and carry that with so much reverence. The flags (we have here) have been carried by our sister who has had a vision through the university.

Florence Paynter

Florence Paynter reflected on the sacredness of the gathering:

In my life I've seen many times the spirits come alive and grasp the truth of what the elders teach us about life. Commenting on those four days (at Roseau River) I remember in how on the last day the rains came down. It was like a cleansing, a response to our plea. I also remember how the rains stopped when we made our offering. It was a response to the sacredness of what was going on. About stories, even when the men shared them it was from their grandmothers. It was such a gift to hear those stories. (Florence Paynter)

6) Seven Water Stories

The following are seven stories that were shared during the gathering. These stories may be a way to build upon our understanding of law. They have been reproduced here largely as they appear in the transcript. Each of these stories has an origin. The hope is that the stories can be considered in further detail and that we can work together in the framework and principles described above to try and understand them together and in each of our own ways.

These may be teaching tools in future gatherings or for publications relating to *Anishinaabe nibi inaakonigewin*. We can work collectively to consider these stories, take them further in terms of our understanding and to flesh out if and how they should be considered as part of sharing *Anishinaabe nibi inaakonigewin*. Some of these stories will be part of a story book.

The young girl who walked again

My step daughter married a man and they had a little girl named Harmony – she was born paraplegic. One day I came home and that little six year old girl, my grand-daughter, was there playing so I hugged her... I thought about how she moved around and noticed that she mostly crawled around on her hands and arms.

I have a beautiful beach behind my house where the water is very blue. My wife and I went to the water and did a ceremony for our grand-daughter. I took my pipe and my wife used a copper cup to put back that water four times. “The girl should go swimming in the water.”

We brought the girl to the water to swim every day, in the sun, beginning in June and until the water was cold. She slowly starting moving her lower limbs and she started walking around 8 years old... Harmony graduated from high school in Kenora, Ontario. She was thinking of a career in nursing but has since decided to study social work and she has completed one year of the program. And she walks.

Don't take the power of nature for granted... water can heal you or take you... this is the law... I tell this story for you ladies so that you will know the power of water and how to use it.

The snow boss

I grew up in a residential school, but I went home at Christmas. While I was there, my mother gave me a responsibility: I was the snow boss. I had to make sure we brought in clean snow (with my younger brothers and sisters). I took this job very seriously. We used to be able to use a variety of water: rain, creeks, spring water. I'm glad we're moving in the direction we've been talking about. But we need to get the youth involved. They're going to be our future leaders.

Nawaa'kamigoweinini

The young healer

One time, I was running from one wake to another. One of the women I know, her mother had passed. I phoned her up when everything was over to see how she was doing. We met at a restaurant. She told my granddaughter that she knew my mother and dad. "I met your mom and dad some years ago, when I was eighteen. I had such a broken spirit I couldn't even walk. I had lost my spirit. They picked me up and took me to my home town. They carried me inside the home of an old man. I was scared of this man. He prayed for me, and after he was done he spoke to me - the only one who spoke to me like that was my grandfather - he called me by a name my grandfather used. This man handed me water and I knew not to be afraid. His prayers and water helped me to be ok and walk out of there free."

She told me that story and it surprised me. He gave her water that healed her spirit. That's all he had was his voice and his water and she was able to walk out of there and leave whatever behind.

When my grandson was born and my daughter's water broke, we knew it was time. I was allowed to hold him right away. It was such a happy time. I raised him for the first few years of his life. My father passed away a few months after my grandson was born. He only knew my father for a few months. Once when I was caring for him I was sick so I was dragging myself around but I had a responsibility to care for him in the first few years of his life. He asked if I was ok. I was feeling flushed. I heard him go to the sink and take a cup of water. He brought it to me - he was just a little guy - and he started to spit water all over my face to heal me.

He got that knowledge from his grandfather. His blood memory told him to do that. We all have that. That's how we help our Mother. We remember and can help collectively. I'm just awestruck about the knowledge that people have. We all carry blood memory.

Florence Paynter

Water offering

My brother and I were my grandparents' responsibility... One year we set out to harvest the wild rice. While we were travelling to the rice, the wind really picked up while we were out on open water. You could see the white caps on the open water. My grandfather said that they would wait out on the winds but the water was getting worse...

We pulled up to an island and my grandmother sat on the shore and looked for a bug (gnat/tick) in Leon's hair. It took a long time before she found it. Then she told him to go to the water and to make that offering (of that bug) with *asemaa* to the water. "*Timino kijigit*" said Leon. My grandmother told me: "Everything has a purpose and everything has a beauty and an ugly part." The wind started dying down later in the afternoon. "*Miigwech noozins*".

This story shows us that the sacred law of water is that "if you don't appreciate the gift of the water, it will take you. If you respect this sacred gift, then it will help you... The sacred law would not mislead you."

Allan White

Clear water lake

My grandmother often told the story about the lake itself *Washegamezaaigan* - Wasagaming Lake. When *naookweoojiowin waashaagomaazagi'aagun* - Riding Mountain National Park and the *Natural Resources Transfer Act* came into place, we were moved out of the community. But we would sometimes go to the lake; my grandma and grandpa always told us that the lake was so important.

My grandma told us that water comes from Mother Earth. The lake was so clear and it must stay sacred. You could come to the lake for healing – there are some sacred spaces on that lake. When women come near there they can hear the songs that were sung there. For some reason, the men can't. It's because women are associated with the water. We used to go the lake as families and stay on the west side of the lake. My Grandmother would say to keep in touch with the lake.

This is the story my grandmother told: Our people went to the lake and disappeared and turned into fish. They knew visitors were coming and that was their way of looking into water forever or generations to come. *Anum ii kew ii jii kii wung* – water comes from the bottom, from the Earth - Clear Lake – comes from below Mother Earth. They were told that there's going to be people coming to this lake from all over the world and we must keep this lake sacred. The water comes from underneath the Earth and it's clear. The reason why it's clear is because it comes from Mother Earth. The spirit of our people told us to come to this lake to heal. There are sacred places along this lake.

The old people used to tell us... if you go to this sacred place you can see the shape of the lake from a certain spot. When you go to that area the women can hear songs of the *Nememigwence*, but the men cannot. If you sit by the lake you can hear the sounds of nature and it can provide for you.

Harry Bone

The water bottling company

A bottling company... asked for an agreement with the three communities in Whitefish Bay to sell water from the lake (Cameron Lake). The Elders at the time reminded the people not to negotiate and they did not sign the agreement. The bottling company came in and started using the water. The people had a ceremony and one of the Elders said "the spirits won't let them take that lake - they won't allow the company to take the water because it's a sacred lake and our children will suffer."

The water came from a spring through 4 layers of *aki* - earth. There was a spirit that was responsible for looking after the lake. That spirit that came into the ceremony took the lead Elder back there to the lake and the ceremonies... That was the gathering place for the community. That is not the only lake like that, for spring time gatherings.

A few years later, the president of the company came to the community and said they were pulling the company out as they recognized the territory. He said that something had happened three years earlier and it was still happening. The community went to the Elder and he said that it was the power of the Great Spirit looking after the water.

Allan White

The Lynx and the Rabbit

My grandpa used to tell stories. I was reminded this morning about reflection and it reminded me of a story my grandpa told about reflections on the water.

The Lynx walking along river and started talking to the Rabbit: “How are you doing?”

“Well,” the Rabbit said. Lynx wanted to grab and eat him.

Rabbit said “your face is totally wrinkled.”

When the Lynx went to look at himself in the water, the Rabbit threw in some stones. The water rippled and so the Lynx’s face was rippled. The Lynx walked away – he was so disappointed at his looks. He didn’t even eat the Rabbit.

Later the Lynx looked at his reflection in water and his face smooth, just as he thought it should be. The Rabbit had gotten the best of him.

This story shows that “water gives us opportunity to reflect in many different ways. Water is life, sacred, spiritual.”

Nawaa’kamigoweinini



Harry Bone and his son Jason Bone

7) Conclusion

The *Anishinaabe nibi inaakonigewin* gathering at Roseau River focused on the intersection between law and water. We explored how they interact and are related from an Anishinaabe perspective. While *Anishinaabe nibi inaakonigewin* was the topic, this year's gathering aimed at also having discussions about both law and water separately to set foundations for a better understanding.

The term 'responsibility' was used often, and reference was made to the power of water and its spirit - its ability to take life and to give it.

We also talked about places and spirits, the role of women as water carriers, and how the way we relate to water can be linked to certain places. Some of the stories and teachings reminded us that we are part of everything, including water and that we do not wholly control it – we are subject to spiritual and natural dimensions. We need to understand how that might help us moving forward.

Anishinaabe (law) is more about responsibility than rights. It's not just: "I have a right to swim there." It is: "I have a responsibility to that water". (Peter Atkinson)

We used the term 'responsibilities', which is in contrast to other legal systems. Every word that's said has a deeper meaning. We were reminded that we need to be careful with interpretation. We need to ensure we're not misinterpreting people's words. More use of the language will be important going forward, particularly in ceremony.

Some of the common themes or principles that emerged from the stories and teachings were:

- Water has a duality;
- Water can give life but it can also take away life;
- Women have responsibility for water; and
- Water is sacred and healing.

We discussed the spirits that look after the water, women's relationship to the waters and the spirits and sang songs that pray for the water.

Water is tied to land – they are always linked together. How we relate to water depends on the particular land in which we are situated but the teachings and principles themselves are the same.

I was encouraged by Harry's story about Clearwater Lake. I also recalled a story about a lake in my area. I was encouraged to hear them talk about their grandmothers. There is no difference between these stories and the laws in them. There is no difference between law, responsibility and duties of Anishinaabe people. (Allan White)

There's an interaction between Western law (written) and Anishinaabe law (unwritten). We discussed that caution needs to be exercised with interpretations of *Anishinaabe inaakonigewin*. Our written words should be taken into ceremony to determine whether we are on track with it and what to do with it. We were also reminded that we live in a practical world with changing youth and landscapes. We need to be mindful of that when we think about moving forward.

My understanding of the theory of Anishinaabe law was enhanced and confirmed by the discussion that took place over the four days. Laws govern interactions between beings. In Anishinaabe law, we expand our understanding of “beings” to include life forms such as animals, plants, rocks, in other words anything that has a spirit. Spirits are considered to be beings with whom we interact. Anishinaabe law considers the interactions between and within these beings and understands them to be governed by spiritual, natural and customary laws. Sacred law is the law that is handed down to us by the spirit. Natural law is dictated by what we observe in nature and that “behaviour” which we model ourselves by.

I have generally not included any observations about the gathering in this report, other than the ones I shared in the lodge during the gathering itself. However, one reflection that stood out for me in the weeks and months that followed the gathering was that the things we did seemed to be more real than the things we talked about - the ceremonies, the offerings, the feasting, the preparation of *qweezence* (little boy water drum), etc. To me, this shows that from an Anishinaabe perspective, law is living. Acknowledging and applying our law is not just about exploring or discussing it, but being able to actually put it into practice. And that is how we live – by that law.

I marked the fact that the rain waited to come to us until the last day of the gathering. On the first night of the gathering, there was flooding in the city of Winnipeg, the IKEA store was flooded and there was significant damage. There was no rain at the gathering site. On the Saturday night, we tied the little boy water drum in a lightning tie. We heard the thunder in the distance and saw the lightning storm pass around us. Also during the gathering, the city of Calgary flooded – there was a loss of lives and significant loss of property. In my view, these speak to our intentions in calling upon spirit to help us with this work and we were spared from the rain until we were ready to have it come to cleanse our path. On the night of the full moon, a small group of people participated in a full moon ceremony to honour Grandmother Moon. The water interacts with the moon to help guide the cycle of women and our bodies’ ability to give life. We offered our prayers to the grandmother that evening to seek guidance for future work and direction.

Earlier in the gathering, we were instructed to wait until the last day to decide what to do. Allan White suggested that we “consider the spirit of the lodge.”

It has become clear that there is no set path. Going back to how we all came to be here – it started last year: a small vision from which a path has been created. When you're walking that path and not sure where you're going, you stop and think and ask. There are messages in that. There's a commitment here to do something and move forward. Sometimes that commitment is enough to find out what that action is going to be down the road. Everyone who is here is supposed to be here. Everyone contributed what they had. Our path is being cleansed right now by that rain. We need to do the best with what we have been given. (Aimée Craft)

It was proposed that we provide a summary and report in the fall, followed by a one day meeting where we would start to set out that path. The Elders wanted to continue this work on *Anishinaabe nibi inaakonigewin*. “It’s more harmful for our generations of Anishinaabe in future if we stop acknowledging great sacred laws of water.” (Allan White)

Everything here has been done in ceremony, which is how we've been doing things for a long time. We should go down to the water and offer tobacco and our thoughts, so we can ask the water to bless us in helping her in what we're talking about. I had a dream about doing this. It was showed to me and told to me in my dreams: this is what you do. This is what we do as a people and what we've done for a long time. We also talk about looking to the youth to help us. (Florence Paynter)

We were gifted with some thoughts on how continued work on *Anishinaabe nibi inaakonigewin* should be considered:

- Involving youth and involving more Anishinaabe knowledge holders (and involving our European relatives);
- Framing discussions in the Anishinaabe language; and
- Continuing our work in ceremony.

One of the messages that became clear during the water gathering was that “we must stop being reactive and start being proactive.” (Peter Atkinson) When this gathering was called, the direction was that four years of gatherings be held and that the first year would be smaller in order to establish a strong base and vision for what would be done.

None of the Elders wanted to just talk about the issue but were rather focused on taking action. The first words of the gathering reflect the need for action:

We need to see what we can do for the water. We need to put our foot down and protect the water for seven generations. We'll talk about our ideas over the next four days and emerge with something concrete. Each one of us has a responsibility to do something – even the way we use water at home. (Peter Atkinson)

It was confirmed by the Elders that they wish to move forward with future gatherings and that they wanted to meet in the fall of 2013, after this report is distributed, to consider future action. Some of the suggestions that were raised in the gathering are listed below.

We have to speak for the water and for the land; that's the responsibility we have throughout our lifetime. So we have to continue this discussion.
(Harry Bone)

We have to create more understanding among people. That's our job.
(Charlie Nelson)

It dawned on me that we need to find the direction and measures to take in the long term. In the meantime we need to continue holding ceremonies, and in order to do that we need to be strong and firm, and keep the will to continue.
(Allan White)

(W)e must stop being reactive and start being proactive.
(Peter Atkinson)

It was agreed that ceremonies will be an important part of how we carry this responsibility going forward.

It dawned on me that we need to find the direction and measures to take in the long term. In the meantime we need to continue holding ceremonies, and in order to do that we need to be strong and firm, and keep the will to continue. (Allan White)

Harry Bone shared a teaching about the prayers that we make to the Creator – if we ask him to give us strength we have to do something with it – that’s responsibility and action. “What we’re looking for is already in us... our responsibility is to make sure it’s done... You have to believe; you have to make it rise and make it go.”

We were given the language to speak for the land and the water. Where do we go from here? We've been talking for the past couple days. Lodges like this are an education process – we listen to each other. But the key is to make sure it becomes something else. That water needs a voice. We've talked about the Creator's laws, natural laws. But there are also human laws. They need to reflect natural laws. Our laws don't separate nature from law. We ask the Creator in a humble way to bless us. But, it's our responsibility, in our lifetimes, to do something about it. We're going to put our words together and use them for action. We're going to lift it up for action. It's in our everyday lives that we need to practice. We need a collective action. And I just want to emphasize that the water needs a voice. Women can't do this alone. (Harry Bone)

Mervin Sinclair spoke about the development of our own laws:

We need to act together to develop our own laws. I worked in conservation for many years enforcing legislation that comes from the Western side of the law. Our people have our own laws about water which were respected, different from enforcing policies. All communities in my area respected each other's laws – territories for fishing, etc. (Mervin Sinclair)

Violet Caibaiosai suggested that we consider what many Indigenous people have done by incorporating the rights of the water and land into their constitutions.

The Elders expressed that they would like to involve youth in the future gatherings and in any action that flows from this work.

Discussion groups are critical. That's where we flesh out what we know, what we should know, and what kind of collective action we need. We link together our values and teachings in our language. (Harry Bone)

Niizhoosake Copenace expressed that “it is about awareness and sharing... Now is our chance to make the water clean for everyone... Cautioning prophecies might be to bring us to action... This is our opportunity to do something different.”

We have to create more understanding among people. That's our job. (Charlie Nelson)

There was a suggestion that a water walk be organized. Peter Atkinson suggested that “the strategy will come from our people our Elders, our women. We will find something to be a positive change.”

What we can do collectively: a walk around Lake Manitoba, starting on the South side of the lake. We'll be visible re: something we're doing for the water. It's always about being grateful. We need to give back to that water. Maybe that's something we could do this summer. (Peter Atkinson)

You have to believe in what you're saying, and you have to do it. That's why the water walk is so important. We can't just talk. What you say is one thing but you have to do it. (Harry Bone)

The walk will be led by women but we need the men's help. (Niizhoosake Copenace)

The Elders shared that the teachings and the knowledge that was shared should be written down and shared. “Who’s going to speak for the water? We have to speak for the water and for the land. It needs to be in written form.” (Harry Bone) They acknowledged that it would be challenging. They suggested that whatever is written be taken to the *jiiskahn* (shaking tent) for direction.

There are two roads that Anishinaabe has to travel. Great challenge. I don't know if it's doable. We need more knowledgeable holders of Anishinaabe law (men and women). We can bring 100 Elders together (men and women) – there is no right or wrong thing. Our confirmation will only be through shaking tent guidance. (Allan White)

We can have the writer's here write our vision and perhaps take it to a ceremony to ask the Elders to see if that's how it should be written. Yesterday there were many stories. Anishinaabe law, even though it's simple, is complex. It's enormous. We need to strive to learn it in our own way. The struggle is how we write these things down, but we still need to try. Then it's up to the wise, knowledgeable Elders to decide whether it is right. And also through ceremony. Even if something is written, it's only a glimpse of what the law is. This is a process. We need to consider what we're all doing to capture the essence of what the law is. We need to stay positive in moving forward. (Niizhoosake Copenace)

However, a written report will never take the place of the work that is done in ceremony and song.

There's a difference between the product and the process of how we do things. The songs and ceremonies are part of our work and our process. They can attach to the product and learn something, but if they want to do more they can meet with us. (Charlie Nelson)

At the close of the gathering, Elders shared some of their words and impressions about our work:

Anishinaabe law is about clean water – for all of us. (Harry Bone)

When I'm talking about the water and taking care of it, I'm talking about law. (Peter Atkinson)

We must protect our knowledge to protect our water. (Harry Bone)

It is a great responsibility that I have, that we all have. (Allan White)

I want to tell a story about when I went to school. I was struggling - people said “you don’t need that piece of paper”, but I really wanted to help people in my community who are dealing with suicide. As I was walking, I was told “your people know about the salmon. They swim against all odds, going upstream avoiding bears and navigating ladders. But they do it because they want to ensure the future existence of their people. They take their eggs there and lay them.” I was told to pass on this story because our people know the salmon. That’s what we’re doing here. The Spirit is pretty amazing. That’s why we’re all at the water gathering. (Violet Caibaiosai)

Protective and loving spirits enjoy the water too – not just humans. We must listen to their stories (often in pictographs). Each medicine island has a story to tell, which is within us as we occupy sacred lands. We must listen to, and not desecrate, lands. Otherwise they may leave and we’ll become empty. The spirits will, when we listen, enjoy us, and laugh and smile with us. We must live within both legal systems, but cannot forget to respect water and pass this law to Anishinaabe people. We all have individual but converging understandings. (Allan White)

We must reaffirm our non-consent. (Peter Atkinson)

Be very creative, very articulate and use what is in front of us (bundles). We ask the Creator for what we want: to make it positive the way we ask for it. (Allan White)

We’ve had the opportunity to think about the Western concepts of who owns the water, who controls it, and who can make money from it. These are the factors the Anishinaabe need to contest. We need to speak on behalf of that water. (Nawaa’kamigoweinini)

ANI Gathering Participants

Elders

- Charlie Nelson (Roseau River Anishinabe First Nation)
- Peter Atkinson (Roseau River Anishinabe First Nation)
- Florence Paynter (Sandy Bay First Nation)
- Violet Caibaiosai (Sagamok Anishnawbek First Nation)
- Niizhoosake Copenace (Ojibways of Onigaming First Nation)
- Darlene Courchene (Sagkeeng First Nation)
- Neil Courchene (Sagkeeng First Nation)
- Allan White (Whitefish Bay First Nation)
- Harry Bone (Keeseekoowenin Ojibway First Nation)
- Nawaa'kamigoweinini, also known as Dennis White Bird (Rolling River First Nation)
- Mervin Sinclair (Lake St. Martin First Nation)

Researcher

- Aimée Craft

CHRR

- Karen Busby, Director
- Helen Fallding, Manager
- Heather Bowers, Office Assistant

Students

- Joëlle Pastora Sala (PILC)
- Will Steinburg (CHRR)
- Tiffany Monkman (CHRR)
- Natasha Szach (University of Ottawa)
- Katelin Neufeld (CHRR)

Observers

- Melissa Hotain, Assembly of Manitoba Chiefs
- Vera Sinclair
- Jason Bone

Photos

- Will Steinburg (CHRR)
- Katelin Neufeld (CHRR)

Miigwech

Much gratitude to all the people who participated in the gathering and its preparation:

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The fire keepers;

Those who prepared our meals;

Those who lifted the pipes;

Those who rose with the sun;

Those who spoke for the water.



Water Ceremony