

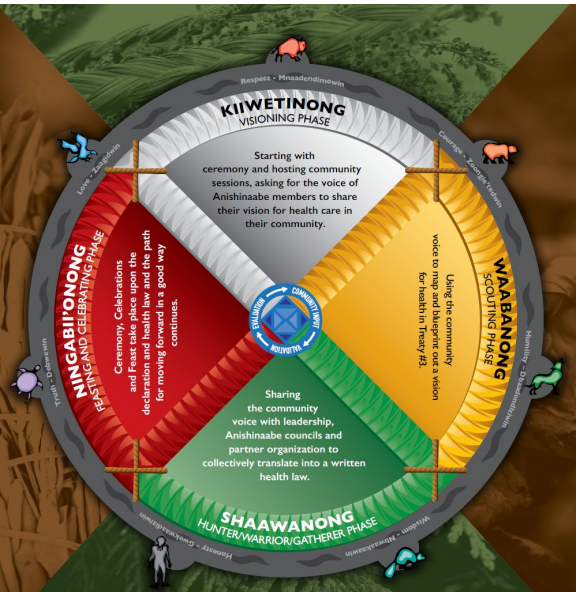


# Inakonigewin / Onakonigaawin

Unmarked Burials at Indian Residential Schools

Sara Mainville, Partner

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# Miinigoziwin and those Rules that Govern us Rightly

- Elder Fred Kelly story about the four sacred messengers (Eagle, Thunderbird, Crane, and Hummingbird)
- The Role of Written Law is important in much more complicated lives and interdependencies and working relationships with outside society (Government, Institutions, Partnered Organizations etc.)
- Legislation in the Euro-Canadian sense is not what we are talking about, we are talking about: knowledge systems in various sectors, child welfare, education, sharing in treaty, Health and well-being, customary funerals and Mino Bimaadiziwin teachings.
- Our written law acts as a guide to the way of living, the Anishinaabe way of managing transitions from spirit – physical – back to spirit, is something that our Anishinaabe Knowledge Keepers have a unique perspective about.
- The Law exists in oral tradition and relationships and the guide may be the written law.

# Anishinaabe Inakonigewin

- Law's role in Canadian society has been oppressive and controlling – we don't want to bring those features into our own law.
- Law's role in Anishinaabe society is about knowledge, framing in knowledge systems like families, grief and healing.
- Law guides human nature – you can take an oppressive/controlling approach or a knowledge/heart (caring) approach.

# Law making and Decision-making

- Miinigoziwin – it is constant and universal in our Anishinaabe legal tradition.
- The Vision is Independence as the Nation's Government operationalizes a written law
- Interdependency – who are the partners in governance, services, operations and how do the capacity transfers evolve the system to become more/less independent?

MIINIGOZIIWIN

# TRADITIONAL LAW MAKING



## INAKONIGEWIN

The Written Law "Guides the Way" as it is written in English and can be revised to guide the way in a more effective manner

## IZHICHIGEWIN

This is our way of doing things, it is the sacred law teachings of living within law towards Mino Bimaadiziwin



## ONAKONIGAAWIN

This is the process within the oral tradition of learning as an infant through the welcoming ceremony towards the various rites of passage, the cycle of life - to the superior knowledge of the Anishinaabe way and living within our way of life.

# Example: Welcoming Ceremony

- A child has perfect existence in the spirit world
- The Child decides when their parents are ready for them, they chose their parents and know their name, clan, and carry a bundle for help and guidance.
- Transitions: Spiritual (birth) to physical, in infancy that physical strength is brought to bear in a Tikanagan, as the child begins their lifelong learning as Anishinaabe in their physical body – the Welcoming Ceremony connects them to Mother Earth.
- Mother Earth has everything for them – they are introduced to one another – they have a long a close bond in this physical world.

# Teachings and Concepts

- The Four Day Journey
  - The knowledge that there is a spiritual path to and from our physical being
  - 7 important helpers in our bundle – to make that journey – its all they need and its all we should give (don't give that being too much to carry).
- This is where we are meant to be
  - Holding the spirit back – it's a natural human response – but we are taught and retaught – the spirit has a journey and is meant to be there
- Children during the four day journey
  - Young children are still very much spiritual beings – we mark them so that the person making the journey does not take them too – they are so perfect – and the child can see these beings – its important to have conversations.

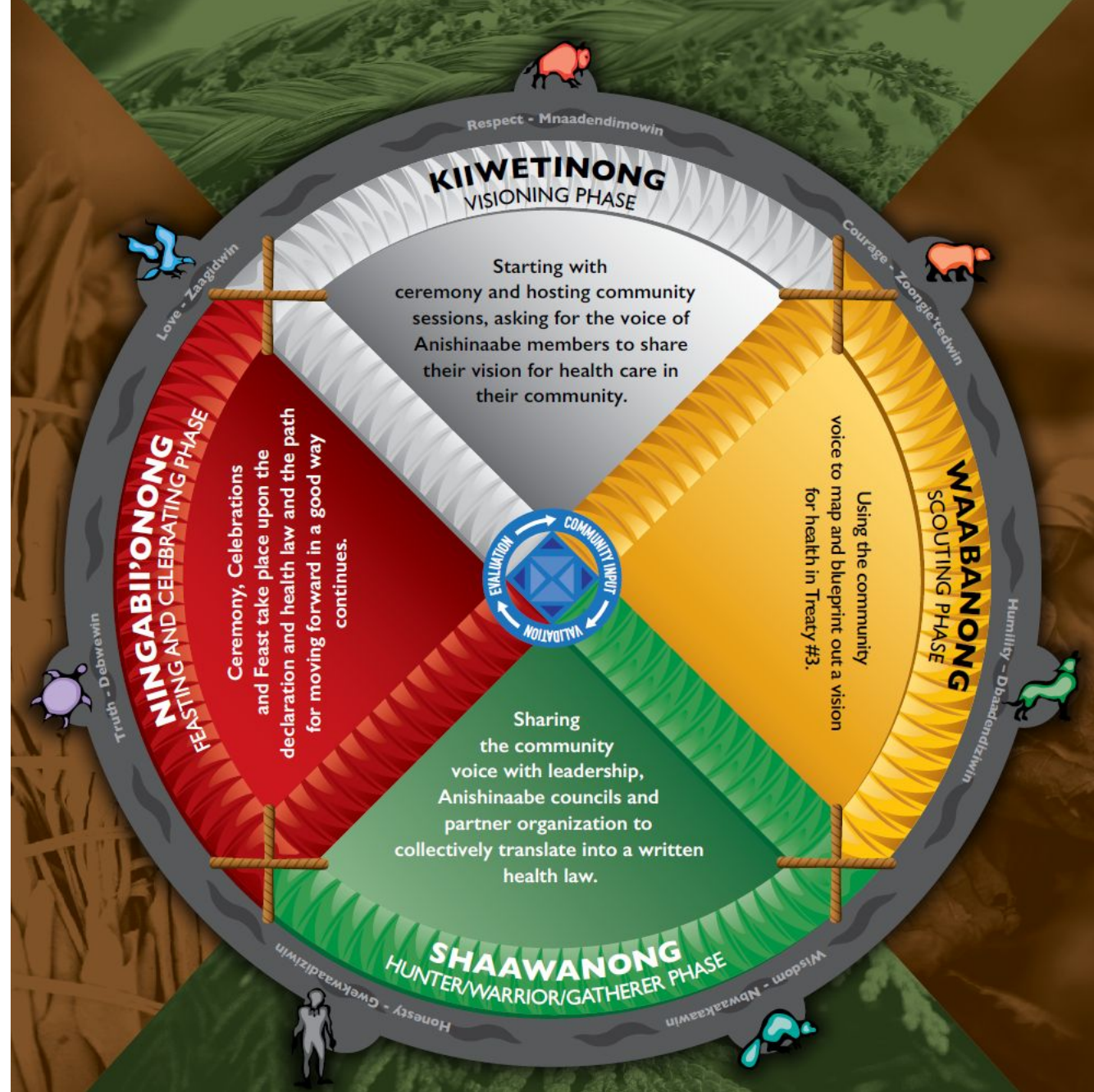
## Traditional Decision Making

The full context is completely understood by everyone impacted (360 degrees by sharing and caring)

Community Knowledge is brought to bear on matter

Solutions are considered through consensus-decision making with protocols, helpers, ceremony

Community Direction – all of one mind





# Scouting: in Traditional decision making

- Ensuring that the complexity of a matter is fully understood
- All relationships in the matter are included
- Gift way – people offer to help – we find we have all the resources and knowledge to create consensus
- Our teachings re customary / traditional funerals and burials are the heart of this solution

# Hunter/Warrior/Gatherer: Resourcing

- Anishinaabe life is about utility and usefulness – see story of maple syrup and Nanaboozhoo
- Constant Personal interaction – our way of life is about sharing/caring – this is happening regarding the various processes in Treaty 3 – St. Mary's, St. Margaret's, Cecilia Jeffrey's, St. Margaret's, Mackintosh – many conversations and inclusive processes led by Survivors and their helpers

# Unmarked Burials and Anishinaabe Inakonigewin

- Miinigoziwin – what the Creator has given us. Teachings shared during traditional funeral – what is done with the body, importance of body integrity, importance of preparing, bundle, food, the two nights for the wake, the final days support for the person and their family and friends.
- Our old reserves in Treaty 3 have graves, how do we treat them, honour them – we don't traditionally have grave yards as a place to visit a person who has already made their journey.
- Of course, not all students in our territory's colonial institutions (schools) are of our Anishinaabe legal tradition and we must be inclusive of those legal traditions as well.



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Sara Mainville is a member of Couchiching First Nation and is a senior lawyer practicing out of the JFK Toronto office. Sara also resides seasonally at her home in Couchiching on the shores of Rainy Lake.

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