

SUMMARY REPORT

Bois Forte Band of Chippewa MCT CONSTITUTIONAL CONVENTION MEETING #3

October 23-24, 2017 | Tower, MN

Facilitated by: The Native Nations Institute, University of Arizona
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Sponsored by the Minnesota Chippewa Tribe and Native Governance Center



THE UNIVERSITY OF ARIZONA
**NATIVE NATIONS
INSTITUTE**
Founded by the Udall Foundation
& the University of Arizona

Strengthening Indigenous Governance



**NATIVE GOVERNANCE
CENTER**

SUMMARY REPORT
BOIS FORTE BAND OF CHIPPEWA
MCT CONSTITUTIONAL CONVENTION MEETING #3
Presented, Facilitated, & Reported by the Native Nations Institute
University of Arizona
Sponsored by the Native Governance Center and Minnesota Chippewa Tribe
Tower, Minnesota | October 23-24, 2017

The Minnesota Chippewa Tribe (MCT) hosted a series of community meetings beginning August 2017. This report is a summary of the third gathering held in the Bois Forte Band of Chippewa (BFBC) community on October 23-24, 2017. The meetings were intended to provide the MCT members/citizens educational information on the existing MCT constitution and begin the process for its revision.

Day 1 | Monday, October 23, 2017

Location: Fortune Bay Resort Casino, The Woodland Ballroom

Day 1, October 23, 2017, started at 12:30 p.m. with Vernon Adams delivering an opening prayer and Bois Forte Chairwoman Cathy Chavers giving a welcome. She encouraged participants to engage and interact with the material. Kevin Dupuis, MCT President and Chairman of Fond du Lac Band, provided the purpose of the meeting. President Dupuis explained that the constitutional convention was called to address questions and issues raised by MCT members. Wayne Ducheneaux II (Cheyenne River Sioux Tribe), Executive Director of the Native Governance Center (NGC), introduced NGC and explained its role as a resource throughout the MCT Constitutional Convention process. Ducheneaux introduced Rebecca Crooks-Stratton (Shakopee Mdewakanton Sioux Community) NGC's Program Director, and Native Nations Institute (NNI) staff, Danielle Hiraldo (Lumbee), Outreach Specialist & Senior Researcher, and Lindsay Riggs (Navajo), Tribal Services Program Coordinator. Ducheneaux reviewed the proposed agenda and discussed the format for the two-day meeting (see **Appendix A**). Sixty-two participants signed in for both days. Participants were encouraged to sign in but was optional. There were several individuals who chose not to sign in.

MCT Counsel Phil Brodeen (Bois Forte Band of Chippewa) presented **SESSION 1: THE DEVELOPMENT OF THE MCT & CURRENT STRUCTURE**. Brodeen's presentation covered the history of the MCT Constitution, the powers and duties of the Tribal Executive Committee (TEC) and Reservation Business Committees (RBC), and the constitution's day-to-day operations. Brodeen asked the audience to think about what MCT wants to achieve with its constitutional reform process. In addition, he encouraged the group to think about any changes that will help benefit in the future and reflect back to the folks who came before us. Brodeen explained that the TEC met before the session to discuss amendments, which include increase local participation to voting, elections, etc. Some of the participant comments reflected or asked the following:

- What is the role of MCT?
- How does colonialism impact the MCT constitution?
- We should follow the constitution under a constructivist view.
- Remove conflict of interest.
- Address residency requirement for elected officials.
- The use of Congressional plenary power.
- What's the importance of the MCT constitution?

Crooks-Stratton led **SESSION 2: THINKING STRATEGICALLY ABOUT MCT'S FUTURE** exercise. She instructed the participants to individually complete the following sentence: *"I want my (grand)children*

to live in a tribal community where...". After writing their individual responses down, participants were asked to share their responses with their small groups. NNI categorized the responses thematically into the following:

- Stability
- Opportunities
- Culture/Language
- Identity/Enrollment
- Safe/Drug Free
- Representation

See **TABLE 1** for the individual responses.

TABLE 1. SESSION 2: THINKING STRATEGICALLY ABOUT MCT’S FUTURE: “I want my (grand)children to live in a tribal community where...”

Stability	Opportunities	Culture/Language		Identity/Enrollment	Safe/Drug Free	Representation
They have economic stability.	They have opportunities for education and employment.	Language: [They are] fluent speakers.	Elders, adults (both men and women), and children are safe and free of violence. We fundamentally reject the violence perpetrated against our peoples by the U.S. government, the War Department, Department of Interior on down to the tribal councils which have learned the white man’s ways so well and have entertained oppressing us. We also do not want the destruction and exploitation of our animals, plants, and lands nor the robbery of our identity.	It is a member of a reunified Ojibwe-Anishinaabe Nation that consists of all the Ojibwe reservations in the continental United States and in Canada (Turtle Island)!	They are safe and drug free.	Tribal Council has qualifications in order to run for positions.
[They] utilize natural resources.	[They] realize their potential.	More culture [is] taught in community.	Hunting, fishing, and gathering rights are still sustainable, if not stronger than ever before.	Treatment is fair	[It is] safe.	They are guaranteed due process with checks and balances.
Accountability - reports on money from programs monthly (ICWA, education, point powers).	They thrive.	Identity: [They] know who they are.	[They] celebrate their traditions.	[There is] support for each other.	[There are] no drug or alcohol problems.	[They have] equal voice in government.
	No one is hungry.	The Seven Teachings (values) are understood and practiced by all community members.	Their tribal history is taught.	They are free to be themselves.	[They can] ride a bike and not have to worry about cars driving too fast.	They are involved in the community and tribal processes.

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Stability	Opportunities	Culture/Language		Identity/Enrollment	Safe/Drug Free	Representation
	[They] have diverse skills and professions.	[They are] educated children and fluent [in their] language.	They hear our language.	They are loved and valued and included/ recognized.	[They are] drug free.	
		Tribal traditions are relevant and practiced.	[Their] education-curriculum meets our local needs.	All community members “regardless of blood quantum” are treated equally and included in the tribe.	People are safe.	
		[They] value tradition, education, and family.	Learning language and culture is everywhere (schools, clinics, government buildings).	They are enrolled.	[It is a] drug free community.	
		Culture is a priority.	Culture, religion, language is taught.	They are acknowledged, honored, and enrolled.	[They are] safe from outside forces (gangs, drugs).	
		[They] still have a place to hunt, fish, and gather.	History: [They] learn [our history] in our schools.	It hasn’t participated in the divide and conquer strategy by breaking itself into smaller and smaller groups.	1) They will be close to me; 2) there are no drugs; 3) no affiliated gangs; 4) there is [a] safe school district; 5) they are going to be safe; 6) [they know our] language and culture; and 7) [it is] violence free.	
		Everyone is fluent in their language.	Traditional values in tribal government do not ape (sic) the county government. Traditional ways used to be a council of elders comprised of older people mostly men (i.e. chasing Sioux out of the area).	They’re recognized as members of the community.	[It is] safe and drug free.	

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		Where they identify themselves by our Grandfather Teachings.		They are enrolled, involved in community and tribal processes; and have economic stability.	There is peace.	
		Safety, health, education, housing, culture, our gathering rights are and will be always granted and protected; membership will always be included and advised of all ideas regarding the MCT changes.				
		They are taught their history.				
		Culture-[is] practice/participated				
		[They are] culturally strong and speaking the language.				

Hirald presented **SESSION 3: GOVERNMENT & CONSTITUTIONS: WHAT THEY ARE, DO, & LOOK LIKE ACROSS INDIAN COUNTRY**. She began by asking the participants to think about how they governed prior to adopting a written constitution. Participants discussed the concept of hereditary chiefs in their communities, spokespersons, clans, women's roles to name a few. The presentation reviewed traditional Indigenous governing systems, contemporary structures, and the role constitutions play in governing. Hirald ended with asking whether MCT has the governance tools needed to achieve its strategic goals.

Following the presentation, participants were asked to consider *What suggestions do you have in changing the MCT Constitution?* Participants were prompted to respond individually and then broken into small groups to discuss their responses. NNI collected the individual responses and categorized them thematically (see **TABLE 2**). The categories included:

- Autonomous Bands
- Culture
- Remain the Same
- Accountability
- Start Over
- Separation of Powers
- Elections
- Enrollment
- Rights of Members
- Communication
- Clarify

Additional comments included:

- Provide more information and possibilities of military/militia to protect rights and incorporating them into the constitution.
- Membership issues.
- Integrity.
- Resolve the problem (sovereignty).
- Better communications with members and local and tribal council.
- Membership does not get information in a timely manner; this needs to improve.
- Elected officials to oversee only their reservations and elected leaders to oversee the MCT.
- We count all Indian blood that creates one home tribe and includes the Canadian Indians.
- Enrollment: it's different at all six bands.
- Strength in numbers, to keep united, we can work through.
- MCT amendment to determine their own membership.
- The 1934 MCT constitution is like a bad marriage. We can't do anything without the consensus of the other bands. This process is problematic. Self-determination should remain with the individual bands.
- Stronger accountability, code of ethics with teeth (consequences).
- Many interpretations of the constitutions create a double-edged sword that are unclear and ambiguous.
- Enrollment: descendency is a good idea.
- Spell out governing duties clearly.
- Traditional values should be incorporated.
- Re-write the constitution all over.
- Right now, we have enough Ojibwe people that are educated enough and we want a constitution written by us.

TABLE 2. What suggestions do you have in changing the MCT Constitution?

Autonomous Bands	Culture	Remain the Same	Accountability	Start Over	Separation of Powers	Elections	Enrollment	Rights of Members	Communication	Clarify
Separate constitution by band.	Need cultural component .	Leave things the way they are!!	Leadership: elected officials oversee local reservations; another set of leaders to oversee the MCT.	Change interpretations to amendments.	Clear separation of powers.	Allows for enough time for election appeals.	Do away with blood quantum to keep our tribes alive. (This is not our way. Solution: have our community decide.) (Create a stronger community. Solution: accept into our community family and friends.)	Expand on the Congressionally authorized right to “due process of law”.	Where the constitutional convention talks about and focuses on the constitution —OUR.	Need to make it simple and understandable.
Utilize for “super tribe” efforts but allow individual bands the ability to govern themselves.	Include Ojibwe language; change Chippewa to Ojibwe; Read and enforce it.	Why fix something that’s not broken!	Should be equal.	Rewrite the preamble.	4 branches of government (add elders’ council).	Improve election ordinance to insure integrity and protect against abuse.	Revise enrollment procedures.	Rights of members: participation, informed consent of affected Anishinaabe Ojibwe members of MCT. Article XII- Amendment Process.	Collaborate on big issues.	Need to build in ambiguity and flexibility
					Add checks and balances - guarantee the rights of members protecting individuals from government abuse.			1) Bill of Rights; 2) Citizenship guide; 3) Accountability.	Communication with members.	Clear, concise language to avoid ambiguity.

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Autonomous Bands	Culture	Remain the Same	Accountability	Start Over	Separation of Powers	Elections	Enrollment	Rights of Members	Communication	Clarify
	Rewrite the constitution to reflect Ojibwe values, teachings, etc.		Transparency		Separation of powers.	Deal with the question of absentee voting - rights and consequences.	Membership.			Clarify authority of TEC/Bands.
	Needs to reflect our values/teachings.		Minimize authority.		Separation of powers.	Election reform. No dad/son or mother/daughter allowed to serve at the same time.	Address the membership requirements of enrollment - go back to descendancy.			
			Minimize authority.				Accept other Chippewa Blood.			
			Should be fair.				Update membership criteria.			
			Oversight & accountability.				Determine own enrollment criteria!! Allow to count all Indian blood. No boards.			
			Accountability.				Model citizenship for membership instead of blood quantum.			
			Term limits.							
			Strong accountability for leadership.							

Day 2 | Tuesday, October 24, 2017

Location: Fortune Bay Resort Casino, The Woodland Ballroom

Chairwoman Chavers welcomed the group for Day 2 and Vernon Adams delivered an invocation to start the meeting in a good way. Ducheneaux provided an overview of the Day 1 discussion, reminded the participants to complete the survey, and reviewed the participants' suggestions on the MCT constitution. Participants provided the following feedback:

- I'm worried about not including membership rights (informed participation and consent).
- White people wrote the constitution and continues to write codes.
- The MCT constitution is very useful today, the shortfall is with people elected not following it.
- Consider the separation of powers model by using Ho-Chunk model.
- There's nothing about civil rights (women's rights).
- There is a need to write a constitution by Anishinaabe.

Riggs then presented **SESSION 4: WHY ARE SOME NATIVE NATIONS MORE SUCCESSFUL THAN OTHERS?**

The presentation included a short video that highlighted the five principles of Native Nation Building (NNB). The principles include: (1) practical self-rule (sovereignty); (2) capable governing institutions; (3) cultural match (institutions match community beliefs about authority); (4) strategic orientation (long-term vision and decision-making); and (5) public-spirited leadership (leaders bring the community into their thinking and actions). This approach is known as the "Native Nation Building Approach". She compared the results of the standard approach and the alternative, Native Nation Building.

Riggs concluded with the discussion addressing: ***How does this apply to the MCT?*** Participants responded with the following:

- Family members involved in 1963 constitution wanted children to get an education and return to help communities. Even with the constitution and bylaws, it still functions culturally. The NNB approach is what I've been thinking all along and it's the best thing for MCT to work toward. If we want to reflect cultural values, MCT would have to amend everything in the constitution—might as well start over.
- Examples of sustainable development:
 - MCT constitution process ("what we are doing right now")
 - Battle with Clear Water leadership, to ensure water quality for the future.
- MLB (Mille Lacs Band) is incorporating culture to heal citizens to learn responsibilities and incorporate into the day-to-day life.
- One participant reflected that they received an education and returned to attempt to help. It's about "rebuilding" Native nations. We need to consider citizens in Canada. I'm not interested in six autonomous bands. I would not accept individual autonomous bands. We've talked nothing about "rebuilding," instead about separating. I would like to see protection of rights by our own government.

Crooks-Stratton began **SESSION 5, ROUND 1: HOW DO WE STRENGTHEN THE MCT & BAND GOVERNMENTS?** by asking the participants to think about ***What's WORKING with the existing constitution of the: MCT overall? Tribal Executive Committee (TEC)? Reservation Business Committees (RBCs)?*** Participants were prompted to respond individually and then in small groups discuss their responses.

The following are some responses from those who wanted to share. These responses may not reflect the entire group (see **TABLE 3** for individual comments).

- **What's working with MCT overall?**
 - How they administer the elections, local or MCT, and enrollment process.
 - Holding us together as a tribe; leadership with the MCT President.
 - Collaboration on larger issues (DAPL, opioid epidemic).
 - Nothing.
 - Constitution working but not effective. No RBC, TEC members are the voice of the people; Article 6 Inherent Sovereignty of the bands.
 - National Indian Gaming Act.
 - Enrollment process.
- **What's working with the Tribal Executive Committee (TEC)?**
 - Leveraging the power of the MCT as a whole.
 - Speaking for all of us and the President (Dupuis).
 - New leadership, Kevin Dupuis.
 - Transparency when transparent - when the TEC does broadcast their meetings. But there is a lot of stuff done behind closed doors.
 - Modern day BIA agents that are enforcing US colonial laws ("you know I'm joking!")
- **What's working with the Reservation Business Committees (RBCs)?**
 - They have elections; following the construct of constitution; land use plan; banishment law; solve own problems independently; they pay all bills.
 - Engaging with and listening to local constituents on local issues; RBC system allows flexibility to meet local needs; each reservation community is different so it allows flexibility.
 - Taking care of our natural resources; taking care of elders with limited resources.
 - Colonial tool ("you know I'm joking!")

TABLE 3. *What's WORKING with the existing constitution (individual comments)*

WHAT'S WORKING		
MCT Overall	Tribal Executive Committee (TEC)	Reservation Business Committees (RBCs)
<p>Transparency:</p> <ul style="list-style-type: none"> • Getting more input, explaining what's happening, not covering up anything. 	<p>Transparency:</p> <ul style="list-style-type: none"> • Live feed. • Transparency when transparent. • Letting people know of just what's going on, not covering up for anyone. 	<p>Transparency:</p> <ul style="list-style-type: none"> • Live feed; community centers.
<p>Administration:</p> <ul style="list-style-type: none"> • Home loan. • Taking care of our natural resources. • Administer elections (UEC). • Administer enrollment. • Enrollment process (as it exists) works well. 		<p>Administration:</p> <ul style="list-style-type: none"> • Running programs and taking care of elders with limited funding.
<p>Colonialism:</p> <ul style="list-style-type: none"> • The abrogation and erosion of Anishinaabe/Ojibwe rights is almost complete. 	<p>Leadership:</p> <ul style="list-style-type: none"> • TEC members are the voice of the people. • New leadership with fresh outlook - only MCT President. • Modern day "BIA" agents - ensuring BIA policies and procedures are followed; Enforce U.S. Colonial laws on Indigenous people. 	<p>Local autonomy:</p> <ul style="list-style-type: none"> • RBC system allows flexibility to meet local needs (different government; different community). • Engaging/listening to local constituents and local issues. • Article VI: Inherent sovereignty of the Bands. • Division of Powers at Mille Lacs. • Colonial tools - against tribal members. "mocks & exploits the Anishinaabe/Ojibwe."
<p>Large Population:</p> <ul style="list-style-type: none"> • Collaboration on larger issues (ex. DAPL, Pipeline, opioids). • Enrollment advantage "greater genetic pool". • Land in common "tribalism". • MCT holding us together as a tribe. • Unity: logo, motto; Multiple bands=1 Tribe. • Leveraging power of MCT as a whole works well. • Political presence in Northern MN: 1) Tribal regions; 2) state wide; 3) national "power". 		
<p>Constitution:</p> <ul style="list-style-type: none"> • The Constitution is working, but not effective. • Licensing "sovereignty". • Treaty rights "discussions and exercise". 		

Crooks-Stratton then transitioned into **SESSION 5, ROUND 2: HOW DO WE STRENGTHEN THE MCT & BAND GOVERNMENTS?** using the same individual response to small group process by prompting the participants to consider *What's NOT WORKING with the existing constitution of the MCT overall? Tribal Executive Committee (TEC)? Reservation Business Committees (RBCs)?* The following are some responses from those who wanted to share. These responses may not reflect the entire group. (See **TABLE 4** for individual comments.)

- **What's NOT working for MCT overall?**
 - No cultural component, no reference to the Anishinaabe.
 - Following through with Constitutional Reform; not communicating with the members overall.
 - Better communication about the whole scope of the constitution and what it does.
 - Enrollment needs to be expanded to include all tribes.
 - Land management; we all feel segregated when we enter another reservation.
- **What's NOT working for Tribal Executive Committee (TEC)?**
 - TEC has forgotten that they are our representative, the entire membership. Membership has been left out of the process. The solution is the informed participation, consent of the affected tribal members. Article 12 - simple fix is to use the already existing process.
 - Equal, fair representation (article 13).
 - Everyone is in violation of Interpretation 180, please step up and admit your violation ("I'm kidding").
 - What exactly is their job? We need a clear definition of their duties and how they go about doing them. These meetings are being supported by the MCT, what started it all (constitutional reform process)?
 - Total disregard for the rule of law and Constitution (over the last 20-30 years). Constitution would be followed and obeyed when it suited a purpose and ignored when it did not meet the purposes. Unless we codify it, it isn't guaranteed, may lead to lawlessness in future. Reservations are not abiding by the Constitution.; Article 6 RBC Bylaws. Duties are not in the bylaws for our committee members, only for our chair and secretary/treasurer. TEC has not reprimanded the RBCs. It doesn't do a good job enforcing but they dance around it and include interpretation (for ex: felons cannot run for office). → Enforcement mechanisms. "If our leaders don't have to follow the rules, they why do we?"
- **What's NOT working for Reservation Business Committees (RBCs)?**
 - Weight of the vote of the individual members. For example: 1/5 as powerful than someone from another band. Not equal representation. Exists at Leech Lake. Hard to address. No serious initiative to resolve this.

A participant asked why the constitution meetings were taking place. Chairman Dupuis responded with the following:

- We saw issues, such as: bylaws are not the same; no uniform principle across bands.
- TEC wouldn't and couldn't get involved because of the bylaws not being the same.
- Constitution itself is vague and ambiguous.
- Article 10 Sec. 3 or 4 (due process needed).
- Interpretation 180—TEC is only entity to interpret Constitution; there's no oversight.
- So many things are referred to the reservation ordinances, but the Constitution supersedes those ordinances.
- We lack ordinances that should be in place at the MCT level.

Hirald collected all the large Post-Its and categorized the “what’s NOT working” responses for participants due to time. See **TABLE 4** below.

TABLE 4. What’s NOT WORKING with the existing constitution (individual comments)

WHAT’S NOT WORKING		
MCT Overall	Tribal Executive Committee (TEC)	Reservation Business Committees (RBCs)
<p>Communication:</p> <ul style="list-style-type: none"> • Better communications needed. • Informed participation (consent of affected) tribal members - MCT Article VII Amendment Process. • Communication with Tribal Members. • Communication - follow up with members not happening. 	<p>Communication:</p> <ul style="list-style-type: none"> • Member involvement! And communication. • Lack of dissemination of information to Anishinaabe/Ojibwe MCT members. • Get more members here and be improved on this committee. Get the Chair of the Committee in order. • Uncertainty of peoples’ job duties; these meetings are being led by MCT, why change it? Why always bring up the felony thing? What good is it to have - we are sovereign and we need to stay that way!! Next meeting in February. 	<p>Communication:</p> <ul style="list-style-type: none"> • Getting more input, explaining what’s happening, not covering up anything.
<p>Lack of the incorporation of culture:</p> <ul style="list-style-type: none"> • No reference to Anishinaabe - needs cultural. • Reverse language loss. • Lack of belief (in the tribal motto) and understanding. • No traditional values. • No cultural component. No reference to Anishinaabeg. 	<p>Lack of the incorporation of culture:</p> <ul style="list-style-type: none"> • Elder Advisory Council and youth council - know where we’ve been; know where we are going. 	<p>Lack of the incorporation of culture:</p> <ul style="list-style-type: none"> • No check and balances- there should be an Elders’ Council.
<p>Governmental Structure:</p> <ul style="list-style-type: none"> • Article 13. • Clear interpretations, various views of constitution. • Not a strong organizational structure for meetings. It’s like a free for all, some don’t follow the agenda, monopolization of the meeting, doesn’t allow others to voice concerns. People take it personal and hard to see the people as a whole! • No MCT “Central” court representing 1) members, 2) tribal rights. 	<p>Governmental Structure:</p> <ul style="list-style-type: none"> • Explain what their job is. • Article 13. • No clear separation of powers! Leads to confusion regarding court’s authority. 	<p>Governmental Structure:</p> <ul style="list-style-type: none"> • Reservation Business Committees as opposed to local tribal governments. • RBCs considering themselves reservation tribal governments rather than Business Committees because constitution is not tribal.
<p>Collaboration:</p> <ul style="list-style-type: none"> • More National Tribal Project/MCT Projects on all 6 reservations 		<p>Collaboration:</p> <ul style="list-style-type: none"> • Lack of collaboration.
<p>Representation:</p> <ul style="list-style-type: none"> • Do they represent us/all fairly- equally? • Forgot - a representative body of entire MCT Anishinaabe Ojibwe members. Leave membership out of processes. • We have elections. 	<p>Representation:</p> <ul style="list-style-type: none"> • Fair/equal representation. • We don’t know the time, date, and place of the TEC meetings so we do not 	<p>Representation:</p> <ul style="list-style-type: none"> • Equality of members on all 6 reservations; a lack of reciprocity. (72 vote effects). • More representation; not just 5 on RBC.

WHAT'S NOT WORKING		
MCT Overall	Tribal Executive Committee (TEC)	Reservation Business Committees (RBCs)
<ul style="list-style-type: none"> • We have a dictatorship following the structure determined by constitution in which the input of the membership is ignored. • Sometimes our dictatorship consults our members to solve problems if they are confused. • We organize among ourselves to solve problems independent of the "RTC". • We have our own values so we can get along with each other better. We have a land use plan and a banishment law. We solve our own problems independent of the constitution. • The MCT is a part of the MN Indian Gaming Act and National Indian Gaming Act. 	<p>have input. Any TEC directive is not shared with the membership.</p> <ul style="list-style-type: none"> • These people believe TEC speaks on their behalf, but that's what they're elected to do. 	<ul style="list-style-type: none"> • Majority versus minority. • At the conclusion of the "RTC" meeting they pay all bills. • RBC-are too small, council needs to be bigger, more members elected to speak on behalf of the people. (It can be done, larger tribe ex. like the Lakotas, Pine Ridge).
<p>Accountability:</p> <ul style="list-style-type: none"> • Inconsistency. • Too many chiefs and not enough Indians! Everyone wants to run everything. Too much idealistic. 	<p>Accountability:</p> <ul style="list-style-type: none"> • Do not represent us/all fairly – equally. • Other Bands too opinionated about each other's operations. • Lack of order in meetings. • Lots of problems, no solutions. 	<p>Accountability:</p> <ul style="list-style-type: none"> • Personal agendas. • Every 1 ½ years because of the size of the RBC(s) local RBC governances becomes destabilized and (somewhat) dysfunctional due to MCT elections. • Following any code of ethics.
<p>Enrollment:</p> <ul style="list-style-type: none"> • ¼ blood requirement is dividing families and diminishing our population. • Enrollment needs to be expanded to include all tribes. If using blood quantum, then explain what it actually is - genealogically based and doesn't include "out of wedlock" children, meaning not married in the church. 	<p>Enrollment:</p> <ul style="list-style-type: none"> • Notification/communication needs to be better. Solution: info needs to go to tribes separately cause RTC's don't always convey info as they should. Webpage update? 	<p>Enrollment:</p> <ul style="list-style-type: none"> • Membership needs to be educated on the Band Constitution and Bylaws. • The only recourse the membership has with the RBC is by petition. This can work at times to solve pressing concerns but some people say we cannot govern by petition.
<p>Reform:</p> <ul style="list-style-type: none"> • Following through with constitutional reform. 	<p>Reform:</p> <ul style="list-style-type: none"> • Improve constitution. 	
<p>Elections:</p> <ul style="list-style-type: none"> • Members vote on President, etc. 		<p>Elections:</p> <ul style="list-style-type: none"> • Absentee voters can control elections.
<p>Leadership:</p> <ul style="list-style-type: none"> • Educational level of elected officials. 		
<p>Administration:</p> <ul style="list-style-type: none"> • Land use, MCT land on individual Band lands. 		

Riggs led **SESSION 5, ROUND 3: HOW DO WE STRENGTHEN THE MCT & BAND GOVERNMENTS?** She divided the participants into six small groups and asked them to individually consider solutions to the issues previously identified, then share their suggestions with group members. The following is each group's responses to *Of the issues identified in previous rounds, how might we address some of the key issues?*

- **Group 1:**
 - We talked about efficacy of addressing question.
 - The IRA constitution is outdated and it created dictatorships.
 - We need a study of Anishinaabe history.
 - Communication.
 - Go to Zaagibagaang for resources.
 - We need a preamble based on Anishinaabe values and then from there write a constitution. A participant took the time to write a preamble: "We, the Anishinaabe people, in order to reunify the numerous Bands of the Ojibwe Anishinabeg, and to preserve our sovereignty, enrich our culture, achieve and maintain a desirable measure of prosperity and the blessings of freedom, acknowledging with humility and gratitude the goodness, aid and guidance of the Creator of the Universe in permitting us to do so, do ordain and establish this Constitution for the Government of the Anishinabeg Nation."
 - The people need a language lesson: "akwiino" means "strength of people coming together"; "Maamawi" means "all together"; "maamawinno" means "everybody coming together of strength"; "nimaamawinomin" means some of us work together, put our strength together"; "gimaamawinomin" means "to put all of us together".
- **Group 2:**
 - Clearly define in the constitution the duties and responsibilities in the RBCs and TEC. For example, communication lines between the TEC and each band's membership.
 - Clarification on enforcement of duties.
 - Separation of powers.
 - A delegate system based on population at individual reservation level and the TEC level. Example: 2/3rd vote required to pass ordinances, legislation, election code, etc.
- **Group 3:**
 - Revise constitution and bylaws.
 - Define enrollment.
 - Educate band members about current constitution.
 - MCT liaison on each reservation to: a. educate people, b. get information to band members, c. posters, advertise, campaign, and d. educate through schools.
- **Group 4:**
 - MCT needs to keep inviting and transporting members to participate in the meetings.
 - Excuse tribal employees from work to attend TEC quarterly meetings and/or RBCS.
 - Promote broadcasting meetings.
 - Strengthen MCT as a whole: Need to take treaties into consideration, assert sovereignty recognized in treaties.
 - Enrollment card comes from each reservation, would like to see unified identification card (MCT).
 - Standardized code of the ethics based on Grandfather Teachings throughout the MCT down to RBCs.
 - Use posters, flyers, transportation, live broadcast, Facebook, etc.
 - MCT needs to assert treaty recognition.

- Inform and educate membership of treaty rights through school board curriculum.
- **Group 5:**
 - TEC - add voting member chosen from each reservation.
 - Band - lack of transparency; the government should be open.
 - Constituents should be able to ask questions.
 - Websites are not interactive, this is an avenue to direct communications.
 - Meetings should open in Ojibwe, even though everyone doesn't understand.
 - Education standards should apply to political candidates.
 - Offer scholarships to youth and have them work at home/incorporate them back in the community for at least two years to help in the community.
- **Group 6:**
 - Strength together; unified.
 - Accountability.
 - Unified court system to help with accountability and people will have faith that system is equal to all members.

Hiraldo presented **SESSION 6: STRENGTHENING OUR GOVERNMENT — HOW HAVE OTHER NATIVE NATIONS ADDRESSED THE PROCESS OF REVISING OR REFORMING THEIR CONSTITUTIONS?** The presentation included a brief survey of several constitutional reform process examples. She concluded with a group discussion prompting the participants to provide recommendations for the MCT constitutional reform process by utilizing the individual and small group discussion process. The responses are recorded in **TABLE 5** below.

TABLE 5. Based on what we've heard and discussed today, our recommendations for continuing the MCT constitution process are...

Group	Responses
10	<ul style="list-style-type: none"> ● Continue trying to become as one. ● Join together and form as strong first. ● To be accountable for the people and be there when called upon. ● Unite as one; fight as one. ● Help others where they need help. ● Don't be afraid to call on others when help is needed. ● Do the best that you can, you're not going to be able to satisfy everyone.
9	<ul style="list-style-type: none"> ▪ Let's finish the meetings. ▪ Nominate and approve delegates (six per band). ▪ Invite off-reservation members. ▪ Delegates would meet with members, get input, then delegates get together and start a draft of a Constitution. Finally, once we have what is considered a workable document, delegates are to present to body for a vote.
8	<ul style="list-style-type: none"> ▪ Continue the education notes. ▪ Compile notes at each meeting. ▪ Have TEC establish dates for convention. ▪ Choose or elect delegates at band level. ▪ Draft revised constitution and present to bands. ▪ Educate, educate, educate! ▪ 11,400 members to vote.

7	<ul style="list-style-type: none"> ▪ We need new eyes; unbiased group. ▪ We all know what's not working; we've been living the same way, we don't know where to start. ▪ Get more people to come in and let their voices be heard. ▪ This is for the people to decide if we move on.
6	<ul style="list-style-type: none"> ▪ Continue with the education process. ▪ People are learning things they didn't know. ▪ We should make a greater effort to be more inclusive, advertise more, get the word out so we can have more input. ▪ Eventually, we can start talking about delegates (number, from where, who's going to pay for the convention, etc.). ▪ If possible, provide transportation. ▪ Expand the participation somehow.
5	<ul style="list-style-type: none"> ▪ Attract more youth from the beginning. ▪ Why should we even care? Not everyone understands. ▪ Relevance should be in the messaging. ▪ Include membership rights - what are they? Not privileges. Don't need institutions to give us these. ▪ Then begin discussions on having delegates.
4	<ul style="list-style-type: none"> ▪ TEC starts now, decide how delegates are going to be chosen. ▪ Advertise out there. ▪ People who want and need to be a part of it are notified now.
3	<ul style="list-style-type: none"> ▪ There is no guarantee that once the process [is] figured out, that the elected figures will 'renege' on getting the convention started. ▪ I'm afraid that this effort will go by the wayside as in the past - granted, we haven't been this far before. Membership needs to push forward this process.
2	<ul style="list-style-type: none"> ▪ This upcoming election is very important. 3/5 RBC members are up for election; ½ is up for election. ▪ Let's make sure that our people get out and vote; get people in there that understand what's going on. Get everyone to the polls.
1	<ul style="list-style-type: none"> ▪ For individual MCT members in their communities to have their own meetings to discuss what we are looking for in a Constitution.

Hiraldo shared **additional resources** available to all from NNI: an online Indigenous Governance Database (nnigovernance.arizona.edu) and the Constitutions Resource Center (nniconstitutions.arizona.edu); the Indigenous Governance Program (IGP) where 3-day short courses are available for professional development; the Rebuilding Native Nations online not-for-credit courses based on the research on why some Native nations are more successful than other; and Tribal Services for customized educational and facilitated assistance. Representatives from Zaagibagaang showed two videos (one in English, the other in Ojibwe) explaining the MCT constitution. Their resources are available at <https://zaagibagaang.com>.

Chairwoman Chavers thanked everyone for attending and participating. Gary Frazer, MCT Executive Director, provided updated information for the upcoming constitution meetings.

The meeting adjourned at **3:15 PM**.

At the end of the session, NNI reminded participants to submit their completed surveys.

BOIS FORTE BAND WRITTEN SURVEY RESULTS

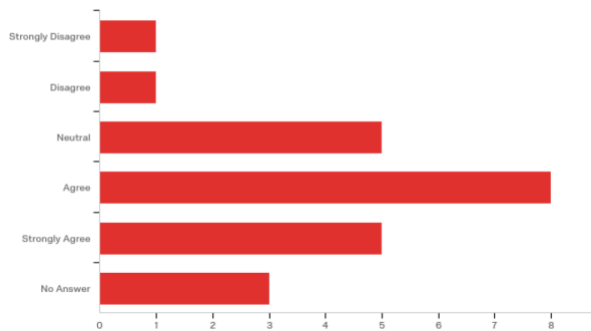
NNI received 23 responses. The following pages include those responses and a preliminary analysis.

Note about survey: On the morning of the first day MCT representatives distributed a paper copy to the participants who chose to participate during the Bois Forte Band of Chippewa Constitution Convention meeting. Participants submitted their completed surveys into a box at the end of each day. NNI collected the responses and recorded them into an online version through Qualtrics, a survey software. In order to maintain the integrity of the survey, a NNI staff member recorded the responses verbatim into the online software. Misspellings and illegible remarks are marked with [sic] and [illegible] respectfully.

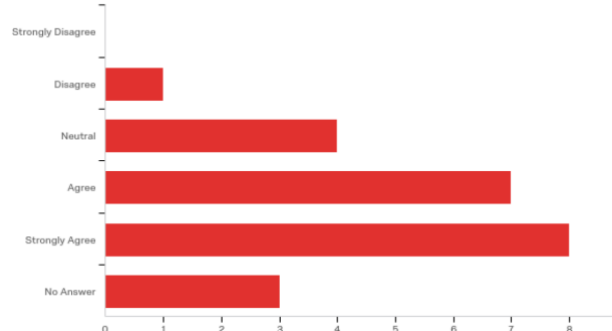
The survey was developed to assess three main categories: level of understanding, personal views, and general information. Respondents were asked to “rate each statement by circling a number between 1-5.” **1 =Strongly Disagree; 2=Disagree; 3= Neutral; 4= Agree; 5= Strongly Agree.** There were two open-ended questions that focused on recommendations for specific changes to the MCT constitution.

The first set of questions (Q1-4) related to the respondent’s level of understanding of the Minnesota Chippewa Tribe. You will notice from the following graphs that *the majority of the respondents agree that they understand the constitution; the powers of the Tribal Executive Committee (TEC) and Reservation Business Committees (RBCs); and the way MCT government operates.*

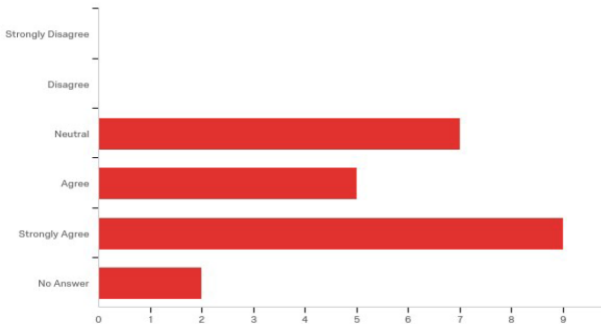
1 - I understand the Minnesota Chippewa Tribe's Constitution and Bylaws.



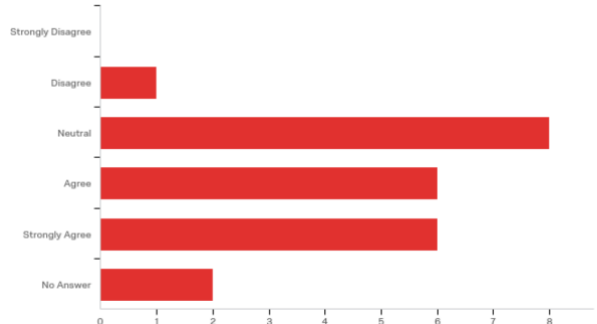
2 - I understand the powers of the Tribal Executive Committee (TEC).



3 - I understand the powers of the Reservation Business Committees (RBCs).

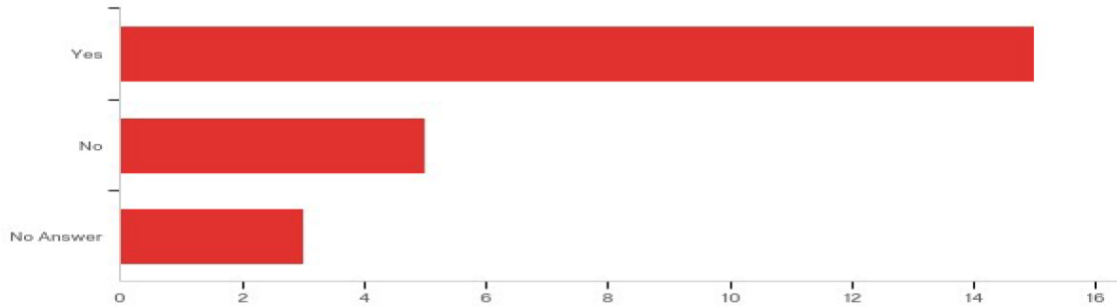


4 - I understand how the Minnesota Chippewa Tribal government operates.



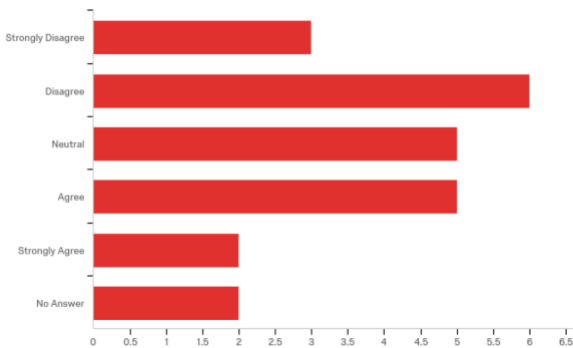
One question (Q5) was designed to inquire whether a respondent has read the MCT constitution. Of the 23 respondents 15 (65.22%) answered “yes”.

5 - I have read the Minnesota Chippewa Tribe's Constitution.

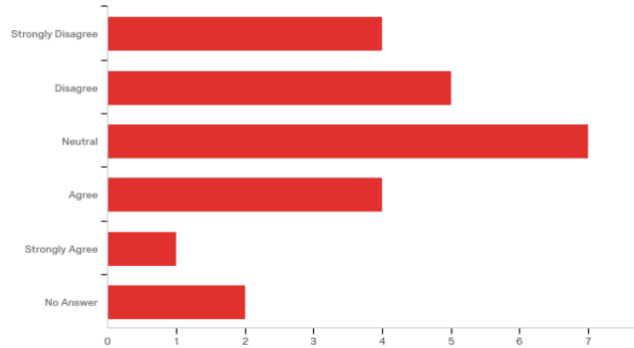


The second set of questions (Q6-10) gauge the respondents' personal views of MCT governmental functions. These questions address the perceived notions of equity, clarity, and representation within the MCT government. The graphs below illustrate that nine (9) respondents chose "strongly disagree" or "disagree" as their response for whether the MCT's election process is fair (Q6), five (5) were "neutral", and five (5) "agree". For question 7, nine (9) respondents chose "strongly disagree" or "disagree" for whether the TEC exercises power fairly and seven (7) were "neutral". Ten (10) respondents think that the qualifications to run for TEC are clear (Q8), while eight (8) "strongly agree" or "agree" that the qualifications are adequate (Q9). Respondents appear to agree that the candidate qualifications are clear; however, equity may be a concern with the execution of such powers and authorities. The respondents were divided on whether the RBCs exercise power fairly (Q9), eight (8) "strongly disagree" or "disagree", six (6) were "neutral", and six (6) "strongly agree" or "agree".

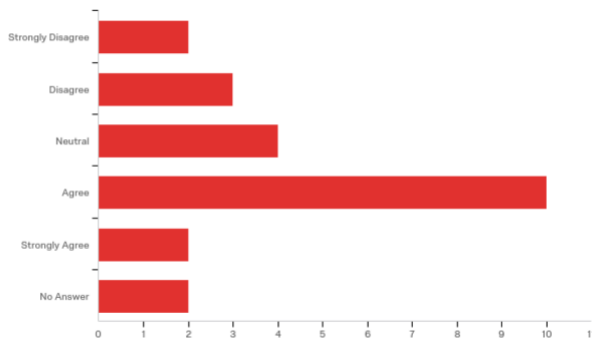
6 - The Minnesota Chippewa Tribe's election process is fair.



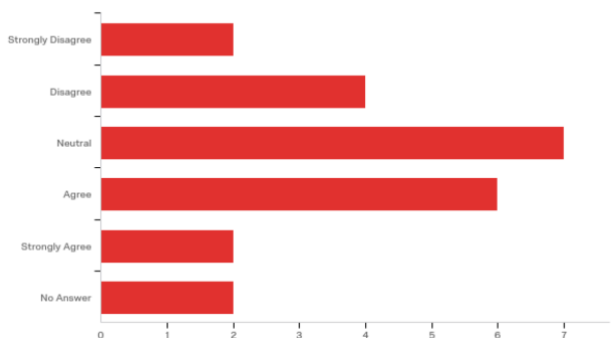
7 - The Tribal Executive Committee (TEC) exercises power fairly.



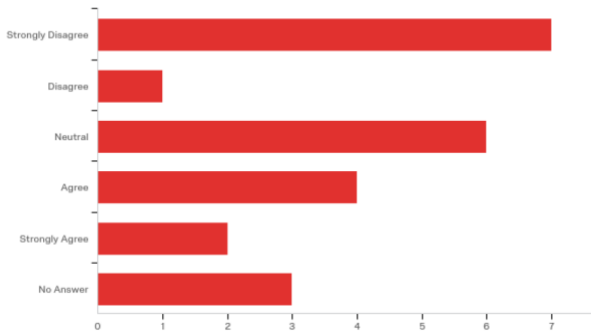
8 - The qualifications to run for the Tribal Executive Committee (TEC) are clear to me.



9 - The qualifications to run for the Tribal Executive Committee (TEC) are adequate.

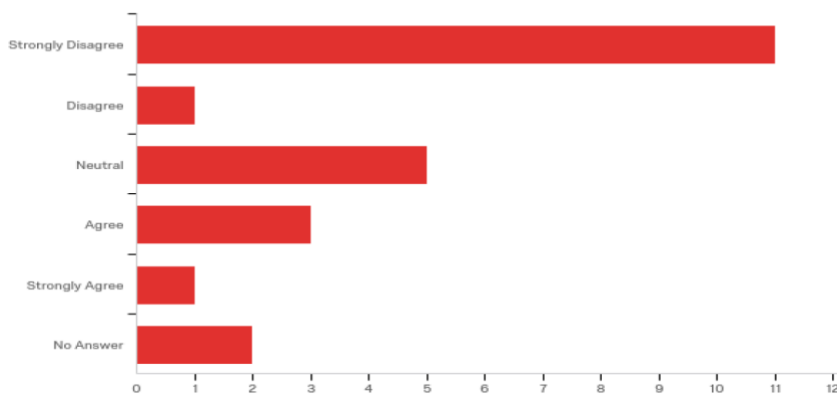


10 - The Reservation Business Committee (RBC) exercises power fairly.



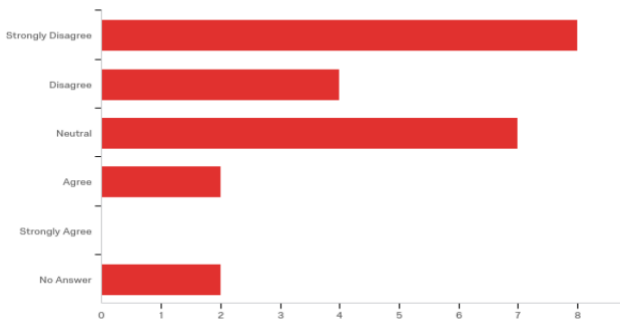
Eleven (11) respondents “strongly disagree” that the current MCT enrollment criteria reflect how they view themselves as Anishinaabe (Q11).

11 - Current enrollment requirements reflect how we view ourselves as Anishinaabe.

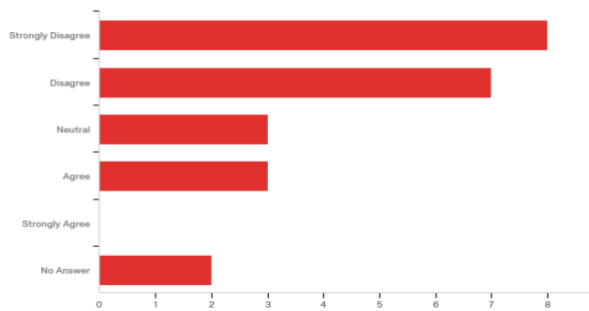


The respondents expressed the most disagreement among the questions related to representation and equity (Q12-15). Eight (8) respondents “strongly disagree” and four (4) “disagree” that the bands’ needs are equally considered (Q12), compared to zero (0) “strongly agree” responses. Eight (8) respondents “strongly disagree” and seven (7) “disagree” that major TEC decisions include band input (Q13). Six (6) and five (5) “strongly disagree” and “disagree”, respectively, that there is ample opportunity to address concerns within the MCT government (Q14), while eight (8) are “neutral”. Finally, two (2) “strongly disagree” and nine (9) respondents “disagree” with the statement that the MCT constitution serves the needs of the people (Q15).

12 - The needs of each band are equally considered.

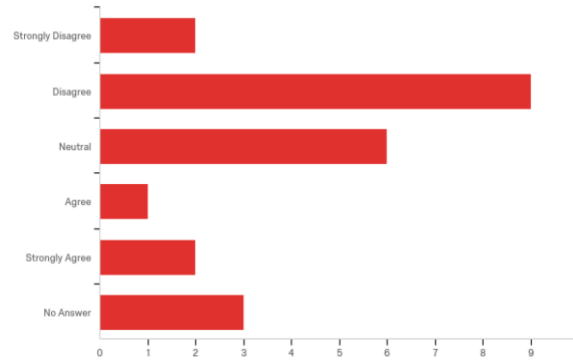
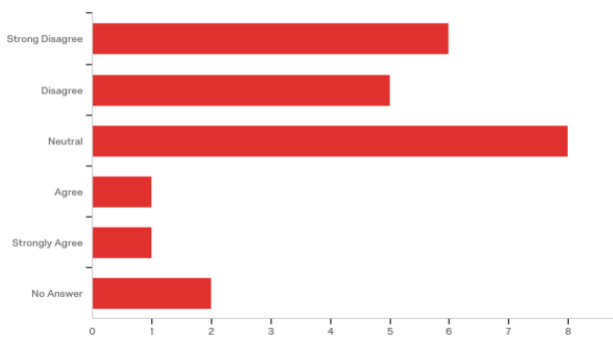


13 - Major Tribal Executive Committee (TEC) decisions include band input.



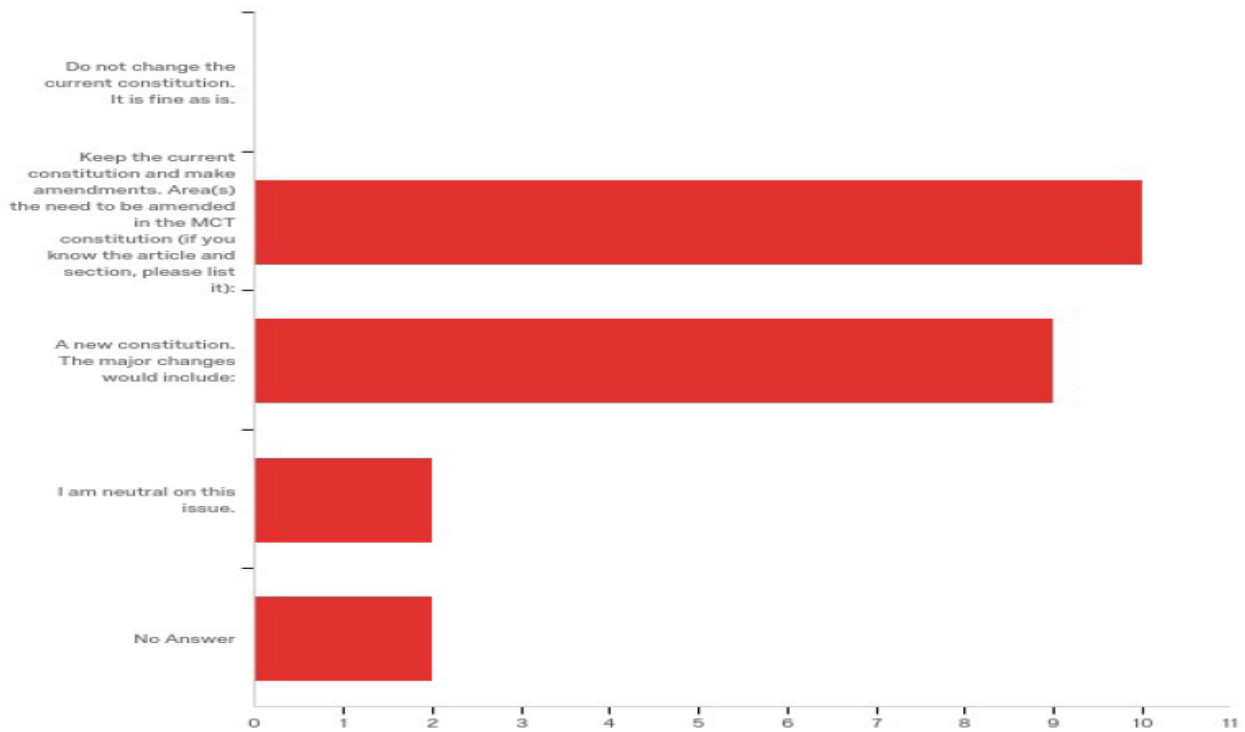
Bois Forte MCT Constitutional Convention Meeting, October 23-24, 2017

14 - There is ample opportunity to address concerns with the Minnesota Chippewa Tribal government. 15 - The Minnesota Chippewa Tribe's Constitution serves the needs of the MCT people.



The final set of questions seek community input on how to improve the MCT government (Q16). Respondents were asked to consider how much change they would like to see in the future. Ten (10) respondents answered the question suggesting that the tribe should “keep its current constitution and make amendments to address some of the concerns”, while another nine (9) responded that an entirely “new constitution should be written”. Zero (0) respondents elected to keep the constitution the way it is currently written.

16 - In looking to the future of the Minnesota Chippewa Tribal government, how much change do you think should happen?



If the respondents chose to amend the constitution or write a new one, they were prompted to write what they think needed to be amended in the existing constitution or any major changes that needed to be included in a new constitution. Comments regarding each of these are listed below.

a. Amend Existing Constitution

Out of the respondents who suggested amending the existing constitution:

- Six (6) out of the ten (10) responses included enrollment as an amendment within the existing constitution.
 - “Enrollments - Lineal descent”
 - “Enrollment requirements - open the enrollment for descendants born between 1962 +1981 regardless of BQ. It is not opening the flood gates but does compensate for lower enrollment numbers as more and more of our elders pass on.” (2 times)
 - “Enrollment”
 - “Enrollments, define: sections i.e. removal, accountability residency,”
 - “Enrollment, more culture.”
- One (1) response addressed the election ordinance.
 - “The election ordinance is a little loose regarding removal of an elected official. The threshold for a removal petition (number of voting members required) is very low and can lead to factionalism and divisiveness.”
- Another response included utilizing the amendment process under Article XII.
 - “Utilize amendment process Article XII. Authorize clauses must be adhered to as it exists! Additional powers have to be delegated by people. Enforcement mechanism.”
- Other responses included:
 - “Clarify some aspects.”

b. Write a New Constitution

Out of the respondents who suggested to write a new constitution:

- Seven (7) of the nine (9) respondents suggested specifics to writing a new constitution.
 - “We will scrap the MNCT constitution, then we will decide upon a framework to form a new constitution, we will write a new constitution based upon our traditional political culture, Anishnaabe values and historical knowledge.”
 - “Redoing it!!”
 - “Change”
 - “Everything”
- Three (3) out of seven (7) responses are related to enrollment.
 - “Enrollment, Government duties spelled out clearly.”
 - “Enrollment to lineage.”
 - “Enrollment - All Chippewa included (Red Lake, Canadian), Term Limits, Clear Language, Code of Ethics + accountability, more referendums on major issues, disputes settled by their [own]. Blood Quantum to include Red Lake and + Canadian Ojibwe, see above.”

c. Other Suggestions

Seven (7) respondents offered more suggestions to strengthen the MCT constitution. Responses included:

- “If an old problem from the past has been solved, let the wound heal, leave it alone!”
- “4 branches of government, governing by consensus, caring for the community and natural resources.”
- “Either way would work - there is a process to amend, so why not? A new one would do the same.”
- “Restructuring the Chippewa Tribe role and take into account the local levels.”
- “Enrollments.”
- “More values.”
- “People involvement by informed consent!”

General Information

The demographics of the audience may help understand who attends the MCT Constitutional Convention sessions and how they may assist in future endeavors. In addition, it allows the elected leaders to discuss a strategy to engage members who are not attending the sessions. The majority of the respondents were female (60.87%). The respondents' ages ranged from 30-70; 68.18% are employed; and 58.33% are enrolled MCT citizens.

Additional comments included:

- "We need to get this process of writing the new constitution started, time is running short and we are more than capable of writing a new constitution. This is the fourth meeting and I cannot believe we have not started the actual writing. If you sit around without any actual reordering + synthesizing various ideas."
- "[Question 16] Redo it with membership included!!"
- "Would like to see more cultural values/traditions enumerated in the Constitution."
- "TERM LIMITS."
- "Include membership of other 'Affected Indians'; [Question 15] if followed; [Question 23] Hostile, hasn't been forced on to Reservation."
- "Sovereign vs. Quasi-Sovereign membership oriented/Anishinaabe-Ojibwe"

The complete survey is located in **Appendix B**.

Appendix A

Appendix B