

**MCT CONSTITUTION CONVENTION**  
**DECEMBER 18, 2020**  
**9:00 AM TO 4:00 PM**  
**Draft Minutes**

Grand Portage hosted the meeting via Zoom and took the official minutes.

Attendees: Carrie D Aspinwall (Zoom host) [carriedaspinwall@gmail.com](mailto:carriedaspinwall@gmail.com)  
Char Ellis WE, Jason Goward FDL, Michele Hakala-Beeksma GP, Maggie Blackhawk,  
Sandra Borden GP, Tacey Dagen, Sharon Day, Mattie Harper DeCarlo, Muriel Deegan, BF, Ricky Defoe, Wayne Dupuis FDL, Cheryl Edwards FDL, Sally Fineday LL, Sybil Gund, Elizabeth Jaakola, Douglas Lee, Marcie McEntire GP, Al Olson, Ellen Olson GP, Birdie Roberts, Rose Robinson, Connie Saaristo, Perry Skinaway MLB, Steve Thomas FDL, Renee Van Nett, Ariell Wagner BF, Jason Decker, Wally Sobacken, Joy Annette

Carrie: Meetings are open to all; there were 47 at our last meeting. We need to be transparent. There is no separate link for band members. Fond Du Lac has a very nice web page.

9:07 Invocation- Michele Beeksma

Jason Decker- Facilitation committee members are going to pass the baton each month.  
Michele Hakala- Beeksma-Grand Portage was facilitator for this month.

9:10 Sally did Recap: Voted/Approved since beginning; Voting rules and Process for moving ahead

Sally: Document (minutes)of meeting Feb 21 (at Black Bear Casino) review: Update of the MN Chippewa Tribe Constitution Reform Convention request  
From December 13, 2019 meeting Voting rules (April Convention) Progress update? Consensus (Every table had a vote. Decided on a perpetual education agenda item. LL- a circular process to move forward (setting ground rules and prioritize focus issues, brainstorm, take back to the community, take community input back to meeting). Voting process: by Band first, then if no consensus then 3 minutes for 'no's to talk, vote again by Band, if no consensus then number off for discussion groups, vote again by Band-majority vote.

9:30 New Business (moved up on the agenda

TEC Quarterly Meeting report at January 28 & 29, 2021 TEC Meeting

Need 2 members per band (one is an alternate)

Committee members for Survey, Finance, Education, Drafting are found on  
[FDL Constitution.org](http://FDLConstitution.org)

Carrie volunteered to do a summary of the year and Cheryl Edwards will help to present to the TEC in January.

Grand Portage will probably select two new reps to the TEC-All band should review committee members and email Cheryl Edwards with updates names/emails.

9:45 Education – Sovereignty assignment Birdie Roberts. Theme Understand where we come from to know where we are going (a series). Topics: (1) 5 questions on sovereignty for every delegation to get a consensus was sent Nov. 20th. Drafting committee will create a document and work towards a consensus from combining the answers. All delegations will use the consensus to communicate to their bands. (2) history time line (Liz); (3) What is the MCT organization; e.g., its purpose. Who are we? Michele Beeksma brought up the need for a glossary.

Jason Decker: The bigger goal is the structure of the new constitution. How does the education topics move us toward that goal? Education committee- it gets everyone thinking and on common ground.

10:00 Breakout session-by Band Topic: Sovereignty.

GP- Donovan Dahmen- (1) Sovereignty is limited; (2) want greater protection. Likes GP's two topics. Need to share with the community.

10:30 Break

10:50 Report out of Breakout sessions

BF: Sovereignty rights of our own people and our own laws, ethics, 7 Grandfather teachings, taking only what we need, Sharon Day – Sovereignty begins in our origin story. Mattie- is tied up with legal issues (land and nature).

FDL Elizabeth Jaakola (1) Dejure sovereignty refers to the legal right to do so. (2) De facto sovereignty refers to the factual ability to doing so. Tribal sovereignty is the right of tribes, as “domestic dependent nations,” to exercise self-determination... Tribes have the authority to, among other things, assert jurisdiction... tax its members. (3) political group rather than just an ethnic group (4) consult tribal government.

Make some treaties with each other to demonstrate our sovereignty. PowerPoint link:

[https://1drv.ms/p/s!AgTTN718Aow0IDA\\_cvgb5srksBXM?e=exp1HY](https://1drv.ms/p/s!AgTTN718Aow0IDA_cvgb5srksBXM?e=exp1HY)

GP – Marcie : Sovereignty means autonomy; how we can work as a cooperative group. GP always have had a lot of laws so that we can help each other. Throughout history we have had powerful alliance with others. (Violence is not traditional.) Right to govern within our cultural values, living beings need to be protected, stewardship is our responsibility, need to be free of harmful laws, need to promote diversity/ethnicity.

LL Sally Fineday- it is not given: it is a right not given. It starts with a person. Based on natural rights.

MLB Birdie Roberts- read a 2-page narrative which answered the 5 questions regarding sovereignty. Bimaadiziiwin (we seek the good life)

### **”What is Sovereignty?**

Since the beginning of time, we have always existed as sovereign nations. Our sovereignty pre-dates the United States Constitution. It is the most essential and fundamental expression of our status as individual nations.

It is the inherent right and the power to govern ourselves; it also allows us to participate in other government to government settings.

It is having the freedom without any interference or controlling influence from outside sources or other external bodies dictating our values, what we should believe in, and how we move forward in our lives.

### **Why is it important to you?**

Sovereignty is important because our freedom to make our own choices is important.

It is the legal acknowledgment of our existence and our status in this country in perpetuity. Our ancestors faced incredible obstacles and endured unspeakable trauma to preserve our way of life, culture, and traditions. They endured many losses, but they understood from the beginning, the one thing that needed to be protected, for us to continue to exist for future generations. They were right, and we are still fighting to protect and preserve our sovereignty to this day.

As one example from our current constitution, an essential attribute of sovereignty is the tribes' right to determine their membership. Tribal members regard this membership as a core aspect of their identity equal to their cultural, psychological, and economic values. These core values of the membership are not to be taken lightly, and we need to continually improve how we balance the rights of the individual with the community's rights at large.

### **Why is it important to your band/tribe?**

The power and strength that the tribe holds through sovereignty are essential for the well-being and protection of the tribe. This power must come with accountability and the ability to bring us together and move us all in a forward direction. Without a clear, unified definition of sovereignty in mind—without a destination and a map to get there—we will struggle in our efforts to become a healthier and more resilient people.

Because of our sovereignty status, we have the legal right to establish our form of government. Our governments have the freedom to self-manage our affairs to benefit everyone in a unified effort.

We design our governments to accept and assume the responsibility to oversee our affairs, uphold our laws, maintain records, and provide a venue for justice and other support needed as identified by the people. We design them to ensure we, as a member of the tribe, have a direct hand in establishing our laws, justice, fairness, and ethics that genuinely support our specific needs and expectations. We utilize these government systems to assist us with effectively leading us into greater states of freedom.

Sovereignty is one tool we have that allows tribal leadership to honor and perpetuate the traditional ways of life for the tribes. This self-determination exists down to a tribe's members' ability to maintain a respectful awareness of their cultural heritage, utilize tribal languages and customs, and govern and be governed in their people's traditional manner as they choose. Without this longstanding sovereignty, Native American tribes would no longer be able to protect their cultural identities. They would be a minority within the vast collection of the American peoples, subject to the laws, morals, and cultural influences that drive most of the population.

As we move forward within this self-determination era, we must be diligent and continue to assert our sovereignty rights to protect and preserve it.

### **What does it mean for future generations?**

Our sovereignty rights are continually under attack in many areas such as land claims, citizenship, and environmental issues. To ensure our continued success in protecting our freedoms, it is vital we continue to establish external partnerships and relationships with others who have the same goals in mind. Just as our ancestors fought to protect our sovereignty rights, it is now our charge to continue to protect and preserve these rights for future generations; our children and grandchildren. We have to continue to acknowledge, define, educate, protect and preserve it, so the generations after us have a strong foundation to build upon with the same goal in mind; to protect, preserve our beliefs, culture, and traditions—Bimaadiziwin (We Seek and Honor the Good Life).

### **Why is it important or not important?**

Tribes must continue to be diligent in creating law that will further solidify our sovereignty rights for our future. Our sovereignty is essential to continue to preserve our way of life, culture, and traditions without interference. Without it, the United States' indigenous population would merely be a cultural group with no other status or protection. The various states and the federal government would have no obligation to recognize the needs or wants of the tribal nations. Without sovereignty, a tribe has no more claim to a heritage site or a cultural practice than a sports team, an organization of like-minded individuals, or a neighborhood community. Tribal identity — both at the individual and tribal levels — would diminish, and an indigenous population would vanish. As we garner more self-reliance and self-determination, we must retain our core identities. The preservation of these identities is critical for tribes to maintain their own beliefs and values from a community standpoint and in the broader national context.”

WE – Char Ellis-next meeting will report

Ricky Defoe: Papal Bulls (document of discovery), etc: we should ask that they rescind them.

There is an opportunity with the proposed Secretary DOI, Haaland (Navaho).

Mattie DeCarlo- There is a difference between legal and cultural.

Wayne- make a declaration, Wally - a proclamation

Declaration of Sovereignty; treaties with other nations, own coinage, value Trust lands ourselves, money back up by bank.

Sharon Day- We are a sovereign people, even if it hasn't been fully recognized in the past. We need to recognize it more.

Marcie Macintyre- There has been recognition of Native peoples as humans with rights by Christians since the 1500's. Priests and laypeople have advocated for Native people all along. We need to remind government that we are sovereign-not wait for them to give it to us.

Drafting committee will turn each bands submission into a consolidated document that will become part of the Preamble/glossary.

Guiding themes: Natural Law, purpose, responsibility, individual sovereignty, impacts on world around us, giving power through working together.

11:48 Lunch break

1:00 Old Business

Drafting Committee

**Preamble:** Jason went over the December 4, 2020 meeting. Some of submissions require more work; for example, structure, enrollment. All submission mentioned we are Anishinaabeg, natural resources, common wealth fare, exercise all sovereign rights. Mille Lacs stated that their statement was not included. The Preamble is an Introduction, Who we are, what we are setting out to do. Perhaps our history should be a companion document (by links). When should the Preamble be written? After the body, as an Executive Summary. It will be an ongoing process to update as we go along. We must define terms. Our future generations may not know what our understanding of certain terms is today.

**Article 12/ Secretary of Interior:** Take out the Secretary of Interior from Article 12. Missed the General Election and therefore, lost its priority. It can wait. Need definition of a “qualified/entitled voter,” Kurt Tell (?) was going to research it. TEC recognizes anyone 18 years old or above. Note: to amend the Constitution 30% must approve. At one time that was measured by who voted in the last election or “those eligible” or “those registered.” Must register by at least 30 days before the election. Discussion on difference between Tribal election rules and Secretarial election rules.

Sandra Borden- consider if we want to change the definition of eligible in the Constitution (make it easier, the same, or make it harder).

We need to get the Secretary of Interior out of the Constitution so that it is easier to amend the Constitution.

Cheryl: We need a definition on eligibility in writing from the TEC on who may vote and the required number of votes.

### **Two-year term limit for Committee members**

No one remembers who recommended this topic.

Wayne Dupuis FDL has been concerned about enrollment for over 40 years. FDL has dis-enrolled people.

Rose Robinson LL is concerned about reports about people who are being dis-enrolled. LL has dis-enrolled people.

2:00 Committee Reports

Drafting Committee’s comments are under Old Business.

Committee updates:

Facilitation Committee (per Michele Beeksma) has been meeting regularly and wants each band take a turn at facilitation. Want input on New Business. Would like TEC to host the Zoom session, but did not work out for this meeting. TEC could only host for half a day. Is Invocation and Notes taking part of the duties when the band is doing facilitating for a Zoom meeting.

Finance Committee (Cheryl Edwards) no news. Need a meeting with TEC for an accounting of funds received and still needed. Discussion on getting status as a non-profit.

Survey Committee (Steve Thomas)- awaiting word if funding is available for the survey. Wayne Dupuis stated we need to get product(s) first. Could we become a nonprofit through the TEC (fiscal agent)? Next, we need to set up a Zoom meeting. Rose wants to be on the committee.

Education Committee (Elizabeth Jaakola)- Between now and next meeting come up with a timeline of history of your band up to the IRA. Highlight things specific to band (pre treaty, treaty, up to IRA). How did you become an IRA governed band?

2:30 Break

2:45 Reconvened. Next meeting January 15 9am to 4pm CST. Carrie is willing to host the Zoom.

Steve Thomas is concerned with Treaty constraints. Does the Constitution violate any Treaty? 1847 Treaty: half blood and mixed blood should be considered Chippewa.

Update on 1855 Treaty-next meeting Jan. 22 Shooting Star

Want to get 1855 Treaty into court.

Douglas Lee WE- delegation met last night regarding Line 3 and wants to know if the Committee wants to write a letter regarding Line 3. Wild Rice beds need to be protected. Not sure how long it would take to put a pipeline under the river. Consider bring it back to your band and discuss.

Jason- the Line 3 issue will be a learning opportunity. How will a new constitution have impacted Line 3 (giving a voice to those

Time 3:15 Adjourned