

Aamjiwnaang Inaakonigewin Dawaabmang'waa Niigaanzijig

Aamjiwnaang Election Law

vs.

Indian Act

What's Changed & What It Means for Community Members



The Seven Grandfather Teachings

This law is grounded in values passed down for generations.

1

Zaagidiwin

Love

2

Debwewin

Truth

3

Mnaadendmowin

Respect

4

Nbwaakaawin

Wisdom

5

Dbaadendiziwin

Humility

6

Gwekwaadziwin

Honesty

7

Aakedhewin

Bravery

MINO-BIMAADIZIWI: *These teachings guide us toward living the good life, and every candidate and leader swears to uphold them.*

Why Are We Comparing These Two Election Systems?

FOUR REASONS THIS CONVERSATION MATTERS FOR OUR COMMUNITY

1

To explain how Aamjiwnaang elections now work under our Custom Election Law.

2

To show what changed from the Indian Act.

3

To help community members understand nominations, voting, appeals, and other key changes.

4

To highlight how this law supports self-government.

Understanding Our Election Framework

THE OLD FRAMEWORK

Indian Act

AUTHORITY

Rules created by the federal government & Indigenous Services Canada.

FRAMEWORK

The same framework used by many First Nations.

OVERSIGHT

Appeals and oversight tied to federal processes.

vs

THE NEW FRAMEWORK

Aamjiwnaang Custom Law

AUTHORITY

Created by the Aamjiwnaang community.

FRAMEWORK

Rooted in inherent rights and community values.

OVERSIGHT

Local nominations, elections, and appeals.

KEY CHANGE: *The authority for choosing Aamjiwnaang leaders rests with Aamjiwnaang; ratified by community vote and accepted by Ministerial Order.*

Leadership Structure & Term Length

THE OLD FRAMEWORK

Indian Act

COUNCIL SIZE

1 Chief + Councillors, size based on a federal population formula.

TERM

Fixed term set by federal law (usually 2-year terms).

FLEXIBILITY

Limited flexibility.

vs

THE NEW FRAMEWORK

Aamjiwnaang Custom Law

COUNCIL SIZE

1 Chief + 9 Councillors (quorum of 5).

TERM

Transition term: 2 years, 5 months – elections on October 16, 2026.

Future terms: 3-year term; elections on the 2nd Friday of July.

FLEXIBILITY

Council meets on the 1st & 3rd Mondays; emergency extension of term capped at 60 days.

KEY CHANGE: Longer, more stable leadership terms decided by Aamjiwnaang.

Who Can Run: Candidate Eligibility

THE OLD FRAMEWORK

Indian Act

STANDARD

Basic eligibility (18+, no membership required).

REQUIREMENTS

Fewer candidate requirements.

vs

THE NEW FRAMEWORK

Aamjiwnaang Custom Law

STANDARD

Clear qualifications set by the community.

REQUIREMENTS

Must meet education & ethics standards.

UNDER CUSTOM LAW, CANDIDATES MUST

1

Be at least 18 years of age

2

Be an Aamjiwnaang member

3

Be a secondary school graduate (or equivalent)

4

Provide a Criminal Reference Check

5

Sign the Candidate Code of Ethics

KEY CHANGE: Stronger standards for leadership and accountability.

Nomination Process: A Big Change

THE OLD FRAMEWORK

Indian Act

- Nominations mainly in person.
- Less detailed process.
- Fewer safeguards.

vs

THE NEW FRAMEWORK

Aamjiwnaang Custom Law

- In-person and mail-in nominations.
- Clear timelines and forms.
- Transparent posting of nominees.

CUSTOM LAW HIGHLIGHTS

1

Nomination meeting
at least 42 days
before the election

2

Open for a
minimum of 7
hours

3

30-day mailed
notice; off-reserve
can nominate by mail

4

Nominees must
formally accept &
sign documents

5

If positions are
uncontested =
acclamation

DEFINITION

Acclamation

When a candidate is
declared elected without
a vote because no one
else ran for that seat.

KEY CHANGE: *A more accessible, clearer, and fairer nomination process.*

Voting & Election Process

THE OLD FRAMEWORK

Indian Act

- In-person voting; mail-in limited.
- Less detail in procedures.
- Less community oversight.

VS

THE NEW FRAMEWORK

Aamjiwnaang Custom Law

- In-person, advance polls, and mail-in ballots.
- Secret ballot in a private compartment.
- Candidate Agents observe the polls.

CUSTOM LAW PROTECTIONS

- ✓ Secret ballot guaranteed.
- ✓ Polling hours fixed at 9 a.m. – 8 p.m.
- ✓ Electoral Officer assists Electors who need help.
- ✓ No proxy voting; Electors vote themselves.
- ✓ Ties resolved by the Electoral Officer drawing names.

DEFINITIONS

Advance Poll: A poll held before Election Day for Electors unable to attend (9 a.m.–4 p.m.).

Proxy Vote: Voting through another on an Elector's behalf. *This is prohibited.*

Tie Vote: Same vote count for the last open seat; Electoral Officer chooses a name through a transparent draw.

Candidate Agent: Appointed by a candidate to observe the Poll; up to 2, each with a signed letter of authorization.

KEY CHANGE: More voting options and stronger protections for voters.

Mail-In Ballots (Expanded Access)

THE OLD FRAMEWORK

Indian Act

- Limited detail on mail-in procedures.
- Less tracking of ballots.

vs

THE NEW FRAMEWORK

Aamjiwnaang Custom Law

- **Clear step-by-step process.**
- **Ballots tracked on voters list.**

CUSTOM LAW INCLUDES

- ✓ Automatic mail-in ballots for off-reserve members.
- ✓ Witnessed voter declaration.
- ✓ Clear deadlines for return.
- ✓ Secure handling and verification.

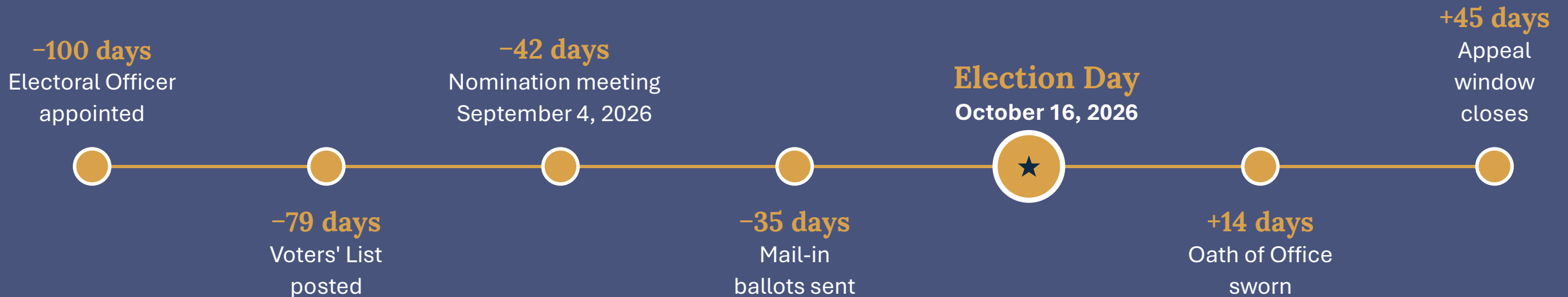
DEFINITION

Mail-In Ballot

Mailed to members who can't vote in person. Request one up to 10 days before Election Day. **Keep your address current with the Registrar by calling the Band Office.**

KEY CHANGE: *Improved access for off-reserve and mobility-limited voters.*

The Election Timeline



WHAT'S NEW: *A predictable schedule, published in advance. All ballots and election materials are retained for 45 days for review.*

Election Appeals: A Major Change

THE OLD FRAMEWORK

Indian Act

- Appeals go to federal processes.
- Limited cultural context.
- Less transparency.

vs

THE NEW FRAMEWORK

Aamjiwnaang Custom Law

- Community-based Appeal Board.
- Elders, youth, members, and mediator.
- Clear grounds, timelines, and decisions.

APPEALS BOARD STRUCTURE

7 Members, from a Trained Pool of 10

- 2 Elders
- 2 Youth
- 2 Community Members
- 1 Independent (Non-member) Professional Mediator

GROUNDS FOR APPEAL

When You Can Appeal

- Candidate not qualified.
- Election rule violations.
- Corrupt or fraudulent practices.

Submit a sworn written appeal within 45 days of Election Day.

KEY CHANGE: *Appeals are decided here, by Aamjiwnaang itself.*

Accountability & Removal from Office

THE OLD FRAMEWORK

Indian Act

- Limited removal options.
- Less community involvement.

vs

THE NEW FRAMEWORK

Aamjiwnaang Custom Law

- Clear removal and ethics process.
- Community petitions allowed.

REMOVAL GROUNDS

Custom Law Allows Removal for:

Ethics violations

Criminal convictions

Abuse of office

Serious misconduct

*Also covers missing 3 consecutive meetings unexcused,
vote-buying, and forging Council documents.*

COMMUNITY POWER

50% + 1

Electors needed to petition removal

*Appeal Board has final say, with up to a
10-year bar from running again.*

KEY CHANGE: Stronger accountability for elected leaders.

Filling Vacancies & Continuity

A seat may open from resignation, removal, long illness, or loss of eligibility; the custom law has the next step ready.

FIRST OPTION

The Alternatives List

The top 3 runners-up from the last election are kept on a standby list. If a seat opens, the next highest-voted candidate is offered the position.

- No costly by-election needed.
- Honours the community's most recent vote.

BACKUP TRIGGER

When a By-Election Happens

A by-election is triggered only if:

- Council drops to 6 or fewer Councillors.
- The Alternatives List is exhausted.
- Skipped if less than 3 months are left in the term (unless quorum is at risk).

WHY IT MATTERS: Council stays full and functional, and the community's votes carry forward between elections.

Removed from **the Indian Act**

"Aamjiwnaang now proclaims to be removed from the Indian Act election provisions."

— AAMJIWNAANG INAAKONIGEWIN, ARTICLE 16

INHERENT RIGHT

Self-governance from
G'Zhemanidoo

RECOGNIZED IN LAW

Constitution Act, Sections
25 & 35

RATIFIED BY US

Approved by Aamjiwnaang
vote

A LIVING LAW

Reviewed at the start of every new term — electors get 14 days to comment on any amendment.

Aamjiwnaang elections are now run by Aamjiwnaang, for Aamjiwnaang.

What These Changes Mean for Community Members

1

More local control

2

Clearer rules everyone
can understand

3

Fairer nominations and
elections

4

Better access for off-
reserve members

5

Stronger accountability
and appeal process

6

Leadership grounded in
Anishinaabe values

IN OTHER WORDS

This law puts Aamjiwnaang values, voices, and authority at the center of leadership selection.

Common Questions

Q. Who actually runs the election?

A. A neutral, certified Electoral Officer is appointed by Council Resolution at least 100 days ahead. They must have no stake in the result and swear an oath to act fairly.

Q. Can a relative sit on the Appeal Board for someone's case?

A. No. Any Board member who is immediate family of an appellant or candidate, or who has any bias or conflict, must step aside before the case is heard.

Q. What if my mail-in ballot doesn't arrive?

A. You can request a replacement up to 10 days before Election Day. If you've already received yours but lost it, you can swear a written declaration and vote in person.

Have more questions? We'd love to hear them next.

OPEN DISCUSSION

Questions & Answers



Miigwetch ~ Thank you for being part of this work.