

STRENGTH  
PEACE  
UNITY

# Mohawk Council of Kahnawake

P.O. Box 720  
Kahnawake Mohawk Territory J0L 1B0  
OFFICE OF THE COUNCIL OF CHIEFS



Tel.: (450)632-7500  
Fax: (450)638-5958  
Website: [www.kahnawake.com](http://www.kahnawake.com)

Dear Editor,

There is no choice but to respond to Marni Soupcoff's November 6<sup>th</sup> editorial (The Kahnawake Mohawk council vs. basic human rights).

While the hands of the Mohawk Council of Kahnawà:ke are somewhat tied because of the lawsuit brought forth by Ms. Horn-Miller and six other people (three of whom are non-Native), it is incumbent that clarity be brought to the people of Canada who are so quick to judge our people for creating a law that they may not agree with and clearly do not understand.

First, the crux of the issue is not the *Kahnawà:ke Membership Law* but, rather, the question of eligibility to reside on the Territory.

This law has been created, sanctioned and supported by the people of Kahnawà:ke, with roots going back hundreds of years. The current law was created after the longest and largest public consultation in the community's history. It was NOT led by the MCK and lasted over five years. More recently, we have just completed a series of eighteen meetings where people were free to suggest amendments to the law. There was no suggestion to amend the residency requirements. And please note that we practice direct democracy: the people have the power to propose, create and amend the laws.

The editorialist was incorrect in assuming that the law was created by 'the band council.' If this was true, it would be the ultimate irony: the band council system was actually forced upon our ancestors by the Canadian government by virtue of ***the Indian Act – which every Native person but precious few Canadians know was expressly designed to assimilate Canada's indigenous population.*** Look it up – this is happening in 2014. We should not be surprised at these incorrect assumptions when the Minister of Aboriginal Affairs himself, Bernard Valcourt, issued a statement earlier this week accusing the Mohawk Council of Kahnawà:ke of seeking "to evict over 200 members and non-members from their territory based on race." I defy anyone to produce such a document or quote. To be clear: the MCK is not in the forefront of 'evicting members.' The current situation is a grass-roots movement that has sprouted because of the frustration of seeing increasing numbers of people defying the law. The MCK has not released any estimates of numbers of people who could be affected and has most certainly **NOT** seeking to evict anyone at this time. He has yet to respond to our demand for a correction.

Internally, a significant portion of the population doesn't participate in Council elections because they continue to support our original governance processes. And yet, even with internal divisions, the vast majority of people in this community are united in their support of the principles of the law. Why? It's simple, really: Kahnawà:ke now consists of only 11,873 acres of land across the river from Montreal. The original Kahnawà:ke lands that were set aside for our 'enjoyment and use' saw more than half borrowed or outright stolen. Despite our protests, little or no help was forthcoming by government officials. To that, add the fact that two major highways, the Mercier Bridge and a railroad were built right through the middle of our community, while our access to the river was ripped away with the building of the St. Lawrence Seaway. A significant number of parents, grandparents and great-grandparents were victims

of the Residential Schools system. And last, but not least, the Canadian government itself – via its tool of assimilation, the *Indian Act* - created a situation where non-Native women who married Native men were bestowed with full Native rights, while Native women who ‘married out’ were forced to leave. The 1981 Moratorium and subsequent Membership Laws of 1984 and 2003 actually brought equality to an already disastrous situation – both men and women who ‘married out’ were now required to live off the Territory.

There are many cultures who either don’t allow ‘mixed marriages’ or, at the very least, make it very difficult to gain entrance into those communities. But when the Mohawks stand up for the right to protect our identity we are labelled as engaging in racist policies. Additionally, and to be perfectly clear: our people can marry or live with anyone they so choose. But non-Native partners can’t live here. It is noteworthy that no reporters or commentators ever ask about the great number of people who have respected and abided by the laws since 1981. Many of them continue to live in the nearby communities. They continue to work in the community and participate in many activities. Some visit their families every day. But, at the end of the day, they reside outside of Kahnawà:ke. These people and their spouses and children are respected and accepted because they have respected our laws. The problems arise when some people feel that the laws shouldn’t apply to them.

While I disagree with much of the sentiment of the editorial, I am downright outraged at the writer’s final comment: “For the sake of the entire country’s sense of justice, let’s hope the courts say it does (not tolerate legal discrimination based on race).” We’ve seen what Canada’s vision of justice has often meant for us. For hundreds of years we have abided by the Two Row Wampum Treaty which says, basically, that we will travel our common waters in our own separate canoes. We can travel side by side but we will steer our canoe and you will steer yours. We don’t interfere in your legislative processes and we expect Canada to behave in the same manner. We share our great land with you but we have always considered ourselves members of the Mohawk Nation first. This doesn’t mean we dislike or disrespect Canada and its people. In fact, our ancestors in Kahnawà:ke played a pivotal role in keeping the Americans from overrunning the country and keeping pre-Canada intact in the War of 1812. A great many native people fought and died for this country’s freedom – a visit to the Kahnawà:ke cenotaph proudly displays the names of the men who fought and died in World Wars I and II, and the Korean War. We fought for Canada’s freedom. Canadian’s should respect our freedom.

Further, should the courts decide against us, we would view the justice system as supporting Canada’s long-standing attempt at the institutionalized assimilation of our people.

In closing, I would strongly encourage Ms. Soupcoff and any other journalists and commentators to actually visit the community to gain a true sense of what we stand for. And it is NOT hatred and intolerance. We are obliged to maintain our culture, our language and the way of life we choose to live. We stand for the right to survive on what little land we have left. So, to recap, first you herded us onto these tiny reservations and, next, you’re going to force us to allow non-Native spouses to live on what little we have left against our collective will. I don’t think so. There is nowhere left for us to go.

In Peace and Friendship,

Grand Chief Michael Ahríhron Delisle Jr  
Mohawk Council of Kahnawà:ke