

STRENGTH  
PEACE  
UNITY

# Mohawk Council of Kahnawake

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4 Seskehkó:wa/September 2014

## **OPEN LETTER TO THE COMMUNITY:**

Wa'tkwanonhwera:ton (Greetings),

As you are aware, several community meetings have been held on the issue of non-Indigenous individuals residing within the Mohawk Territory of Kahnawà:ke ("Territory"). These meetings were grass roots initiatives held independent of the Mohawk Council of Kahnawà:ke. Chief & Council itself continues to meet on a regular basis to formulate an engagement strategy on the issue of non-Indigenous individuals residing within the Territory. The engagement strategy will be presented and discussed at the next Community Meeting scheduled for September 16, 2014. We invite all Kanien'kehá:ka of Kahnawà:ke to attend this meeting and provide any feedback that you may have.

As you are aware, the *Kahnawà:ke Membership Law* ("Law") has legal authority within the Territory and was the result of a lengthy period of discussion and consultation within our community. Moreover, many individuals have acquired membership through its provisions since the Law came into force in 2004. This Law is another link in the unbroken chain of our historic struggle to survive as Kanien'kehá:ka of Kahnawà:ke.

According to section 22.1 of the Law, those persons not listed on the Kahnawà:ke Kanien'kehá:ka Registry as either a member or non-member resident and who reside within the Territory commit an offence. We also wish to refer the community to section 20.1 of the Law, which states:

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A member who:

- a) married, or marries, a non-Indigenous person after May 22, 1981, or
- b) commenced, or commences, after May 22, 1981, a common-law relationship with a person who has no Kanien'kehá:ka or Indigenous lineage, will have their entitlement to receive any of the benefits and services to which they would otherwise be entitled as a member of the Kanien'kehá:ka of Kahnawà:ke, suspended for so long as they remain married or in a common-law relationship with the non-Indigenous person.

This principle, with slight changes, has been part of Kahnawà:ke law since both the 1981 Moratorium and the 1984 Kahnawake Mohawk Law (both since repealed). Chief & Council, as part of the Declaration of Office (agreed to through MCED No. 45/2012-2013), is responsible for the administration and management of the Territory through the promotion of, amongst others things, Mohawk laws and legislation. As such, Chief & Council supports and shall uphold the Law and the principles within it.

It is our position that all members who married or commenced a common law relationship with a non-Indigenous person after May 22, 1981 have breached their responsibilities as a Kanien'kehá:ka of Kahnawà:ke and have violated the Law.

The Law is currently undergoing revisions and an updated draft will be released to the community in September for review. Hearings on proposed changes will be held through the Community Decision-Making Process ("CDMP"). Should any Kanien'kehá:ka of Kahnawà:ke believe that changes need to be made to the Law, the CDMP is the proper avenue to discuss these concerns and come to community consensus on their issues. We strongly encourage all Kanien'kehá:ka of Kahnawà:ke to comment on the proposed revisions, to participate in the forthcoming hearings and to submit any proposals to the Kahnawà:ke Legislative Coordinating Commission.

In closing, we encourage open and peaceful dialogue on this issue and request that all Kahnawa'kehró:non, no matter their position on this complex issue, remain respectful and refrain from threats or acts of violence.

Sken:nen (In Peace and Friendship),

**ON BEHALF OF THE OFFICE OF THE COUNCIL OF CHIEFS  
MOHAWK COUNCIL OF KAHNAWÀ:KE**