

KAHNAWÁ:KE LANGUAGE LAW

K.R.L. c. L-1

[Enacted by MCR # 65/1999-2000 on 20 Tsothóhrha/December 1999]

WHEREAS We the Elders of the Kanien'kehá:ka People of Kahnawá:ke, fearful of the loss of our beautiful Kanien'kéha Language, do hereby make this solemn declaration:

"We are determined to remind the People of the importance of reviving, restoring and perpetuating our language."

"We strongly urge and encourage that, "The Mohawk Council of Kahnawá:ke" be the first to exercise and implement our Kanien'ke':ha language with all of their employees to set the example for Kahnawá:ke and all of its other organizations."

"In keeping with our time honored Kanienkehá:ka Tradition, we strongly urge and encourage that all areas of business, work and leisure are to be conducted in Kanien'kéha, thus, we again urge and encourage the use of our Kanien'kéha language."

"Also in accordance with our Kanienke'há:ka tradition, we urge and encourage that the Mohawk Council of Kahnawá:ke conduct their meetings in the Kanien'kéha language and, aw well, we urge and encourage that future leadership be knowledgeable in the Kanien'kéha language."

"Lastly, we urge and encourage that all Kahnawa'kehró:non make the strongest and most determined effort to learn use and live our Kanien'kéha language."

Kanien'kéha (Mohawk version), signed and agreed to in consensus by the Elders of Kahnawá:ke this mid-witner of 1998; and,

WE, the Mohawk People of Kahnawá:ke, abide by the principles of Peace, Power and Righteousness in accordance with the Kaianere'kó:wa;

WHEREAS these principles govern the direction of the Mohawk People of Kahnawá:ke for the present and future generations;

WHEREAS the Mohawk People of Kahnawá:ke have a distinct culture, social structure, land base, government and language given by the creator, Shonkwaia'tison;

WHEREAS the Mohawk People of Kahanwake recognize that the Kanien'kéha language given by Shonkwaia'tison is in danger of extinction;

WHEREAS the Mohawk People of Kahnawá:ke, through their elders, expressed that it is the collective and individual responsibility of all Kahnawa'kehró:non that the Kanien'kéha language be re-established as the first language of the Mohawk People of Kahnawá:ke;

WHEREAS the Mohawk Council of Kahnawá:ke, or any future Mohawk Government of Kahnawá:ke, have a moral and ethical responsibility to enact the wishes of the Mohawk People of Kahnawá:ke;

WHEREAS it is also the moral and ethical responsibility of the Mohawk People of Kahnawá:ke to ensure that the Kanien'kéha language given by Shonkwaia'tison remains alive;

THEREFORE BE IT RESOLVED THAT the following Law is hereby enacted by and for the Mohawk People of Kahnawá:ke.

SECTION I

"Purpose"

1. PURPOSE

1.1 To revive and restore the Kanien'kéha language as the primary language of communication, education, ceremony, government and business within the Mohawk Territory of Kahanwake.

"Definitions"

2. DEFINITIONS

"Kahnawa'kehró:non"

"Kahnawa'kehró:non" means a person whose name appears on the Mohawk Registry.

"Kanien'kéha"

"Kanien'kéha" means the original language given by Shonkwaia'tison to the Mohawk People.

"Mohawk Government Institutions"

"Mohawk Government Institutions" means those institutions which are funded and administered by the Mohawk Council of Kahnawá:ke or any future Mohawk Government of the Mohawk Territory of Kahnawá:ke.

"Mohawk Government of Kahnawá:ke"

"Mohawk Government of Kahnawá:ke" means the Mohawk Council of Kahnawá:ke and any future Mohawk Government of the Mohawk Territory of Kahanwake.

"Mohawk People of Kahnawá:ke"

"Mohawk People of Kahnawá:ke" means those people whose names appear on the Mohawk Registry.

"Mohawk Territory of Kahnawá:ke"

"Mohawk Territory of Kahnawá:ke" means

- a) the lands now held under the mandate of the Mohawk People of Kahanwake;
- b) any and all lands that may be added to the lands now held under the mandate of the Mohawk People of Kahnawá:ke through the negotiation and resolution of land grievances;
- c) any and all lands that may be added to the lands now held under the mandate of the Mohawk People of Kahnawá:ke as the result of any other means.

"Public Institutions"

"Public Institutions" means all existing institutions within the Mohawk Territory of Kahnawá:ke, whether or not they are operated by the Mohawk Council of Kahnawá:ke or any future Mohawk Government of Kahnawá:ke.

"Public Signs"

"Public Signs" means any signs printed, posted or displayed for public viewing within the Mohawk Territory of Kahnawá:ke.

"Application"

3. APPLICATION OF KANIEN'KÉHA

3.1 Kanien'kéha is the official language of the Mohawks of Kahnawá:ke within the Mohawk Territory of Kahnawá:ke.

"Language Rights of the Mohawks of Kahnawá:ke"

4. LANGUAGE RIGHTS OF THE MOHAWKS OF KAHNAWÁ:KE

4.1 Every Kahnawa'kehró:non has the right to free expression, in private or in public, in the Kanien'kéha language or in the language of their choice.

4.2 Every Kahnawa'kehró:non has a right to receive services or information in the Kanein'kéha language.

4.3 Every Kahnawa'kehró:non has a right to be registered at birth, named, married and receive his or her last rites in the Kanein'kéha language.

4.4 Every Kahnawa'kehró:non has a right to be educated in the Kanien'kéha language.

4.5 Every Kahnawa'kehró:non has a moral and ethical obligation to protect, promote, use and encourage the usage of the Kanien'kéha language.

4.6 Every Kanien'kéha speaker has a responsibility to participate in the revitalization and restoration of Kanien'kéha in public or private.

"Language of Mohawk Governments in Kahnawá:ke"

5. **LANGUAGE OF MOHAWK GOVERNMENTS IN KAHNAWÁ:KE**
- 5.1 The Mohawk Government of Kahnawá:ke has a moral and ethical obligation to protect, promote, use and encourage the usage of the Kanien'kéha language.
- 5.2 The Mohawk Government of Kahnawá:ke shall pass, and publish all laws in the Kanien'kéha language.
- 5.3 Employees of Mohawk Government Institutions have a right to work in the Kanien'kéha language.
- 5.4 Employees of Mohawk Government Institutions may enter into written contractual agreements in the Kanien'kéha language with their employers.
- 5.5 The Mohawk Government Institutions shall develop and implement a language policy for their employees within the reasonable time frame following the enactment of this law but not exceeding twenty-four (24) months.
- 5.6 The Mohawk Government Institutions shall, within their language policy, include learning incentives for promotion, remuneration and proficiency levels.
- 5.7 Consistent with the spirit and intent of the Elders Declaration on the Kanien'kéha language, attached as the Preamble in this Law, the selection process for Mohawk Government representatives shall include a requirement of knowledge of the Kanien'kéha language or a provision indicating the candidate's willingness to learn or both.

"Language of the Court of Kahnawá:ke"

6. **LANGUAGE OF THE COURT OF KAHNAWÁ:KE**
- 6.1 The Court of Kahnawá:ke has a moral and ethical obligation to promote, protect, use and encourage the usage of the Kanien'kéha language.
- 6.2 Every Kahnawa'kehró:non has a right to have his or her legal proceeding conducted in the Kanien'kéha language which may be by translation.
- 6.3 The Court of Kahnawá:ke shall publish judgments, sentences and orders in the Kanien'kéha language.
- 6.4 Employees of the Court of Kahanwake have a right to work in the Kanien'kéha language.
- 6.5 Employees of the court of Kahnawá:ke may enter into written contractual agreements in the Kanien'kéha language with their employers.

*"Language of
Public
Institutions"*

6.6 The Court of Kahanwake shall develop and implement a language policy for their employees within a reasonable time frame following the enactment of this law but not exceeding twenty-four (24) months.

6.7 The Court of Kahnawá:ke shall, within their language policy, include learning incentives for promotion, remuneration and proficiency levels.

7. **LANGUAGE OF PUBLIC INSTITUTIONS**

7.1 Public Institutions have a moral and ethical obligation to promote, protect, use and encourage the usage of the Kanien'kéha language.

7.2 Public Institutions shall, on request, provide services to Kahnawá:ke Mohawks in the Kanien'kéha language which may be by translation.

7.3 Employees of a Public Institution have the right to work in the Kanien'kéha language.

7.4 Employees of a Public Institution may enter into written contractual agreements in the Kanien'kéha language with their employers.

7.5 Public Institutions shall develop and implement a language policy for their employees within a reasonable time frame following the enactment of this law not exceeding twenty-four (24) months.

7.6 Public Institutions, shall, within their language policies, include learning incentives for promotion, remuneration, and proficiency levels.

7.7 Public Institutions with a mandate to promote, protect, use and encourage the Kanien'kéha language are encouraged to provide program services and policies consistent with the spirit and intent of this law.

*"Language of
Business and
Commerce"*

8. **LANGUAGE OF BUSINESS AND COMMERCE**

8.1 Businesses located within the Mohawk Territory of Kahnawá:ke have a moral and ethical obligation to protect, promote use and encourage the usage of the Kanien'kéha language.

8.2 Businesses may develop and implement a language policy for their employees.

9. **KAHNAWÁ:KE PEACEKEEPERS**

- 9.1 The Kahnawá:ke Peacekeepers have a moral and ethical obligation to protect, promote, use and encourage the usage of the Kanien'kéha language.
- 9.2 The Kahnawá:ke Peacekeepers shall, on request, provide services to the Mohawk People of Kahnawá:ke in the Kanien'kéha language which may be by translation.
- 9.3 The Mohawk Government of Kahnawá:ke may review this Law for consistency, application or updating not exceeding five (5) years after coming into force and every five (5) years thereafter.
- 9.4 This Law may only be amended by the Mohawk Government of Kahnawá:ke in accordance with the Regulations to this Law.
- 9.5 This Law comes into force and effect on the date it is affirmed by resolution from the Mohawk Council of Kahnawá:ke.
- 9.6 The Court of Kahnawá:ke shall have jurisdiction to hear all matters arising from this Law.
- 9.7 Public Institutions, businesses, Mohawk Government institutions, the Court of Kahnawá:ke, the Kahnawá:ke Peacekeepers, and each and every Kahnawá:kehró:non are encouraged to set a goal of 20 years from the date this Law is enacted to become fluent in the Kanien'kéha Lanauage.