

**COMMUNITY DECISION-MAKING PROCESS**  
**DRAFT KANIEŃ'KEHÁ:KA OF KAHNAWÀ:KE LAW**  
**SECOND HEARING**  
**LEGION HALL**  
20, Enniskó:wa/March 2018  
6:00 PM – 8:30 PM

**FINAL RECORD OF DISCUSSION**

**FACILITATORS:**

Joe Delaronde (Lead)  
Leslie Skye (CDMP)

**RESOURCE PEOPLE:**

Alexis Shackleton  
Kahsennenhawe Sky-Deer  
Arlene Jacobs  
Shari Lahache  
Arlene Beauvais

**RECORDER(S):**

Katsistohkwí:io Jacco

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- ❖ **Opening Address** – Katsistohkwí:io Jacco
  
- ❖ **Welcome/Respectful Behaviors/Process** – Leslie Skye
  
- ❖ **Proposed Amendments to the Kahnawà:ke Membership Law** – Kahsennenhawe Sky-Deer and Alexis Shackleton
  - Definition of a Kanien'kehá:ka Great Grand Parent
  - Preamble
  - Purpose
  - Jurisdiction
  - Definitions
  
- ❖ **Next Steps** - Facilitators
  
- ❖ **Closing** – Katsistohkwí:io Jacco

**Legend:**

**TDC:** Technical Drafting Committee

**Q:** Question (by community member)

**S:** Statement (by community member)

**KLCC:** Kahnawà:ke Legislative Coordinating Commissioner

## **BACKGROUND:**

Phase 1 of Community Decision Making Process (CDMP) for the Kanien'kehá:ka of Kahnawà:ke Law (Membership Law) began in 2013. Throughout the First Hearing, the Law was reviewed in its entirety, because this is what the community wanted. The purpose of tonight, which commences the Second Hearing phase, is to ensure that the Technical Drafting Committee (TDC) drafted the Law in accordance with the community's wishes and decisions that were made in the First Hearing.

The most pivotal part of the Law is the Kanien'kehá:ka Great Grandparent, a person needs to have four great grandparents to be considered a Kanien'kehá:ka of Kahnawà:ke. In the First Hearing, the community decided that they wanted to move away from blood quantum in order to define a Kanien'kehá:ka Great Grand Parent. The term that was accepted by community and came to consensus on was "Sha'teienekwenhshí:hen", however, this was not workable. The TDC decided to bring this definition to the community in order to get a better definition, by hosting focus groups. The proposal from the focus group will be presented tonight.

### **Definition of a Kanien'kehá:ka Great Grandparent**

## **DISCUSSION:**

**TDC:** The proposed definition is:

"'Kanien'kehá:ka Great Grandparent' means a great grandparent who was or is recognized as Sha'teienekwenhshí:hen (Ahsén:nen), at minimum, pursuant to the regulation concerning the custom code method of calculation of Kanien'kehá:ka lineage. This regulation would apply ONLY to qualify the great grandparent NOT the application who would need to qualify by having no less than 4 Kanien'kehá:ka Great Grandparents".

**TDC:** This definition would replace the previous definition, which is:

"'Kanien'kehá:ka Great Grandparent' means a grandparent who

- 1) Has Kanien'kehá:ka lineage or
- 2) Was a Mohawk on the Mohawk Registry or
- 3) Was/is a member or recognized as a Kanien'kehá:ka of Kahnawà:ke on the Kahnawà:ke Kanien'kehá:ka registry"

*\*The custom code document was given to the community members and the TDC explained the diagram and the process that will be followed.*

**TDC:** Is this clear?

**S:** No.

**TDC:** The applicant has to meet the criteria as outlined in the Law and the Great Grandparent would have to meet the criteria outlined in the custom code.

**S:** Many communities or nations recognize people who are only ¼ Onkwehón:we, and still consider them to be Onkwehón:we. So, I believe that this should be considered for the Great Grandparent as well.

It would be difficult to trace back for someone that never lived here. However, we need to move forward with this Law, and for the most part, the custom code is simple to follow for the people living in Kahnawà:ke today. In addition, when the registrar has a difficult time making a membership decision, they will have a review board to consult with.

**Q:** Are points 2) and 3) still going to stay in the definition of the Great Grandparent?

**S:** It would make sense to replace the three points with the complete new definition.

**TDC:** Do you want to use the term Ahsén:nen?

**Q:** What does it mean?

**TDC:** It means half.

*\*The community member who proposed the term “Ahsén:nen” at the focus group earlier in the month gave an explanation. He is a first language Kanien’kéha speaker, and stated that “Ahsén:nen Onkwehón:we”, or “Ahsén:nen Kanien’kehá:ka” eliminates the reference to blood quantum altogether.*

**TDC:** It would have to be Ahsén:nen Kanien’kehá:ka for the purposes of this definition.

**Q:** So is the reason for not using Sha’teienekwenhshí:hen due to the blood quantum issue?

**TDC:** No, it is not that we do not want to use it. It is not workable because it is still subject to interpretation. It also has the word “Onekwenhsa” in it, which means blood.

**Q:** Should it be Ahsén:nen Onkwehón:we/ Ahsén:nen Kanien’kehá:ka?

**TDC:** We have a separate definition for Onkwehón:we.

**Q:** Why do we have to consider whether our definitions will hold up in courts?

**TDC:** It needs to be defensible in our own court, as well as outside courts in case it gets challenged, which can happen.

**Q:** I thought there was a tribunal that was made up of our own people to hear this Law?

**TDC:** This is interim until the Court of Kahnawà:ke is established.

**Q:** We don’t know when the Justice Act is going to be enforceable. If someone is denied membership, shouldn’t it go to a tribunal or advisory board comprised of our own people?

**TDC:** The Justice Act is currently being implemented, but is not yet complete. The way the Law is drafted right now, there is a review of the decision if a person is not accepted as a member. Once the Court of Kahnawà:ke is fully implemented, it will go to a tribunal and then appeals can go to the Court of Kahnawà:ke.

**Q:** Where is the definition for Onkwehón:we Great Grandparent? It is not in the Law.

**TDC:** This definition was done based on consensus in the First Hearing; it is on the agenda and will be addressed later on.

**Q:** Where is the definition for Onkwehón:we Great Grandparent? Is that going to be addressed tonight? I am suggesting to put a “slash” on Kanien’kehá:ka/Onkwehón:we because it is the same thing.

**TDC:** We have all of our records in Kahnawà:ke dating back to the 1700s, and this is not the same in other communities. We cannot be harder on our own people than on Onkwehón:we from other communities.

**Q:** Do Onkwehón:we people from other communities have to present their records?

**Q:** For example, you get someone from the outside that applies for membership and their lineage only goes back two generations. Are we supposed to say they are less Onkwehón:we than us because they do not have the documentation?

**TDC:** As you may recall, we’ve been harder on Kahnawa’kehró:nnon in the past than we have been on other Onkwehón:we.

**Q:** How is it their fault if they do not have their records to prove their lineage? Wasn’t it discussed that there would be a cap on how many Onkwehón:we from other communities that would be accepted as members?

**TDC:** We will accept the proposal to tighten up the definition of Onkwehón:we lineage when we get there. Let's focus on the Kanien'kehá:ka Great Grand Parent right now.

**S:** A good definition would be Ahsén:nen Kanien'kehá:ka.

**TDC:** Are we happy with replacing the previous definition with "Ahsén:nen Kanien'kehá:ka"?

**S:** I understood that Sha'teienekwenhshí:hen meant "half-ish".

**TDC:** We can no longer put a qualifying number on an individual. You are either Onkwehón:we, Ahsén:nen, or Iah teionkwehón:we (non-Native).

**Q:** So if someone is less than 50%, would they be bumped up to 50%?

**TDC:** There is no more blood quantum; we cannot put a number on people.

**S:** Either they are Onkwehón:we or not, or they are in between.

**TDC:** Everyone who applies to be a Kanien'kehá:ka of Kahnawà:ke has to comply with the Law. They will not be a member if they don't fit the criteria. If a person is not born of two Kanien'kehá:ka of Kahnawà:ke, then they will have to apply for membership.

**TDC:** Are we okay with changing the definition to Ahsén:nen Kanien'kehá:ka?

**S:** I have a problem with the word "at minimum".

**TDC:** It means you have to be at least half Onkwehón:we, at a minimum.

#### **OUTCOME:**

- **DECISION:** The accepted definition of a Kanien'kehá:ka Great Grandparent is: "*means a great grandparent who was or is recognized as **Ahsén:nen Kanien'kehá:ka**, at minimum, pursuant to the regulation concerning the custom code method of calculation of Kanien'kehá:ka lineage. This regulation would apply ONLY to qualify the great grandparent NOT the application who would need to qualify by having no less than 4 Kanien'kehá:ka Great Grandparents*".
- **CONSENSUS REACHED.**

#### **Preamble**

It was stated that the preamble was too wordy; the previous lawyer wanted all of the Laws to have a similar preamble. It was decided by the TDC that the old preamble from 2003 should be used in the current Law because it is more suitable. *\*See attached References.*

#### **DISCUSSION:**

**TDC:** Are there any comments on this preamble?

**Q:** I agree with all of it, but does it all really need to be in the preamble?

**Q:** Should we add the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) statement to the part about "human rights and natural justice" that is scratched out? It helps us out more considering Canada signed this.

**S:** For those of us that went to the Horn-Miller Lawsuit, all of what it is written in the preamble is what we used in our defense. In Kanonhsésne, they have lengthy preambles such as this one.

**S:** I agree that UNDRIP should be mentioned in the preamble. It would have a better standing chance in court if this law were to get challenged.

**TDC:** Is there a place where UNDRIP would fit?

*\*According to Legal Counsel, it can most likely fit in the fourth paragraph of the preamble.*

**Q:** If we put UNDRIP in there, would it be counterproductive in the Law?

**TDC:** Don't believe so, it is helpful to reaffirm Indigenous rights.

**Q:** I am confused because at first, the preamble talks about the Two Row Wampum, but then we want to add UNDRIP? It seems like we are contradicting ourselves.

**S:** UNDRIP was put together by Onkwehón:we people.

**TDC:** Our rights as Onkwehón:we have been affirmed by the Two-Row Wampum, but by also including UNDRIP, we would be saying that our rights have also been affirmed internationally.

**S:** I am agreeing to exclude human rights, because that's about the individual and not the collective, which is what we think about.

**S:** It is better to have the UNDRIP in the Law, because it proves that Canada signed this if they are going to try to challenge the Law again.

#### **OUTCOME:**

- **DECISION:** Replace Preamble from 2003 Law, and **UNDRIP** to be added into the preamble.
- **CONSENSUS REACHED.**

### **Purpose**

“This Law provides the criteria to apply for recognition as a Kanien'kehá:ka of Kahnawà:ke and to establish the responsibilities associated with said recognition, and to determine the criteria for the suspension or revocation of the entitlements associated with being recognized as a Kanien'kehá:ka of Kahnawà:ke”.

#### **DISCUSSION:**

**Q:** Were the underlined words additions?

**TDC:** Yes.

#### **OUTCOME:**

- **CONSENSUS REACHED.**

### **Jurisdiction**

“This Law is an exercise of the collective rights of the Kanien'kehá:ka of Kahnawà:ke to determine who is recognized as a Kanien'kehá:ka of Kahnawà:ke. This Law is paramount to and supersedes the laws, regulations and policies of the government of Canada, or any other \_ government, concerning recognition of who is a Kanien'kehá:ka of Kahnawà:ke, or matters related thereto”.

The TDC proposed that the word foreign be removed before the word government in the jurisdiction. There was also discussion that if the word foreign were removed, that it would supcede any internal Law that the traditional government may come up with, which may be problematic.

#### **DISCUSSION:**

**S:** Foreign should stay in this definition.

**S:** If we leave out foreign governments it means that Canada can challenge us.

**Q:** I agree with putting the word “foreign governments” back in, but what is meant by foreign government?

**S:** It should be stated that foreign government is any outside government.

**TDC:** So do we need a definition for foreign government?

**S:** Be specific and put “Any other foreign governments or foreign courts”.

**Q:** What about any “government not recognized by the Kanien'kehá:ka of Kahnawà:ke”?

**TDC:** That would not work because we recognize the Canadian and Quebec governments.

**S:** In the focus group, we said we can put “outside” government, if people are more comfortable with this.  
**S:** I do not see why we need to reference any other governments? How will anyone else besides Canada have an impact on us?  
**TDC:** We are either going to put foreign or outside.

**S:** What about external?

**TDC:** “Outside” is a better term, more colloquial to Kahnawà:ke as it is very familiar.

#### **OUTCOME:**

- **DECISION:** The previous sentence which reads “*This Law is paramount to and supersedes the laws, regulations and policies of the government of Canada, or any other government*” will be replaced with “*This Law is paramount to and supersedes the laws, regulations and policies of the government of Canada, or any outside government*”.
- **CONSENSUS REACHED.**

### **Definitions**

1. **“Administrative Tribunal”:** “Means the adjudicator or panel of adjudicators established under the *Kahnawà:ke Justice Act* charged with reviewing decisions of the administrative branch of government and where appropriate to correct an error”.

#### **DISCUSSION:**

**Q:** Is this the definition out of the Justice Act?

**TDC:** The Kahnawà:ke Justice Act is referenced in this definition, so yes.

**Q:** Why does the Administrative Tribunal correct errors? Shouldn't the registrar be correcting these errors? My concern is that the registrar should have the authority to decide membership, and the Administrative Tribunal shouldn't be able to overturn the decision of the registrar.

**S:** We said at the drafting meeting that it was necessary for a review body to be in place in the case of corruption.

**Q:** I don't believe that it should be up to an unknown body to correct the decisions of the registrar. The community should know who this body is, and then give them that authority to correct/make decisions.

**KLCC:** The idea of having the Administrative Tribunal is for checks and balances. If the registrar is making unethical decisions, the Tribunal can make a decision internally and handle immediately, instead of going to court.

**TDC:** What is the difference between having a community review or an Administrative Tribunal if the people are from the community?

**S:** It is difficult to give one person all of the power, it is better to have a few more people as a backup.

**KLCC:** Any time a decision is reviewed by the Administrative Tribunal and an individual is unhappy with that decision, an automatic review will go to the Court of Kahnawà:ke. These are the checks and balances in democracy that we need to have.

**TDC:** Is consensus reached?

**S:** Yes.

#### **OUTCOME:**

- **CONSENSUS REACHED.**

2. **“Common-Law Relationship”:** “means a conjugal relationship, not solemnized by a marriage ceremony, law or custom, between two persons who live together and publicly refer to themselves as partners or spouses”.



### DISCUSSION:

**Q:** Shouldn't there be a timeframe included in this definition?

**S:** The timeframe that was previously agreed to by the community was five years.

**TDC:** We can add in the timeframe of five years.

### OUTCOME:

- **DECISION:** Add in time frame of five years.
- **CONSENSUS REACHED.**

3. **“Community Ties”:** “means a person’s overall participation in community events, volunteer activities, charitable works, positive contribution to the Kanien’kehá:ka of Kahnawà:ke”.

### DISCUSSION:

**TDC:** The statement “and maintenance of family ties” was removed.

**S:** There are non-Native people who are good people, but still should not be a member of Kahnawà:ke.

**TDC:** Non-Native people who are liked in the community still will not be eligible for recognition. This is not a membership issue, it will be dealt with in the Residency Law, where there will be an opportunity to contest those individuals looking for residency.

**S:** I am proposing to change to word “person” to “applicant”. It makes sense, because the only time you reference community ties is when they are looking for recognition and they are applying.

**TDC:** There is another location in the law under responsibilities of the Kanien’kehá:ka of Kahnawà:ke to maintain community ties, so therefore, it is not just for applications, it is for everybody. The word “person” should remain.

**Q:** If a person has at least half of these community ties, what does this mean in regards to membership?

**TDC:** The person’s overall character; their community ties, their lineage, and more are considered when they are looking for recognition.

**Q:** Are you referring to a non-Indigenous person?

**TDC:** No, only for Onkwehón:we people.

### OUTCOME:

- **CONSENSUS REACHED.**

4. **“Dependent Person”:** “means a person who has reached the Age of Majority but, as a result of physical or mental limitations, requires mandated care to maintain their quality of life”.

### DISCUSSION:

**Q:** What is the age of majority?

**TDC:** Eighteen.

**TDC:** It should be left as “their” because in present day there is not only two genders.

**Q:** Is there a requirement for a definition for mandated care?

**Q:** What does mandated care refer to?

**TDC:** That they have physical or mental disabilities.

**Q:** Where is this definition in the Law?

**S:** Just a comment, when we are looking at these definitions, we don't see where it is in the Law, so we don't know the context. It is hard to agree to if we don't know the context.

**S:** My thoughts may change on the definition depending on the context.

**TDC:** It is in section 10.

**S:** We can change the definition to cover both a child and an adult who is a dependent person.

**S:** Legally there is no definition that distinguishes between a child or an adult for a dependent person.

**TDC:** Once a person is eighteen, then they are no longer considered to be a child. It is better to leave it as is from a legal perspective.

**Q:** What does mandated care mean?

**TDC:** Someone who has a legal standing in order to take care of someone else is what mandated refers to.

**Q:** So is there a need for mandated care to be a definition?

**TDC:** It is a legal term that is generally understood.

**Q:** So it is not necessary to be a definition in this Law?

**TDC:** No, because it should remain generic.

#### **OUTCOME:**

- **DECISION:** Section 10.3 to be reworded to reflect dependent person. The suggested change is: *“Any interested person may apply on behalf of a dependent person”*, and shall replace the previous definition which is: *“Any interested person may apply on behalf of a person who is mentally and/or physically unable to apply personally”*
- **CONSENSUS REACHED.**

5. **“Family Ties”:** “Means the bond that exists between a person and their spouse or sibling, parent/child, grandparent/grandchild who resides in the Territory”.

The definition was read aloud by the TDC and the community was in agreement.

#### **OUTCOME:**

- **CONSENSUS REACHED.**

6. **“Guardian”:** “Means any person who is under a legal duty to provide for the Minor Child or Dependent Person”.

The definition was read aloud by the TDC and the community was in agreement.

#### **OUTCOME:**

- **CONSENSUS REACHED.**

7. **“Iah te-Onkwehón:we”:** “Means a person who has no Kanien’kehá:ka Lineage or Onkwehón:we Lineage”.

#### **DISCUSSION:**

**TDC:** Based on the new charts, there can be people that have little lineage, but they will be considered to be non-Onkwehón:we.

**S:** The definition should reference our custom code.

**Q:** Is a more correct spelling “Iah teh-Onkwehonwe”?

**TDC:** This will be looked into, and we could rephrase this to reflect the custom code.

**Q:** Why aren’t we using English words?

**TDC:** So instead of using Kanien’kéha terms, you’re suggesting we just say Non-Native?

**S:** In the custom code charts, “Iah teionkwehón:we” is spelled differently.

**TDC:** Noted; we can bring it to the Cultural Center to get the proper spelling.



**TDC:** In the First Hearing, it was agreed that we should use our own Kanien'kéha words instead of English words.

**S:** I am suggesting that the new definition should read "Means a person who does not meet the criteria set out in the Kahnawà:ke custom code for recognition as Onkwehón:we".

**S:** "Iah teionkwehón:we" translates to a complete non-Native.

**S:** But the person applying could have a little bit of lineage.

**TDC:** We can put this in the parking lot, and come back and re-draft this definition. We may just have to lay out what non-Native is and then also have the definition for Iah teionkwehón:we. The TDC will get clarity on what the proper spelling is.

#### **OUTCOME:**

- **PARKING LOT ITEM**
- **NO CONSENSUS**

8. **"Kahnawà:ke Kanien'kehá:ka Registry":** "means the list of Kanien'kehá:ka of Kahnawà:ke maintained by the Registrar in accordance with this Law and, for greater certainty, does not mean any lists kept by the Department of Indigenous and Northern Affairs (Canada) or any other government".

#### **DISCUSSION:**

**TDC:** The name for the Department of Indigenous Affairs always changes, and it will have to be updated in this Law. We can put this as a parking lot item and come back to it when we get the proper name for the department.

**Q:** If it is always changing, should we just omit the name altogether?

**S:** I am suggesting that it read any lists kept or created by "Canada and its successors, or any other agency or government that is responsible for the identification of indigenous people."

**Q:** How about "Canada or any other government" to keep it simpler?

**S:** Yes.

#### **OUTCOME:**

- **DECISION:** The sentence in the definition that reads "*Does not mean any lists kept by the Department of Indigenous and Northern Affairs (Canada) or any other government*" to be replaced with "*Does not mean any lists kept by Canada or any other government*".
- **CONSENSUS REACHED.**

9. **"Kanien'kehá:ka Lineage":** "Means direct descent from a Kanien'kehá:ka ancestor, to a maximum of four generations, verified by proof acceptable to the Registrar and, if necessary, by the Administrative Tribunal, the Court of Kahnawà:ke or the Kahnawà:ke Court of Appeal, as the case may be".

#### **DISCUSSION:**

**TDC:** This definition may have to be altered based on the consensus reached earlier on Ahsén:nen Kanien'kehá:ka. The line that was added in will be removed.

**S:** There was a reason for using the term, "Four Great Grandparents," someone can come and say that they are a direct descendant, but that could mean from a previous century. However, if we limit it to four generations, it is better.

**Q:** Can we leave in the maximum of four generations?

**TDC:** No, because now were counting back to seven generations. What is the legal opinion?

**TDC:** We have to see where the definition is used in the Law.

*\*Referenced the Law, section 10.5*

TDC: we have to come back with a new definition, because now it has to reflect the custom code. It will be put in the parking lot.

**OUTCOME:**

- **PARKING LOT ITEM.**
- **NO CONSENSUS**

10. **“Minor Child”**: “Means a person who has not yet reached the Age of Majority”.

**DISCUSSION:**

TDC: “Minor” and “The” was added.

**OUTCOME:**

- **CONSENSUS REACHED.**

**FINAL OUTCOME:**

- Consensus was reached on the definition of a Kanien’kehá:ka Great Grandparent. The new definition is: “*means a great grandparent who was or is recognized as **Ahsén:nen Kanien’kehá:ka**, at a minimum, pursuant to the regulation concerning the custom code method of calculation of Kanien’kehá:ka lineage. This regulation would apply ONLY to qualify the great grandparent NOT the application who would need to qualify by having no less than 4 Kanien’kehá:ka Great Grandparents*”.
- Consensus was reached on the **Purpose, Preamble, and Jurisdiction**, with minor additions to be made.
- Six definitions were passed unanimously by consensus, which are “**Administrative Tribunal**”, “**Community Ties**”, “**Family Ties**”, “**Guardian**” and “**Minor Child**”.
- Three definitions will have minor additions, which are “**Kahnawà:ke Kanien’kehá:ka Registry**”, “**Common Law Relationship**” and “**Dependent Person**”.
- Two definitions did not get consensus, and will be re-drafted. These definitions were “**Kanien’keha:ka Lineage**” and “**Iah te-Onkwehón:we**”.

**FINAL CONCLUSION:**

- The parking lot items will be the first order of business for the next Hearing, which will be held on April 3, 2018.
- The TDC will take into account the suggestion by the community to indicate in the PowerPoint or handouts where the definitions are in the actual Law.

**Approved by:**

\_\_\_\_\_  
Alexis Shackleton

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chief Kahsennenhawe Sky-Deer

\_\_\_\_\_  
Date

## REFERENCES

### PREAMBLE

“We are the Kanien’kehá:ka of Kahnawà:ke. We are a community within the Kanien’kehá:ka Nation and the Rotinohsonnión:we and as such are Onkwehón:we who possess a fundamental and inherent right of self-determination given to us by the Creator.

As Onkwehón:we, we have the right to maintain and promote our Kanien'kehá:ka identity including our culture, traditions, language, laws and customs.

As Onkwehón:we, we have the collective right to determine our own membership. This right is fundamental to our survival.

Our rights as Onkwehón:we have been affirmed in the Two Row Wampum, in other treaties we have entered into with foreign governments and in international covenants and declarations.

We have consistently and historically asserted both our rights as Onkwehón:we and the rights set out in our treaties with foreign governments. These rights cannot be extinguished, diminished or affected without our consent.

We have consistently and historically exercised the right to determine our own membership. In recent times, we have been compelled to adopt measures that were necessary to ensure our continued survival as a Kanien'kehá:ka community.

This Law is another link in the unbroken chain of our historic struggle to survive as Kanien'kehá:ka of Kahnawà:ke. This Law is the result of a lengthy period of discussion and consultation within our community. It is an expression of the will of the Kanien'kehá:ka of Kahnawà:ke and is intended to reflect the values and principles described by the Elders of our community in their statement on membership: Entsitehwahárahne.

This Law is an affirmation of our Indigenous and Treaty rights. This Law is essential if we are to survive and to thrive as Indigenous Peoples and as Kanien'kehá:ka of Kahnawà:ke.

The rights on which this Law is based are collective rights belonging to the Kanien'kehá:ka of Kahnawà:ke. However, the application of this Law will respect the fundamental human rights of all individuals in accordance with the principles of dignity and compassion inherent in Kanien'kehá:ka culture, values and Traditional Law .~~and in accordance with international principles of human rights and natural justice.~~

This Law is not intended to take away or diminish any and all rights of the People of the Kanien'kehá:ka Nation or the Rotinohsonnión:we.

This Law is a step toward the goal of completely replacing foreign laws and authorities that have been imposed upon us without our consent and toward the restoration of Traditional Law within Kahnawà:ke.

This Law is a declaration of our resolve to unite our strengths to achieve this common goal and by this measure we will strive to ensure the peace and security of future generations of our People and our Territories.

We recognize that we have been harmed by foreign governments’ attempts to undermine our will and ability to survive by dividing our community. We reject the imposition of the Indian Act and of other foreign laws that have presumed to define the principles upon which the membership of our community will be determined. We reject all efforts to assimilate and extinguish our community under the guise of absolute individualism.

By enacting this Law, we are fulfilling our responsibility to defend our community and our Nation from external threat, and in doing so are securing for future generations the right to survive and to continue living – proudly – as Kanien'kehá:ka of Kahnawà:ke.