

KAHNAWAKE JUSTICE SURVEY

Results of Completed Surveys: 425

September 30, 2009

PART # 1 How strongly are you in favour or against the following statements, please check one box only

1. Kahnawake should have its own justice and court system.

Strongly agree	294	68%
Somewhat agree	92	22%
Somewhat disagree	13	3%
Strongly disagree	16	4%
I don't understand the question	3	1%
No answer entered	7	2%

2. Mediation services should be available within a Kahnawake Justice System.

Mediation is defined as a cooperative solving process, using impartial mediators, to assist in reaching an agreement on the issues dividing them.

Strongly agree	286	68%
Somewhat agree	107	25%
Somewhat disagree	14	3%
Strongly disagree	6	1%
Not enough information	7	2%
No answer entered	5	1%

3. Arbitration services should be available within a Kahnawake Justice System.

Arbitration is defined as submission of a private dispute to an impartial person or persons, called arbitrators, for a decision or award based on evidence and arguments presented by the disputants.

Strongly agree	239	57%
Somewhat agree	120	28%
Somewhat disagree	31	7%
Strongly disagree	22	5%
Not enough information	8	2%
No answer entered	5	1%

4. Administrative Tribunals should be available within a Kahnawake Justice System.

An administrative tribunal is defined as a public body appointed to adjudicate or arbitrate on a disputed question or matter for example lands tribunal or rent tribunal.

Strongly agree	213	51%
Somewhat agree	125	29%
Somewhat disagree	36	8%
Strongly disagree	19	4%
Not enough information	25	6%
No answer entered	7	2%

5. An Appeal Court should be available within a Kahnawake Justice System.		
Strongly agree	277	65%
Somewhat agree	89	21%
Somewhat disagree	16	4%
Strongly disagree	9	2%
Not enough information	16	4%
No answer entered	18	4%

6. Once developed, a Kahnawake Justice System should be the recognized justice forum/ process within our territory displacing all foreign courts.		
Strongly agree	240	57%
Somewhat agree	90	21%
Somewhat disagree	42	10%
Strongly disagree	16	4%
Not enough information	18	4%
No answer entered	19	4%

7. Development of a Kahnawake Justice System should include recognition from other governments.		
Strongly agree	279	66%
Somewhat agree	69	16%
Somewhat disagree	22	5%
Strongly disagree	21	5%
Not enough information	10	2%
No answer entered	24	6%

PART # 2 Please rate the priority, 1 being the most important and 4 being least important				
8. What types of cases should a Kahnawake Justice System handle?	Most Important 1	Quite Important 2	Somewhat Important 3	Not Important 4
Criminal law (assaults, impaired driving, murder)	180	52	91	33
Civil law (small claims, property disputes, employment/labour issues)	181	100	85	18
Family law (child custody & support payments, division of property)	231	98	36	17
Other Types: Public Curatorship; Youth Protection; Zoning; Business Law; Youth, Elder & Disabled; Young Offenders	24	3	4	193

9. If you agree that a Kahnawake Justice System should be based on the principles and Values of our people, identify one or more of these.

Principles & Values:

common sense, honesty, respect, integrity, personal responsibility, fairness, dignity, responsibility of self, family and community, restoration of harmony in community, love, protection of the rights of the collective, truth, compensation/restoration, trust, consensus, peace, unity, good mind, compromise, fairness, righteousness, respect, good-mindedness, mutual respect, responsibility, good mind in coming to righteous decisions, civil authority, peace, consensus, respect, decision-making, making choices, equality, identity, sovereignty, language, culture, ethics, honour, tradition collectivity, clanship.

PART # 3 Please answer yes or no to the following questions

	Yes	No	No answer entered
10. Do you believe that collective rights should supercede individual rights in a Kahnawake Justice System?	234 56%	87 20%	104 24%

	Yes	No	No answer entered
11. Should non-Kahnawakehro:non be subject to the Kahnawake Justice System when on the territory?	358 84%	45 11%	22 5%

	Yes	No	No answer entered
12. The Kahnawake Justice Commission's mandate is to integrate traditional Mohawk principles into the Kahnawake Justice System; assure fair and just resolution of conflict through the creation or modification of justice services; plan and implement prevention of conflict, violence and crime by developing relevant programs and to educate the public on justice initiatives and administer the justice system of Kahnawake. Do you agree with the current mandate?	342 80%	33 8%	50 12%

	Yes	No	No answer Entered
13. Would you provide the Justice Commission with the mandate to draft a working document on a Kahnawake Justice System which will then be submitted to the community for further development?	339 80%	48 11%	38 9%