# COMMUNITY DECISION-MAKING PROCESS
KAHNAWÀ:KE MEMBERSHIP LAW
**14th COMMUNITY CONSULTATION**
Karonhianonhnha School Gym
22, Onerahtókha/October 2013
6:00 – 8:30 PM

RECORD OF DISCUSSION

**FACILITATORS:**
Kahente Horn-Miller (Lead - CDMP)
Joe Delaronde
Gene Diabo
Shirley-Ellen Meloche

**RESOURCE PEOPLE:**
Rose-Ann Morris (Lead – Resource Person)
Shari Lahache
Arlene Beauvais
Alexis Shackleton

**RECORDERS:**
Joel Jacobs
Tracey Goodleaf
Sophia Dupont

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6:00 P.M. **OPENING –** Kahsennenhawe Sky-Deer

6:05 P.M. **INTRODUCTION/MEETING GUIDELINES –** Kahente Horn-Miller

6:10 P.M. **KAHNAWÀ:KE MEMBERSHIP LAW**
**Membership Statistics – Kahsennenhawe Sky-Deer**
**Summary of Consensus – Kahsennenhawe Sky-Deer**
**Proposed Amendments - Kahsennenhawe Sky-Deer**

6:15 P.M. **QUESTION:**

**1) First proposal to amend the Kahnawake Membership Law on the role of the Registrar.**

8:15 P.M. **NEXT STEPS –** Kahente Horn-Miller & **Kahsennenhawe Sky-Deer**

8:30 P.M. **CLOSING –** Kahsennenhawe Sky-Deer

***Note: Due to low number of participants, it was agreed to have two groups deliberate. Participants from Group 1 joined Group 2.***

**QUESTION:**
**First Proposal on the Registrar's office:**
**-To decide automatic members (child with 4 of 8 great-grandparents born of 2 Kahnawà:ke parents or 1 Member parent & 1 Iroquois parent)**
**-To research records and decide on all applications for Membership**
**-To proceed on suspension of Membership with verification or proof**
**-To process applications for non-Member residents and,**
**-To provide research or records for Appeal body**

**GROUP 2**

**Facilitator:** Joe Delaronde
**Resource Person:** Shari Lahache
**Group Speaker:** Jeremiah Johnson
**Recorder:** Tracey Goodleaf

## Discussion:

**Question #1: To decide automatic Members (child with 4 of 8 great-grandparent born of 2 Kahnawà:ke parents or 1 Member parent & 1 Iroquois parent)**

- The Registrar will have the authority to decide on the automatic members? i.e.: slam-dunk type of members….**group is okay with it**

**Question #2: To research records and decide on all applications for Membership.**

- Membership Department would decide application. Still need appeal mechanism.
- Concern with distrust of Membership Department and that all that information should pass through a Board first. (Registrar's decision)
- Would the names of people being added to the KKR be posted?
- Suggestions on where it would be posted?
- Concerning the process, it goes through Membership Department not public at first.
- What if someone objects? Not decided yet…still working on this
- Problem with appointment with Council of Elders was that it was lifetime.
- The idea is to avoid the "Spanish Inquisition" type of process. (Registrar vs. COE)
- Leave the Board at 5 people (appeals) or leave at the current 3 as per Registrar's office?
- This is not the Council of Elders.
- Is the Registrar deciding? Or recommending?
- The Registrar is looking at processing and deciding applications.

- Not agreeable. Would like to see the board reviewing. (5 people board). What about the social fabric? The criminal element of those making applications? (rapists, drug dealers, and murderers).
- Some felt that these are two different subjects here and (criminal element) can't be held against them in obtaining services.
- Those issues can be addressed in another part of the law.
- If you don't accept people with a criminal record and/or otherwise undesirables, then, is it okay to remove the people who already live in Kahnawà:ke that are in the same boat? i.e.: criminal, etc.
- These individuals get reinstated and want land right away.
- Conditions can be put on membership.
- You can say they have to reside here for 5 years before they are eligible to apply for land allotment.
- Land should not be for a summer cottage.
- The reason for the Membership Department deciding applications is because there is no money.
- There would be no honorariums for Review Board or Board of Appeals. FYI
- Membership ideals change so fast. There's a mandatory 5 year review of all Kahnawà:ke Laws.
- Duplication in services with Registrar and Board? Partially
- If you get the Membership Review Board to "rubberstamp" the Registrar's work, then who listens to the appeals? We'll need another board to do just this.
- Automatic registrations do not need to be published.

**Question #3: To proceed on suspension of Membership with verification or proof.**

- You can't take someone's birthright away.
- Suspension is of certain services, housing, residency, water and sewer, and not birthright. Name remains on the Federal List without services through MCK. Should their situation change, it can be revisited.
- People who are suspended can still run for Boards?
- People not allowed running for Boards if they are not on the KKR.
- Should this be in the hands of the Registrar to do this work?
- Mentioned by community member that, "No, nobody has that right to take away your rights."
- All others agreed to Registrar doing the above work. Another community member didn't agree either. Suggestion:
- Decision to be made together with Registrar and Board…oversight committee and in conjunction with.

**Question #4: To process applications for Non-member residents.**

- What is non-member resident? Persons with some indigenous lineage not entitled to be on the KKR, or Member of other First Nations. They are entitled to services that are available with residency i.e. garbage pickup, hydro, but nothing a member receives.
- Based on approval of an oversight community group.

**Question #5: To provide research or records for Appeal body.**

- Consensus: Group 2 in agreement to all questions with the "Oversight Membership Review Board"

## Outcome:

**QUESTION:**
**First Proposal on Registrar's office**
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**GROUP 3**

**Facilitator:** Shirley Ellen Meloche
**Resource Person:** Rose-Ann Morris
**Group Speaker:** Timmy Norton
**Recorder:** Joel Jacobs

## Discussion:

- New process, suggested option for discussion.
- Suggestion - Applicant should attend a band meeting and introduce themselves to community.
- Suggestion to have Registrar office process applications, rather than community members
- Suggestion – Post for 60 days, Registrar to conduct research.
- Require greater media exposure; get the word out to more community members.
- Can a DNA test be requested for special cases? (Legality to be researched).
- Discussion on four great grandparents needs to be further defined.
- 5 to 7 "Membership Review Board" or 3 person "Review Committee".

## Outcome:

- Application to Registrar (Membership Office) for research
- Membership makes the decision
- Decision posted for 60 days to inform community (objections)
- Confidentiality (issues)
- If no objections, decision is final
- Objections will prompt further investigation

## Notes from Group 2 reviewed by Group 3 and commented on:

- Discussion on KML in CDMP
- Does the Registrar have the authority to decide on the automatic members? i.e.: slam-dunk type of members…**GROUP#3** agree to let Registrar handle automatic membership, 60 day posting, for babies too (to inform community)
- Membership department would decide. Still appeal mechanisms. **GROUP#3** Agree

- Concern is that all that information should pass through the Board first.
- Shari: It will be posted in public.
- Suggestions on where it would be posted?
- Concerning the process, it goes through membership department, not public at first.
- What if someone objects? Not decided yet…still working on this.
- Problem with appt. with Council of Elders was that it was lifetime.
- The idea is to avoid the "Spanish Inquisition" type of process.
- Leave the Board at 5 people (appeals)? or leave at the current 3 as per registrar's office **GROUP#3** 5 person review board
- This is not the Council of Elders. **GROUP#3** agreed
- Is the Registrar deciding? Or recommending? **GROUP#3** Registrar's decisions posted to the community for 60 days, community has the opportunity to provide their input on that decision.
- Shari: They're looking at processing and deciding
- Not agreeable. Would like to see the board reviewing. (5 people board). What about the social fabric? The criminal element?
- Two different subjects here.
- These issues can be addressed in another part of the law.

## Parking Lot:

- How does this Membership law affect the MRI law?
- How do we enforce a passed law?
- Appeals body options to come later.