

KAHNAWÀ:KE MEMBERSHIP LAW
FIRST HEARING - Meeting #9
Golden Age Club
8, Enniskó:wa/March 2016
6:00 PM- 8:30 PM

RECORD OF DISCUSSION

FACILITATORS:

Joe Delaronde

CHIEFS IN ATTENDANCE:

Chief Rhonda Kirby
Chief Robert Patton, Jr.

RESOURCE PEOPLE:

Chief Kahsennenhawe Sky-Deer (Lead)
Alexis Shackleton
Shari Lahache
Arlene Beauvais
Kevin Fleischer

RECORDER:

Kim Beauvais

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

6:05 P.M. **INTRODUCTION/MEETING GUIDELINES** - Kahsennenhawe Sky-Deer

6:10 P.M. **KAHNAWÀ:KE MEMBERSHIP LAW AMENDMENTS:**

- **SEC.14.7 ADOPTED CHILDREN (Continued discussion of this section)**
- **THE DEFINITION OF 'GREAT GRAND PARENT'**
- **SEC.15 APPLICATION PROCESS/APPROVED KAHNAWÀ:KE RESIDENTS**
- **SEC.16 ENTITLEMENTS OF KANIEN'KEHÁ:KA OF KAHNAWÀ:KE**
- **SEC. 17 PRIVILEGES OF APPROVED KAHNAWÀ:KE RESIDENTS**
- **ANY RELEVANT/RELATED DEFINITIONS** - Kahsennenhawe Sky-Deer

8:25 P.M. **NEXT STEPS** - Kahsennenhawe Sky-Deer

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

Facilitator: Joe Delaronde
Recorder: Kim Beauvais

ADOPTIONS

14.7 A child who has no Kanien'kehá:ka or Indigenous lineage adopted by a Kanien'kehá:ka of Kahnawà:ke parent(s) after the enactment of this Law on November 10, 2003 is not eligible to be recognized as a Kanien'kehá:ka of Kahnawà:ke or be an Approved Kahnawà:ke Resident.

DISCUSSION:

A discussion ensued concerning the implications of the definitions of “child” and “age of majority” in relation to this section.

Comment: Eighteen (18) years old is too young to be separated from living with their parents.

Comment: Eighteen (18) is the age of majority. You know better by then.

Comment: The original elders said to keep them. The non-native adopted child will have grown up here, who have ties here. They are going to love this community, how are you going to say ‘get out’?

A: After 2003, the elders said that if a non-native child is adopted the parent (s) has to leave with them.

Comment: Their parents put them in that position, it is not being harsh.

Comment: Adopting a non-native child is basically like marrying out.

Q: Will these children be having privileges, like schooling?

Q: Why are we giving this non-native child everything the native child is entitled to?

A: Anything MCK administers they would not be entitled to, anything the federal government administers they would be still entitled to.

Q: A non-native adopted child is eligible to be put on the federal list?

A: Yes.

How many people want the age to be 18? 21? It is clear that the majority of persons want the age to stay at eighteen (18).

It was noted by the resource persons that Indigenous lineage must be changed to Onkwehonwe lineage. This was decided a few meetings ago.

Comment: If I were going to adopt a child, why would I adopt a non-native child? Just to make that child’s life miserable?

Q: Can a member be allowed to adopt a non-native child after Nov 10th 2003 and live here?

A: No.

A: It is up to the community to decide, however, this may reflect negatively upon the community.

Comment: Every decision we make will come back on us regardless.

A: If a Mohawk person adopts a non-native child, they are no longer permitted to reside in Kahnawà:ke.

Comment: If you say all your privileges will be suspended, you will get into trouble. It should only be residency. The community of Kahnawà:ke will not be accepting non-natives period. The parents should have suspension of their residency privilege.

Comment: Perhaps add "therefore has to leave the community immediately".

Suggestion: And therefore the parent(s) who choose to contravene this clause (the law) will have their recognition suspended and not be eligible to reside in the territory.

OUTCOME:

Section 14.7 was agreed upon as presented, with the provision that: **"and therefore the parent(s) who choose to contravene this clause (the law) will have their recognition suspended and not be eligible to reside in the territory"** be added to the end of the section.

CONSENSUS REACHED:

Consensus was reached on section 14.7 as presented, with the provision that: "and therefore the parent(s) who choose to contravene this clause (the law) will have their recognition suspended and not be eligible to reside in the territory" be added to the end of the section.

Definition:

"Kanién'kehá:ka Great Grandparent" means a great grandparent who

- 1) has Kanién'kehá:ka lineage or
- 2) was a Mohawk on the Mohawk Registry or
- 3) was/is a member or recognized as a Kanién'kehá:ka of Kahnawà:ke on the Kahnawà:ke Kanién'kehá:ka Registry.

Comments

- Great-grandparents - In the current preamble, it states that this law is intended to reflect the values and principles described by the Elders of our community in their 1999 statement on membership titled Entsitewaha'a:rahne. The definition of "Indigenous lineage" goes directly against the recommendations of the elders who stated that 3 Great grandparents would be accepted as valid lineage. The

concept of counting great grandparents however, continues to be another way of measuring blood quantum: We would suggest that One Kanien'kehá:ka parent should be sufficient in determining lineage.

- Kanien'kehá:ka great grandparent: who determines this?
- Kanien'kehá:ka great grandparent maybe improves clarity by adding to 2) was listed as a Mohawk on the Mohawk Registry.

DISCUSSION:

Comment: Kanien'kehá:ka lineage would depend on your age group. Someone older would have more lineage than someone who is younger.

A: The elders said only go back three generations.

Comment: Non-natives are going back more than three generations to be able to "cash in on" being native, as long as they have an ancestor born in the 1700's they will be entitled to be registered, like the Algonquins.

Comment: If the great-grandparents are all 25% (blood quantum) and they all marry out; the person would only have about 6% native blood.

Comment: It's too bad that we have to go back to blood quantum, but we're forced to. The original elders had said 50%. It was accepted at the council and brought to the people who accepted it.

Suggestion: to have it read "...means a great grandparent who: 1. has Kanien'kehá:ka lineage with 4 great grandparents".

A: This was also discussed with the elders. There were many, many people who had acquired status. They were on the Mohawk Registry but they are not native at all. Some of those who were grandfathered in in 1981 had less than 50%.

A: Anyone with acquired status is not recognized as a great-grandparent.

Comment: Great-grandparents should be "predominantly Kanien'kehá:ka".

Q: What are the intentions of the membership law?

A: The purpose of the law is to protect our lineage. This law came from the people. The community wanted a law to keep the lineage high.

Comment: It was pointed out that within the longhouse a woman with a clan can marry out, her daughter can marry out, her daughter can marry out, etc. These people will have a clan, but have very little native blood and will be recognized by the longhouse.

Comment: Actually, the original (longhouse) instructions were that if you had a mixed marriage, you leave with your spouse.

A: That is a question of membership vs. citizenship.

Q: When did the community lose their voice? Back in 1981 the community said 50%. The people said 4 great grandparents and the lineage should be 50%.

Suggestion: that # 1 read: "should have 50% Kanien'kehá:ka lineage and," (take out "or").

A: It was cautioned that the term to use should probably be "Kanien'kehá:ka blood quantum" since the term "Kanien'kehá:ka lineage" is used elsewhere in the law. The drafting team will review.

OUTCOME:

There were a lot of great ideas tonight. There was agreement to have the definition of #1 Kanien'kehá:ka lineage be 50% with the understanding that the drafting team will also have to change other areas of the law where the term "Kanien'kehá:ka lineage" appears.

The issue of replacing the word "or" after clause #1 with the word "and" also needs to be revisited at the next meeting.

Consensus was NOT reached.

The meeting was closed at 8:30pm by Chief Kahsennenhawe Sky-Deer. The next meeting is scheduled to take place on March 22, 2016 at the Golden Age Club.

Approved by:

Alexis Shackleton,
Director of Client Based Services

Date

Chief Kahsennenhawe Sky-Deer

Date