

**COMMUNITY DECISION-MAKING PROCESS
KAHNAWÀ:KE ELECTION LAW
FIRST HEARING (MTG. #2)**

Golden Age
25, Enniskó:wa/March 2014
6:00 PM – 8:30 PM

RECORD OF DISCUSSION

FACILITATORS:

Kahente Horn-Miller (Lead -CDMP)
Joe Delaronde
Suzanne Lahache

RESOURCE PEOPLE:

Trina C. Diabo (Lead – Resource Person)
Lori Jacobs

RECORDERS:

Kennikaronia:a Leslie Skye (Lead/Logistics)
Caroline McComber (Group 1)
Leslie Skye (Group 2)

6:00 P.M. **OPENING** – Leslie Skye

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

6:10 P.M. **REVIEW AMENDMENTS TO KAHNAWÀ:KE ELECTION LAW** – Trina C. Diabo

8:15 P.M. **NEXT STEPS** – Kahente Horn-Miller

8:30 P.M. **CLOSING** – Leslie Skye

GROUP 1

Facilitator: Joe Delaronde
Resource Person: Trina C. Diabo
Group Speaker: Eric McComber
Recorder: Caroline McComber

Question: The eligibility Criteria for all aspects of the Law: Who can run for Office who can nominate and second candidates, who can be nominated as a candidate; and who can vote in the Mohawk Council of Kahnawà:ke Election

NO consensus reached at the November 26, 2013 Election Law Hearing on the criteria to “hold the office of Grand Chief or Council Chief”.

Currently the Law states that you, “must be fifty (50%) or more Mohawk blood quantum and must be on the Kahnawà:ke Kanien’kehá:ka Registry (KKR).

It was recommended to amend the Law to read, “must meet the requirements of the Kahnawà:ke Kanien’kehá:ka Membership (4 Great Grand Parent rule) and must be on the Kahnawà:ke Kanien’kehá:ka Registry.

DISCUSSION:

Joe Delaronde opened with the outcome from the last hearing held in November 2013 with an overview of the survey conducted and its results.

The group deliberated with the following discussion points as candidacy criterion:

- The vast majority of the group agreed to the 50 percent **plus** blood quantum requirement because with the current 4 great grandparent’s only requirement, many may not meet a minimum 50 percent blood quantum.
- Allow for the voting community to decide versus the 50 percent blood quantum requirement.
- Recommended for consideration of the 2 great grandparents on each side versus the current 4 great grandparents and the 50 percent plus blood quantum.
- It was raised that blood is your connection to your community and that blood quantum percentage does not speak to one’s character. Conversely, concern was expressed that lineage will lessen with the decrease in blood quantum percentage requirements.

After the above deliberations, Group 1 reached consensus that the Law shall be maintained to reflect the 50 percent **plus** blood quantum and be on the Kahnawà:ke Kanien’kehá:ka Registry to run for office.

The group discussed further and recommended that for the future, consideration that the Elections Law language may be amended for the allowance and/or inclusion of:

- Amending the language to read - 50 percent native versus 50 percent Mohawk blood quantum. Point made that many may marry other natives outside (i.e. Iroquois Confederacy) the community (i.e. Iroquois Confederacy). It was also suggested that the law could include that these individuals would be required to transfer on to the Kahnawà:ke Kanien'kehá:ka Registry as a candidacy prerequisite.

OUTCOME:

GROUP 1 PRESENTED TO GROUP II

GROUP 1 CONFIRMED SUPPORT TO MAINTAIN THE 50% PLUS BLOOD QUANTUM AND BE ON THE KAHNAWÀ:KE KANIEN'KEHÁ:KA REGISTRY TO RUN FOR OFFICE.

GROUP 2

Facilitator: Suzanne Lahache
Resource Person: Lori Jacobs
Group Speaker: Jeremiah Johnson
Recorder: Leslie Skye

Question: The eligibility Criteria for all aspects of the Law: Who can run for Office who can nominate and second candidates, who can be nominated as a candidate; and who can vote in the Mohawk Council of Kahnawà:ke Election

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DISCUSSION:

- Question raised by community member regarding survey conducted. What measures were taken for those who were unable to participate?
Response: Survey was to gage opinion
- People were asking for additional criteria to be added; how do you use a survey within the CDMP? A lot of people answered the survey quickly while others did not answer choosing to answer at home. Are we considering other criteria?
Yes we are considering other criteria
- A community member read aloud from the requirements for criteria to run for Chief from the Kahnawà:ke Election Law – Section 15 page 8.
- When you’re being accepted as a member of Kahnawà:ke, people who want to run are already on, they passed the COE. My opinion is to go with the Membership Law criteria. I don’t think we should have a 50% criterion because it’s discriminatory. Why have further impediments?
- Don’t like the blood quantum criteria because of the problems with accuracy (i.e. twins with different blood quantum). It’s racist and discriminatory. It’s not strong enough.

Another point is that just because someone is allowed to run; it's the people who decide at the end. We should all have the same rights & benefits.

- I have family members, who have married out, but now they've been allowed to live here, they have an outside way of thinking. Yes 50% but I don't want to discriminate. I think it also depends if they had a native mother.
- Discrepancy between Election Law & Membership Law. It creates a non-desirable result and resentment between your fellow members. The 50% requirement is out of place. It causes confusion. The November 2013 Feedback Report also suggested to drop the 50% criteria.

Comment: A correction was made explaining that the November 2013 Feedback Report chose to maintain the 50% requirement to be eligible to run for Chief or Council in MCK elections.

- It was noted that the criteria to run for President of the United States is that the candidate must be a United States citizen.
- Both criteria could be considered discriminatory. The Membership Law has a similar clause. I am looking at it long-term and how it could dwindle down in the future.
- To run for Chief you cannot be married to a non-native. Want to enforce that there is no way to gage a person's blood quantum. It's sleazy and racist. Comparable to 'running through the gauntlet'.
- In favor of 50%; although not accurate, it is a form of measurement. We don't know any other way to think. I'm flexible but maybe we should put a clause in there to include 'must have native mother'. I don't want to see a day with low or little lineage.
- Touchy subject because my children are half. I think it should be 50% +. My children could enrich bloodline by marrying back in.
- I want to reiterate that it is up to the community to decide who runs. We have other ways of stopping infiltration of people without using blood quantum. You do it by your vote. Has to be fair. Blood quantum is so defective. It's not scientific.
- The argument for 50% is not favorable. People live here, have been through the gauntlet and know the community. They should have the opportunity to run.
- Some with 50% came back. They could have lived away all their lives and came back to live and are eligible to run for Council.
- We know who the community members are that moved away and have come back to run.
- The majority of the people that went before the COE (Council of Elders) were women who lost their rights because they married out. Most just wanted to return before they died. They did not want to uproot their families; they just wanted to come home.
- Nobody is 100%. We need to strengthen our bloodline. We have to get our ducks in a row. The 50% + is a start. We need to decide on this and move forward.
- If we could look at other solutions for people to run for Council, with stricter measures, but it's discriminatory for those who have lived here all of their lives and are unable to run for Council. It's not up to us to decide; it's up to the people.

- If we look at the definition in the Membership Law; it's open to interpretation. It's not equal (i.e. 100% native with child but never lived here, can come back and run for office). Not as easy to say 50% equals 4 GG. Where is his mind, where did he grow up?
- We have too many discrepancies with the 50%. Just because you have the right to be nominated, doesn't mean you'll get in.
- It's up to the people to decide. Remove the 50% because it's discriminatory.
- Amazing thing about how our people voted, because all of our Chiefs have clans. Remember that our roots are based on a clan system. That's the voice of the people.
- Suggest that we include clans should be included in criteria to run for Council.
- The majority of us know who everyone is. I like what Group 1 said that they must be on KKR and 50% +.
- Agree with clans in principle, but then you could have people that would question if you were Bear Clan (The Bear Clan adopts non-native people into their clan). In recent times I don't think anyone with less than 50% was elected, so why should we lower the threshold?
- You could have been raised here but have a non-native mother. They think differently and have married out.
- What we're talking about is lineage but using 'blood quantum' is wrong.
- Native mother, a clan, etc., avoid Indian Act thinking and refrain from using 'blood quantum'.
- People don't like the word '*blood quantum*' or '*Mohawk*', so what term should we use? Why can't we suggest using the word half Kanien'kehaka? Blood quantum = U.S. phrase.

At this point the technician asked for a show of hands to gage where the group was on the question and who was in favor of maintaining the 50% plus eligibility criteria, and who was in favor of amending the eligibility criteria to coincide with the Kahnawà:ke Membership Law (4 GG), but the group felt they needed more time to further discuss.

- Disagreement with 4 Great Grandparent (GG) requirement and how this question was posed to the community through the survey that was conducted March 13 & 14, 2014. To be a member is not just about 4 GG. We need to be accurate with the question. Having 4 GG isn't membership. To be a member with all criteria and not just 4 GG.
- It was noted that the Final Minutes from the November 2013 Election Hearing were posted online and the decision to hold a kiosk to gage the community's opinion was agreed to. If there was a problem with the Minutes, people had the chance to send their feedback but didn't; otherwise they're Final.
- Another felt we should use both 4 GG & 50%.
- Haven't heard solid rationale.

- Given this selection; we can't just pick one without understanding the issue or its repercussions. A lot of people that we surveyed chose 50% because they were concerned with how long candidates lived in Kahnawà:ke, etc. That's not blood quantum.
- In 2003 there was a compromise with the community generally accepting 50%. People were concerned with the future and low lineage and what the result would be by lowering the threshold. Eventually you will have people with less than 50% run for Council.
- In future generations we don't know how things will go. What are people's arguments for maintaining the 50% + criteria?

GROUP 1 PRESENTED TO GROUP 2

GROUP 1 REACHED CONSENSUS BY CHOOSING TO MAINTAIN THE 50% + & BE ON THE KAHNAWÀ:KE KANIEN'KEHÁ:KA REGISTRY TO RUN FOR OFFICE AS THE CRITERIA FOR ELIGIBILITY TO RUN FOR COUNCIL.

DISCUSSION RESUMED:

Additional Suggested Requirements:

- 1) 4 GG & KKR in addition a native Iroquoian mother
- 2) Remove 50% and KKR so any member could run. Must have links to community, as candidates didn't just 'show up' to run for Council.
- 3) Grand Chief = 50% and Council Chief = KKR (50% removed)

At this point a vote was taken by Group 2 for option 3) Grand Chief = 50% and Council Chief = KKR (50% removed), however it was voted against.

- Why can't we leave the 50% and let people decide? Bottom line is that the people will decide.
- What was agreed to 10 years ago has now changed.

Joe Delaronde explained consensus within the Process. This is the second discussion on the same question. Consensus can be declared because Group 1 came to consensus and now in Group 2 we have 7 people who chose 50% + & KKR, and 4 people who chose 4 GG & KKR. We need to move forward.

- There may be another way to mitigate people's concerns with choosing 50% (i.e. some stated they chose 50% because they said you needed to be 50% to cross the border).
- This whole Process is about our getting back to our ways for the collective. I've seen problems with the Election Law like not being able to run for Council but you're able to vote.

- If we use the KKR threshold, there are many people below 50% on KKR. There are people in the community who are members with less than 4 GG.
- The 50% is disproportionate; need something tangible.
- Suggested to have the Grand Chief be 50% + and be on the KKR and the rest of the Council Chiefs meet the Kahnawà:ke Membership Law (4GG) and be on the KKR
- Clarified that the Grand Chief is one voice and equal with Chiefs decisions at Council table.
- All members should have the same right.
- Some members could run but not all.
- Don't understand that people feel that 50% is considered racist. The whole point is no blood quantum on the outside. You can't say we're being racist because we want a person with more blood quantum to run.
- The work involved in establishing criteria in the Kahnawà:ke Election Law is not disrespecting our elders. We have to progress as a community. Forget the 50%; it's already in the Membership Law. It's misplaced in the Election Law. It's discriminating a segment of the community.
- The longhouse doesn't use 50%; they go by clans. In support with positions with Council Chiefs being members but don't meet membership requirement.
- Unfair to exclude a portion of the community from running.
- If something is there and is working and not broken; leave it alone.
- The thing is if it weren't broken it wouldn't be coming up for discussion every 5 years.
- A final show of hands revealed the same results, with 7 choosing to maintain the wording in the Election Law (50% + & be on the KKR) and 4 choosing the 4 GG & be on the KKR.

QUESTIONS:

- How long has 50% been in the Kahnawà:ke Election Law?
Response: Since the 1980's.
- How often have people complained about having 50% in the Kahnawà:ke Election Law?
Response: It's never been an issue.

FINAL OUTCOME:

GROUP 2 CAME TO CONSENSUS WITH GROUP 1 CHOOSING TO MAINTAIN THE 50% + BLOOD QUANTUM AND BE ON THE KKR AS CRITERIA FOR RUNNING FOR GRAND CHIEF & COUNCIL.

FINAL MINUTES

**MEETING #2 – FIRST HEARING
KAHNAWÁ:KE ELECTION LAW**

Approved by:

**Trina C. Diabo, Technician Kahnawà:ke
Election Law**

Date