



HAUDENOSAUNEE

MOHAWK - ONEIDA - ONONDAGA - CAYUGA - SENECA - TUSCARORA

KAHNAWÀ:KE KANIEN'KEHÁ:KA ONKWANAKERÁHSERA - KAHNAWAKE BRANCH OF THE MOHAWK NATION
NE LÁ:IA'K NIHONONHWENTSÁ:KE - SIX NATION IROQUOIS CONFEDERACY

MOHAWK NATION AT KAHNAWÀ:KE DOES NOT CONSENT TO JUSTICE MANDATE

For Immediate Release

Mohawk Nation at Kahnawà:ke - Seskehkó:wa/September 27, 2009

Greetings from the Mohawk Nation at Kahnawà:ke. The Kahnawà:ke Branch of the Six Nations Confederacy would like to take this time to address the issue of justice within the territory of Kahnawà:ke. While the Mohawk Nation at Kahnawà:ke is not opposed to a communal justice system that is separate from the jurisdiction of Canada and Quebec, there are some considerable factors that both impede and discourage our Council from supporting any mandate to pursue a Kahnawà:ke Justice Act.

Most notably our objection is theoretical in nature, as the Mohawk Nation at Kahnawà:ke cannot accept any communal justice system without it first recognizing the laws and authority of the Haudenosaunee Grand Council of Chiefs, the Mohawk Nation Council of Chiefs, and communal resolutions legislated through the Mohawk Nation at Kahnawà:ke (People of the Longhouse). Without a commitment to recognize traditional authorities and the laws they pass, the Mohawk Nation at Kahnawà:ke cannot consent to any mandate that would empower the Kahnawà:ke Justice Commission to develop a Kahnawà:ke Justice Act.

Likewise, we remind the MCK, Justice Commission, and Court of Kahnawà:ke that in 1991, the Haudenosaunee Grand Council reaffirmed its jurisdictional claim over justice within Haudenosaunee territory. Therefore, it would be both a contradiction and inappropriate for the MCK, the Justice Commission, and the Court of Kahnawà:ke to use language and references that are synonymously linked to Haudenosaunee Confederacy without its consent (i.e. references to the Kaianere'kó:wa, sovereignty, clans, etc.).

The Mohawk Nation at Kahnawà:ke is also concerned with the type of relationship that could be fostered between the MCK and the Court of Kahnawà:ke following the passage of a Justice Act. While intended to be an impartial body, we express concern that such a system may only serve as an extension of the MCK's political control over the Kahnawà:ke and disable community members from taking legal action against them. We view this as a dangerous conflict of interest.

Finally, the Mohawk Nation at Kahnawà:ke would like to be clear that it is not opposed to an independent justice system that is free of Canadian and provincial law within the community and is forever open to discussion on the issue. Thus far, the Mohawk Nation at Kahnawà:ke - custodians of Haudenosaunee sovereignty within the territory of Kahnawà:ke - have neither been approached for discussion nor consulted in any official capacity.

In Peace and Friendship

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