

STRENGTH

PEACE

UNITY

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25 Kentenhkó:wa / November 2013

The Honourable Prime Minister Stephen Harper
Office of the Prime Minister
80 Wellington Street
Ottawa, ON K1A 0A2

Wa'tkonnonhwerá:ton (Greetings),

I am writing today to convey my deep and profound concern over your government's insistence on proceeding with the *First Nations Education Act*, and to call on Canada to cease proceeding on this Act.

While I am certain that you have received numerous letters of concern from First Nations people, leaders and organizations across the country, please be certain the Mohawks of Kahnawà:ke also take great umbrage to your government's paternalistic, cavalier and – most important – unconstitutional actions in this most important matter.

Education is the cornerstone to our collective future. It is not only the right of all Canadians to have access to proper education; it is also Canada's obligation to ensure that First Nations are given the proper resources to ensure that our educational needs are met. By imposing the *First Nations Education Act*, the Federal government – the current Conservative government in particular – insults and disrespects the integrity of the most fundamental of relationships between our peoples: that between First Nations and the Crown.

By off-loading federal responsibilities and increasing Provincial governmental authorities, you are engaging in the most insidious tactic of 'provincial federalism' against our people. The Mohawks of Kahnawà:ke refuse to accept the assignment of the principles of our most basic relationship to third party entities / governments. Canada cannot unilaterally divest itself of its fiduciary responsibilities. It is not a matter of choice. If we have disagreements, our collective obligation is to deal with these issues on a par, face-to-face basis. Anything less is an insult to our ancestors – both ours and yours.

Your government continues to disregard our Peoples right to self-determination by unilaterally creating legislation that overrides our jurisdictions and affects our people in the most profound manner. By your failure to properly consult, you are telling the people of Canada that you, the Federal government, know what's best for First Nations.

Canada has obligations to consult with First Nations on legislative and policy matters that affect Aboriginal Rights, and we do not take your blatant disregard for these obligations lightly.

In Kahnawà:ke, we foresee significant and detrimental impacts that this legislation could have on our education system. Firstly, the loss of jurisdictional control due to the requirements of adherence to the very limiting governance options is one we cannot accept. There is no guarantee that your imposed external curriculum standards will be culturally compatible, which we also cannot accept. The application of other system standards could have a very negative impact on teacher/professional certification, administration, etc. – which is obviously unacceptable to us.

Additionally, regulation of eligibility based on residency will not only place additional burdens on our administrative systems to accommodate, but also limits the enactment of our rights to the postage stamp perimeters of the reserve. The Mohawk Nation has never ceded our traditional territories and the Mohawks of Kahnawà:ke maintain that our rights should remain intact regardless of residency.

Finally, the mandatory and increased federal monitoring and inspection reeks of Indian Agent monitoring, an era that we thought passed several decades ago. This is the most shameful example of paternalism we have witnessed in recent history.

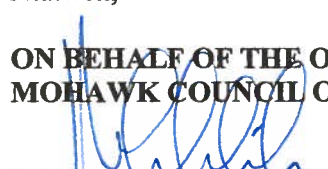
It is appalling to consider that this legislation has come in the wake of an era where you, the Prime Minister, had offered an apology to the survivors of residential schools and made commitments to reconciliation. Unilaterally imposing legislation that does not account for the diverse, unique and rich cultural, linguistic, and historical qualities of First Nations can certainly not be viewed as reconciliatory.

The Mohawk Council of Kahnawà:ke hereby condemns the imposition of the *First Nations Education Act*, and demands that you cease all activities related to the passage of the legislation. We insist that it immediately be removed from the legislative agenda/calendar, and that your government meet with us in good faith to discuss our educational needs once and for all. While this will undoubtedly be a monumental task, please be reminded that this is a monumental issue for First Nations.

Last January, your government committed to advancing a relationship with First Nations that was based on meaningful engagement. We call on you to honour that commitment. We call on you to do the right thing and listen to our voices on this relationship altering issue. Doing so would be extremely positive in re-establishing the trust we showed hundreds of years ago; failure to do so could lead us to a period of our history that neither party will want to remember.

Nia:wen,

**ON BEHALF OF THE OFFICE OF THE COUNCIL OF CHIEFS
MOHAWK COUNCIL OF KAHNAWÀ:KE**



Grand Chief Michael Ahrihron Delisle Jr.