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Kahnawà:ke Position on the First Nations Education Act

“We believe that Kahnawà:ke children have the right and responsibility to learn through a culturally based education that promotes understanding and pride in being Kanien’kehá:ka. Parents, guardians and educators have the responsibility to provide children with support and guidance in a proper learning environment. All children have the ability to develop attitudes, skills and knowledge to best achieve personal and academic excellence in pursuit of their goals.”

Kahnawà:ke Education Responsibilities Act

This Kahnawà:ke Position in response to the Canadian First Nations Education Act Legislation was presented, discussed and approved at the Community Meeting held on Wednesday, December 18, 2013, 6:00 PM at Karonhianonha Gym.

1. We are Kanien’kehá:ka (the People of the Mohawk Nation) that live in Kahnawà:ke;
2. The philosophies, values and traditions of Kanien’kehá:ka of Kahnawà:ke are founded upon the concepts and principles of the Kaianere’kó:wa (the Great Law);
3. The Kanien’kehá:ka define our relations with Canada and settler states as governed by the Kahswéntha (Two Row Wampum), which illustrates that the Kanien’kehá:ka travel in their canoe, and the settler states in their ship with sails down the river of life, not interfering with each other’s navigation, or, self-determination;

4. The Kanien'kehá:ka have never ceded our Traditional Territory, Title or Rights, and we continue to assert our Rights as Peoples and Nation;
5. The Kanien'kehá:ka of Kahnawà:ke have an Inherent and Human Right to self-determination, as is expressed through the exercised Right to govern all affairs of Kahnawà:ke, and as recognized by the International Covenant on Civil and Political Rights - Article 1, and as expanded upon by the United Nations Declaration on the Rights of Indigenous Peoples;
6. The Kanien'kehá:ka of Kahnawà:ke have been subjected to a lengthy oppressive and colonial history aimed at assimilation at the hands of Canada and its predecessors;
7. The traumatic experiences of the Residential Schools system, as well as the assimilationist curricula imposed by the Indian Day Schools system, have already shown the Kanien'kehá:ka of Kahnawà:ke the severe harm that can come to our children and community with external control of education;
8. Despite subjection to an oppressive and colonial history, Kanien'kehá:ka of Kahnawà:ke retain and maintain strong unique cultural and spiritual qualities, language, way of life, and worldviews that warrant unique considerations as they are fundamentally different from Canadian worldviews;
9. The Kanien'kehá:ka of Kahnawà:ke retain a collective right to rich, diverse, wholistic and quality education, and so elect that education is in accordance with Kanien'kehá:ka principles, concepts and pedagogy;
10. Kanien'kehá:ka principles bestow responsibility for education to the collective parents and community, and the Kanien'kehá:ka of Kahnawà:ke elect to apply this principle;
11. Kahnawà:ke has developed and maintained a quality education system that is effective, wholistic, comprehensive and culturally relevant for Kahnawà:ke;
12. The Kahnawà:ke education system places parental and community control as central to its existence and direction;
13. The Kahnawà:ke education system, through its composition, system structure, and curriculum is designed to meet the full physical, emotional, intellectual and

spiritual learning needs of all students by providing a wholistic learning environment that promotes decolonization and empowerment through learning;

14. The Kahnawà:ke education system strives to offer a learning environment that is guided by, and respects the balance of core- and cultural- skills building of students, so as to provide all tools necessary for students to succeed and excel in education, social, professional and labour fields;
15. The Kahnawà:ke education system pedagogy places language and cultural instruction at its core, so as to protect, maintain and revitalize these diverse and invaluable resources;
16. The Kahnawà:ke education system strives to expand its scope to include a full-spectrum of life-long learning services for all Kanien'kehá:ka of Kahnawà:ke in all educational fields, including core-skill building, and language and cultural instruction;
17. The Kahnawà:ke education system strives to meet both the primary and secondary inclusive learning needs of students through promoting seamless integration with other relevant community services, including health and social supports and services, employment and training, etc;
18. The Kanien'kehá:ka of Kahnawà:ke have expressly indicated that the Kahnawà:ke education system is under-funded and have called for increases to funding;
19. Canada has deliberately under-funded the Kahnawà:ke education system, and all First Nations education systems as a practice of oppression and assimilation;
20. The Kahnawà:ke education system has demonstrated significant successes despite chronic underfunding, but students outcomes could be further enhanced with adequate funding;
21. Kahnawà:ke finds fundamental defects with the First Nations Education Act that Canada is attempting to impose. Implementation of this act would result in: disregard for Kahnawà:ke's Right of jurisdictional control of education and the education system through imposition of governance options that do not respect this Right; imposition of extensive federal control of Kahnawà:ke education; lack of commitment for statutory funding requirements that are based on real

cost and need; disregard for the collective authority of parents and community in education; imposition of culturally and socially incompatible external curriculum standards; imposition of culturally and socially incompatible system standards; imposition of mandatory external reviews based on culturally socially incompatible standards; imposition of unilateral system control through remedial and third-party management; lack of commitments for language, culture, nursery and kindergarten, and special needs services and supports; lack of commitment for adequate post-secondary funding continuation; lack of funding for cultural support centers, derogation of language and culture as optional components of learning for students; waiving liability and abandonment of responsibility of education of the federal government and placing all liability on First Nations; and, unilateral and absolute imposition of the Act on First Nations with no opt-out or alternative clause;

22. The federal government of Canada is in violation of the Duty to Consult and prescribed in the Canadian Constitution (1982) by unilaterally developing this law in isolation, with no consultation with the Kanien'kehá:ka of Kahnawà:ke;

The Kanien'kehá:ka of Kahnawà:ke collectively reject the imposition of the First Nations Education Act as stated in the following Kahnawà:ke Position as collaboratively developed by the Kahnawake Education Working Group. This Kahnawake Position is complementary to and in accordance with position papers and letters developed by the Kahnawake Combined Schools Committee, the Mohawk Nation at Kahnawake, the Mohawk Council of Kahnawà:ke, supporting letters from Kahnawà:ke community schools and organizations, and from suggestions from community members and educators at recent strategy sessions.

Therefore, it is resolved and agreed upon by the Kanien'kehá:ka of Kahnawà:ke to collectively reject the imposition of this First Nations Education Act, all of its components and contents, co-drafting of legislation, or any federally or provincially imposed legislation;

The Kanien'kehá:ka of Kahnawà:ke demand that Canada immediately cease all actions related to the development, passage and implementation of the First Nations Education Act and immediately remove it from the legislative calendar;

That Kanien'kehá:ka of Kahnawà:ke collectively demand that the federal government meet its obligations and take the steps necessary to meet with Kahnawà:ke to discuss and act upon a process to maintain and foster quality development of the Kahnawá:ke education system, respecting the Right of Kahnawà:ke to govern its own education system;

The Kanienkehaka of Kahnawake take all actions necessary to work in collaboration with all partners possible, to counter the First Nations Education Act, including political, legal and civil actions.

December 18, 2013