



MOHAWK UNIVERSITY

MOHAWK NATION OF GRAND RIVER

Draft Statement: A Diplomatic Address - Upholding Justice and Sovereignty

Esteemed Residents and Members of the Mohawk Nation of Grand River,

As the Secretary General of Mohawk University, I have the distinct honor of presenting this draft statement on behalf of our esteemed institution. This statement underscores our unwavering commitment to justice and sovereignty, with a particular emphasis on our drivers program and housing initiatives. These endeavors stand as both a testament to our ongoing dedication to asserting our rights within our ancestral territory and a symbol of our resolute determination to safeguard our cultural heritage. While we are acutely aware of the potential challenges and concerns that may accompany these initiatives, we are equally committed to addressing them through the principles of open dialogue, education, and collaboration.

Historical Foundations

Our pursuit of justice and sovereignty is deeply embedded in our rich historical legacy, characterized by significant documents and sacred agreements. Central to this legacy is the Haldimand Pledge of 1779, a solemn commitment made by Sir Guy Carleton to restore our lands once the tumultuous times had subsided. Building upon this pledge, the Haldimand Proclamation of 1784 not only recognized our rights within the Grand River territory but also bestowed those lands to us in perpetuity. These historical documents constitute the bedrock of our legal standing and sovereignty. Additionally, we underscore the paramount importance of international treaties, such as the Two Row Wampum Treaty and the Silver Covenant Chain of Friendship, which validate our territorial rights and sovereignty.

Asserting Our Rights: Drivers Program and Housing Initiatives

Our unwavering dedication to justice and sovereignty finds tangible expression through our drivers program and housing initiatives. These initiatives are pivotal elements of our ongoing endeavors to exercise our rights within our territory, fostering economic self-sufficiency and community development. They reflect our profound understanding of the law and our unyielding commitment to upholding the principles of justice.

Acknowledging Challenges and Potential Risks

We remain acutely aware that our efforts to assert our rights, particularly through the drivers program and housing projects, may pose challenges and potential risks. These challenges extend beyond our community, encompassing law enforcement agencies and neighboring communities. We acknowledge legitimate concerns about community safety and potential misunderstandings.

The Primacy of Legal Understanding

It is imperative to underscore that in any interaction involving our community, the foremost consideration must be the determination of whether an individual is subject to or obliged to observe the Haldimand Proclamation. The failure to establish this fundamental understanding places any party involved at risk and constitutes an act of criminal negligence. We firmly believe that an awareness of one's legal standing and responsibilities is paramount in preventing the premature assumption of jurisdiction and mitigating harm stemming from ignorance.

Communication as the Cornerstone

In our pursuit of justice and sovereignty, it is incumbent upon us to communicate our profound comprehension of the law, our expectations, and our unwavering commitment to justice and sovereignty. Through open and constructive dialogue, bolstered by comprehensive educational efforts, we aspire to cultivate mutual understanding and cooperation between our community and law enforcement agencies. We wholeheartedly recognize the importance of community safety and the duty of the police to uphold the law. Our desire is to collaborate in a manner that respects our rights and heritage while ensuring the well-being of all community members.

The Inviolable Obligation of All

We wish to emphasize unequivocally that it is the absolute obligation of all individuals, from military officers to municipal authorities, to fully grasp and adhere to the Haldimand Proclamation, along with other pertinent historical documents and international treaties. The confirmation of the Proclamation by Canada in 1791 serves as irrefutable validation of this obligation. Every individual must uphold the commitments made by the Crown to our people and our territory. This encompasses the crucial responsibility of recognizing the legal status of individuals within our community and ensuring the protection of their rights and safety.

Operational Jurisdiction and Legal Rights, Including Challenges Posed by Band Councils and the Simcoe Patent

It is essential to note that Mohawks do not operate under the Canadian Charter. Instead, we assert our freedom from association with Canada, particularly concerning the police, especially within our own lands. We resolutely affirm our autonomy and distinctive legal rights, firmly anchored in historical documents and international agreements. The Haldimand

Proclamation serves as the cornerstone of our legal standing, underscoring our unique status as a continuous pre-Columbian private society within the broader Canadian context.

Furthermore, it is crucial to highlight that the Haldimand Proclamation is an imperial instrument and is not registered as a numbered treaty in Canada. This critical distinction stands as a testament to the Mohawk Nation's sovereign position, as registering the proclamation as a numbered treaty would have rendered us subject to Canadian legislation. It is worth noting that the rejection of the Simcoe Patent fortified the Mohawk Nation's distinct legal status and invalidated subsequent attempts to diminish our rights.

In our relentless pursuit of justice and sovereignty, it is paramount to acknowledge a historical truth that implicates various actors in a profound injustice. The lands of the Mohawk Institute were placed in trust—a decision involving the Six Nations Indian Band Council. The trust was granted to the New England Company, ostensibly for the benefit of the Mohawk Institute.

This intricate legal situation bears a resemblance to the concepts found in Scottish law, specifically the notions of "Institute" and "substitute." In civil law, the term "Institute" refers to a person named in a will as the heir, but with a directive that they shall ultimately pass over the estate to another designated individual, known as the "substitute."

In the context of the Mohawk Nation and Such Others, this situation underscores the need for vigilance. Just as the "Institute" and "substitute" framework can be used in Scottish law to designate heirs, there is a risk that external forces may seek to manipulate this framework to substitute the Loyalist Mohawk Posterity with the Six Nations Indian Band Council, thereby altering the rightful beneficiaries of our heritage.

This historical complexity reinforces our determination to protect our legal standing and heritage from external influences and actions that could undermine our rights. It also underscores the need to remain vigilant against attempts to rewrite our history or manipulate our legal position to the detriment of our community.

The profound significance of addressing this historical issue lies in our unwavering commitment to justice, sovereignty, and the preservation of our heritage. It is our moral and legal obligation, as well as that of the Six Nations, to recognize and rectify historical injustices that have deeply affected our community. Moreover, it is crucial to consider the possible influence of external factors, such as the Simcoe Patent, which may have led to retaliatory actions against our refusal to consent to it.

The Simcoe Patent, had we accepted it, would have potentially relinquished Canada from lawfully observing the Haldimand Proclamation and the pledge of faith to the Mohawks. Understanding this complex historical backdrop is pivotal in comprehending the intricacies of our historical and legal position, as well as the motivations behind certain actions taken against our community.

Additionally, we must address a deeply concerning historical issue: Six Nations Indian Band Councils grant of Mohawk lands and their placement in trust with the New England Company for the benefit of the Mohawk Institute, Canada's first Indian residential school. This

institution was designed to target Mohawk posterity or heirs, reducing our numbers, and effectively substituting the Mohawk Posterity for the Six Nations when novation proved impossible.

We acknowledge that these historical complexities and actions may pose significant challenges to the recognition and preservation of our rights and heritage. It is essential to distinguish our hereditary rights and legal standing from the actions and limitations imposed by historical instruments like the Simcoe Patent and the decisions of band councils.

In addition to the complexities surrounding our legal status, it is essential to address the matter of our nationality. We are assured our own nationality, as per the Universal Declaration of Human Rights and other international norms, which prohibit arbitrary deprivation of nationality. However, we are not only forced to associate as Canadians but also compelled to be represented by an Indian Band Council, a construct created by Canada.

This imposition of external representation usurps our rightful position and denies us the autonomy to fully express and exercise our inherent rights. It is a violation of our sovereignty and the principles of self-determination. We firmly assert our identity as the Mohawk Nation of Grand River and our right to self-governance.

In Conclusion

In conclusion, this draft statement stands as a testament to the Mohawk Nation of Grand River's unwavering commitment to justice, sovereignty, and the preservation of our rich heritage. Rooted in the historical foundations of the Haldimand Pledge, the Haldimand Proclamation, and international treaties, we affirm our rightful place within our ancestral lands.

Our drivers program and housing initiatives are not mere projects; they are tangible expressions of our profound understanding of the law and our determination to exercise our inherent rights within our territory. While we acknowledge the potential challenges and concerns that may arise in the process, we wholeheartedly commit to addressing them through clear communication, comprehensive education, and unwavering cooperation.

It is our fervent aspiration to forge a future where justice prevails for all, underpinned by a profound understanding of our legal rights and responsibilities. As we navigate the complexities of our unique legal status and the historical instruments that have sought to diminish our rights, we stand resolute in our determination to safeguard our hereditary rights and heritage.

We extend our hand in friendship and cooperation to all individuals, including officers in the military, municipal authorities, and law enforcement agencies. We call upon each and every one to fully comprehend and observe the Haldimand Proclamation, the Two Row Wampum Treaty, and the Silver Covenant Chain of Friendship, acknowledging the commitments made by the Crown to our people and our territory. By doing so, we can collectively chart a path forward that respects our rights, preserves our heritage, and ensures the well-being of all community members.

In unity and solidarity, we look forward to a future where justice and sovereignty are not merely words but living principles that guide our interactions, protect our rights, and strengthen the bonds of peace and understanding between our nation and our neighbors. Together, we can build a brighter future founded on justice, equity, and mutual respect.

Sincerely,

Benjamin Doolittle UE
Secretary General
Mohawk University
Mohawk Nation of Grand River

