



Nemenhah Band and Native American Traditional Organization

An Educational Auxiliary of

The Oklevueha Native American Church of Sanpete

**Declaration of Good Conscience and Practice,
Constitution, and Establishment of a Native
American Traditional Organization beginning in
this State of Utah, in the United States of
America.**

*In a Sacred Manner We Are Talking.
In a Sacred Manner We Are Walking.*

Preamble

We, Nemenhah, believe in the Creator and that the Creator made all men and women who have lived, do now live, and who will yet live, as free and equal beings. We recognize the inherent, ancestral, sovereign rights granted to all people by the Creator, human conscience, international law, and legal constructs of reciprocity, mutuality, and comity, which cannot be diminished or extinguished. We believe that we derive from and that we may become like the Nemenhah who lived in this land anciently and that, through their literal descendents, we claim the right to form a Native American Traditional Organization based upon their teachings which have been passed down to us through the traditions, customs, ceremonies, writings, and records of the Native American People, among which we acknowledge the Mentinah Archives by way of example.

Accordingly, we believe that we are all relations one to another and we are children of the same Creator. We affirm the UNITED NATIONS Declaration on the Rights of Indigenous Peoples (U.N. Subcommission on Prevention of Discrimination and Protection of Minorities, 1994/45, August 26, 1994. U.N. Doc. E/CN.4/1995/2, E/CN.4/sub.2/1994/56, at 105 (1994)). Fundamental to our traditions is the truth that, as children of the Creator, we are entitled to the freedoms of thought, religion, education, assembly, opinion, speech, movement, our sacred rights of worship and methods of healing, our traditional lifestyle and security within our historical territories, insofar as that freedom does not prevent others from likewise enjoying the same freedoms. We believe that men and women have been endowed with intelligence enough to govern themselves in such a manner as to guarantee to themselves these freedoms, to establish just and right ways to deal with each other, to maintain a tranquil and secure domestic life, provide for defense of these rights when needed, and to insure for ourselves and our posterity the blessings that our culture, traditions, and teachings bring. Accordingly, we exercise our right to form a Band and Traditional Organization of our own people, founded upon the principles cited herein, and we ordain and establish this Constitution for the Nemenhah Band and Native American Traditional Organization as an Indigenous Group.

We adhere to the Eighteen expressions of the Sacred Sahaptan Healing Way as among the Primary Fundamentals of our faith worship, and the foundation of our society. They are:

1) We, Nemenhah are a people dedicated to teaching the Sacred Sahaptan Healing Way and of the principles contained in the written records of the Ancient Nemenhah, many of which are found in the “Mentinah Archives,” as well as the sacred writings of indigenous peoples around the world. As such, we believe that no person stands above another; all people are not merely created equal, but are equal in the sight of the Creator. We are Nemenhah!

2) We believe and adhere to all the principles of the Sacred Sahaptan Healing Way, as restored to Phillip (Cloudpiller) Landis, by direct revelation from his Grandfathers, and through the ancient tradition of Wyakin, which include but are not restricted to:

- i) Acquisition of truth through diligent study, observation, prayer, song, dance, guidance from one’s Ancestors, and through the right application of wisdom and of the gifts of the Creator.**
- ii) Self-determination and self-direction.**

- iii) **The use of natural healing methods and materials, and of spiritual guidance for the healing of the body physical and the body spiritual of the individual, family, community, nation, and world.**
- iv) **The education of others in the Sacred Sahaptan Healing Way, so that all people may become Healers.**

3) We believe in the Wisdom of the Creator. This wisdom, along with the gifts of our culture, our customs, our traditions and our beliefs, as they are expressed in the sacred utterances and performances of the Sacred Sahaptan Healing Way, are gifts given to us by the Creator, through Wyakin, and they can neither be given nor taken away by other persons, peoples, nations or governments.

4) We believe that the wisdom of the Creator finds expression in nature and that the inherent wisdom of all living things reflects and manifests that expression. This is also Wyakin and it is upon this tradition of the pre-contact American Indigenous Peoples, and also the teachings of the Ancient Nemenhah that we do establish ourselves. Diligent study leads to more complete understanding of the will of the Creator for all people. Therefore, all people are endowed by the Creator with intelligence and the use of that intelligence to learn all things is the ultimate expression of our society and our religion, and one of the ultimate gifts of the Creator that must be passed on to our Band Brothers and Sisters, and to our posterity.

5) We believe that all people are free to choose and that the health of the body, the mind, the spirit, the community, the society, and the planet are direct consequences of the choices each person makes. All people have the unalienable right to freedom of choice and of self-determination, in areas of family life, health, education, application of traditional values, beliefs and lifestyles and practices, as well as in community and national participation. The inherent dignity and equal and unalienable rights of the human family are the foundation of health, freedom, justice, peace, and harmony among all peoples. Without these values, humans are mere slaves, either of their fellow man and his expectations, or of society.

6) We believe that the Creator guides, succors and saves all the works of Creation.

7) We believe that faith and acts of faith are right applications of the wisdom of the Creator.

8) We believe that all people are free to anxiously engage themselves in any good work, for the power is in them because of the creation, and of the atonement. All Indigenous People have the right to self-sufficiency through the inherent rights of self-determination and self-government.

9) We believe that all earthly organizations are manifestations of the order that pervades creation and that, even if flawed, some element of truth may yet be found in them. The Nemenhah Band has a permanent population and all of our people, individually and collectively, may enjoy and have equal access to the economic, social, cultural, religious and political rights and freedoms of our society, which includes all of our Men, Women, Elders, Teachers, Medicine Men, Medicine Women, Sahaptan Guides, Sahaptan Healers, Sahaptan Shirts, Native American Practitioners, Roadmen, Roadwomen, Chiefs, Councils and Counselors, Youth and so forth.

10) We believe in miracles; such as cures, healings, prophecies, visions, Wyakin (personal revelations and visitations), the speaking in tongues and the interpretation of tongues, the translation of ancient languages, and so forth, and that it is the right of all people to heal and be

healed without restriction from any earthly government, for Natural Medicine and Natural Modalities of Healing are gifts of the Creator.

11) We believe that the Creator is actively involved with us and has revealed many things to us through our Ancestors, and through Wyakin, does now reveal many things to us, and will yet reveal many things pertaining to all manifestations of Creation. It is for this purpose that the Creator caused our ancestors to walk upon the land now known as Central and South America, North America, the Islands of the Pacific Ocean, Japan, Indonesia and Tibet. These are our traditional and historical territories and it is so that the Creator could guide and direct our nomadic walk upon this Mother Earth that we receive Wyakin in our personal and communal lives. No earthly power or organization may restrict the freedom to obtain and to apply personal revelation and we believe that the Creator has revealed the Sacred Sahaptan Healing Way to us through the ancient, tried and tested method of those who lived in this land prior to its invasion, conquest, colonization and subjugation by other people from other lands.

12) We believe that all people can be One People (Nemenhah), united in all good and true purposes, having all Truth in common, and that all social, political, economic and ethnic distinction, if it is designed to edify, is honorable. But if it is designed to enslave or subjugate, it is evil and must be abolished.

13) We believe that the Earth may be healed if all people will become one in that purpose and that the Creator will assist us in that purpose. All people have the right to be healers, both for themselves, their families and neighbors, as well as for nations, kindreds, peoples, and the earth herself.

14) We eschew the despotism of orthodoxy and exercise the privilege of seeking and finding truth wherever that search may lead us. No earthly organization may restrict the free exercise of choice in the obtaining of education and understanding. This is the Sahaptan Way. It is a Sacred Way. It constitutes part of our Traditional Religion and may not be taken from us, either by legislation, treaty, order, or any other earthly artifice or device.

15) We believe in and uphold any law or regulation made by the government of any nation that is based in principles of truth and that is made not for the purpose of enslavement, or to place one nation or one person above another. If any law conforms to that standard we believe in and uphold that law. If any law tends to enslave or place one nation or person in subjection to another, we claim the right to work within the law to change it.

16) We repudiate any rights that any federally recognized tribe or band may claim to enter into treaties or agreements that seek to bind the Nemenhah, their Band Family, their descendants or their followers in good faith.

17) We talk in a sacred manner.

18) We walk in a sacred manner.

In a sacred manner, we hereby reaffirm our commitment to our inherent values of Spirituality, Intelligence, Honor, Sharing, Kindness, Love, Respect, Courage, Integrity, Healing and Equality as passed on from generation to generation by the Ancestors.

In a sacred manner, we hereby reaffirm our commitment to the sacred teachings of the Sahaptan Healing Way as passed on from Healer to Healer by the Ancestors, and of the teachings and principles contained in our traditions, customs, ceremonies, celebrations, etc, our Sacred Writings and Records, and etc., and do affirm our intent to restore the Sacred Sahaptan Healing Way, as a spiritual belief system and practice, in its complete form, beginning with our own Indigenous Group and then expanding to all the peoples of the world who express an interest in it.

In a sacred manner, we hereby reaffirm our right to form Lodges and expand the Community of the Nemenhah Band and Native American Traditional Organization (Okleveuha Native American Church of Sanpete) in any place that the Creator commands and that our Ancestors direct, according to the application of our faith and the diligent performance of our duty.

In testament whereof, we hereby reconfirm our national symbols: Our Sacred Ancestral Prayers, Ordinances, Healings, Blessings, Covenants, Consecrations, Drums, Shields, Dress, Pipes, Feathers, Medicines, Materials, Methods, Modalities, Flags, Protocols, Language, Songs, Dances and other sacred practices and items; and, do hereby authorize Local Councils, Proclamations, National and Local Commemorations, Ceremonies and Celebrations, Treaties and Affiliations with other Nations and Peoples, and a Great Council and National Assembly of all Nemenhah, by all Nemenhah, and for all Nemenhah, popular, fair, representative, and responsible.

Therefore, as both a culmination and a beginning, we recognize these characteristics for our people where ever they may be found; and, we go forward from this day with the following:

Definitions:

Consensus

All election and decision in the Band shall be by the consensus of those voting. When a Council has come to the end of all debate on any matter, the Feather shall ask for a “thumb vote,” meaning that all members of the Council shall demonstrate their agreement by raising their hands with thumb up, or in the alternative, they shall demonstrate their disagreement by raising their hands with thumb down. Should there remain any thumbs down, consensus shall not have been obtained and the matter must return to debate or it must be withdrawn and studied. Council Members may raise their hand with thumb parallel to the ground, meaning that they disagree but require no one to agree with them, and this shall not be counted as a vote in the negative. When all thumbs are either up or parallel with the ground, consensus has been obtained.

The Elected Principle Medicine Chief (EPMC)

The Elected Principle Medicine Chief is the Custodian of the Medicine Principles of the Band and is hereinafter referred to as “EPMC.” The EPMC shall be either man or woman who can trace their lineage directly to a Principal Chief of any Native American Tribe, Native Hawaiian Village or Community, Native Alaskan Village or Community, Traditional Community of the Ainu of Japan, or of Tibet, or to Hagoth, Hementah, Shi-Tugohah or Lehi of old, through literal descent, who has received the sustaining vote of the Great Council of the Nemenhah. The first elected and sustained EPMC of the Nemenhah is Phillip R. (Cloudpiler) Landis, AKA Hemene Ot To-Oh-Yelo Akekt, who is the direct descendent of Pawna Tawny, declared granddaughter of Chief Joseph of the Joseph Band of the

Combatant, Non-Treaty Shaptin-Speaking, Indigenous People of the Wallawa Region of North America, of Hagoth and of Alma, of Joseph through his descendant Lehi, of Judah and of Levi.

The EPMC is sustained by the Great Council of the Nemenhah at the yearly Conference of the Nemenhah. The Conference shall meet at least once every year to sustain the extant EPMC, or, in the case of vacancy, to elect a new EPMC. The EPMC may also call a Special Conference of the Great Council when need or emergency arises. The EPMC of the Nemenhah is the first member of the Community and remains so for as long as he or she may live or until he or she either resigns the position or is expelled from it as provided herein.

The EPMC may create Lodges of the Nemenhah at any time and in any place he or she may deem necessary and appoints the Lodge Council. The Lodge Council reports to the EPMC in all things and he or she guides their activities personally or by appointment of the Principle Stone Carrier of each Lodge.

In the absence of a body of Band Mothers, such as in the case of the formation of the First Thirteen Lodges, the EPMC may create a Community Council. After a Community Council is created, the EPMC takes an advisory position in the Community Council.

The EPMC may author counsels but may not impose any counsel upon the members except through the voice of the members by Council vote. Nevertheless, the EPMC receives the direct guidance of the Ancestors with regard to the Sacred Sahaptan Healing Way. Because of this, the EPMC is the guardian of the Sacred Sahaptan Healing Way. Although Councils may make suggestions and recommendations, no amendment to the Sacred Sahaptan Healing Way may be made except upon the approval of the EPMC.

The EPMC is the Feather of the Conference and Great Council of the Nemenhah, and presides whenever such Conference convenes, unless he or she deems it necessary or prudent to call upon the Great Council to elect a Feather for a particular conference.

The EPMC shall train the Peli in the role and duties of that calling so that every one of them is competent to fill the seat of the EPMC before the Councils. When there is a vacancy in the seat of EPMC, the Conference may convene a Special Council of all the Peli in order to fill the vacancy. The Peli shall choose, by consensus from among the Sahaptan Shirts of the Band a successor to the exiting or EPMC. The Conference shall also approve and sustain the successor by consensus of the Delegates present.

Upon the death or expulsion (being essentially equal), of the EPMC, his or her successor shall be chosen by the Conference or "Great Council," as per the first election, and he or she shall immediately assume the office of EPMC, with all of its rights and privileges. Should the chosen successor be a minor at the time of the death or expulsion of the EPMC, the Conference shall convene and shall automatically become a Special Council of the Nemenhah for the sole purpose of electing a Feather of the Great Council whose term of office shall be until the EPMC shall have reached the age of agency, at which time, the Feather of the Great Council shall deliver the Feather to the EPMC.

Should the EPMC become incapacitated or otherwise unable to fulfill the duties of the office, he or she shall express the same to the Peli Council and a Great Council shall be convened to elect a new EPMC. In the event that the EPMC is unable to make such expression, the Peli Council shall convene a

Great Council to elect a new EPMC. In either case, the removal of the EPMC shall entail no dishonor and the exiting EPMC shall immediately resume his or her position in the Peli Council.

The Sacred Sahaptan Healing Way

The Sacred Sahaptan Healing Way is that body of knowledge which is compiled into a uniform curriculum for the systematic training and education of the Medicine Men and Medicine Women of the Band. It is the criteria by which Band Adoption is entered into and the basis and foundation of this Constitution. It consists of the Ancient Circle of Law and of the ancient and otherwise accepted spiritual and physical ceremonies, wisdom, knowledge, practices, policies, teachings, modalities and etc., which are expressed in the Mentinah Archives as well as in other ancient traditional histories and documents, and also in the Long Count, currently in use by the Band.

Nemenhah (Spiritual) Adoption

Membership in the Nemenhah Band and Native American Traditional Organization (Oklevueha Native American Church of Sanpete) is by and through the ancient tradition of Band (Spiritual) Adoption. To obtain adoption, an individual applies to the EPMC's Committee on New Membership for adoption into the Band and includes an offering with the application for same. The individual also covenants to continue to make surplus offerings thereafter. Upon the satisfaction of the committee, the EPMC is instructed to execute the adoption of the individual by ceremony and documents are created for the new member. The EPMC is empowered to act in what means it deems necessary to simplify the process of adoption. The Adoption Ceremony is held at the yearly Great Council when all the names of the members are presented in the Long Count of the Band. This adoption shall not be construed as "Tribal Adoption" or "Legal Adoption," but is strictly spiritual in nature and conveys no tribal or legal rights as they relate to membership or enrollment in any recognized tribe. The Adoption is for Band purposes only.

Nemenhah Community Member

Men and women who are studying the Sacred Sahaptan Healing Way, who have been duly adopted by the Band, in accordance with the ancient law of Spiritual Band Adoption and by the direction of the Ancestors and Wyakin, and who have made a covenant to sustain and uphold each other, the EPMC, the Nemenhah Program NAC, Inc., and the Community and Lodges of the Nemenhah, shall be considered Members of the Community of Nemenhah and of the Lodge closest to where they reside, or to which they have been assigned by the EPMC. Members shall demonstrate their covenant by complying with the standards set by the Peli Council for such compliance.

Band Elders

The Nemenhah Band and Native American Traditional Organization is a union of Medicine Men and Medicine Women who follow the ancient Sacred Sahaptan Healing Way. As such, technically, they are all considered "Elders" of the Band. The term "Elder" shall carry no especial distinction in general use among the Nemenhah. In special use, such as in the Councils of the Nemenhah, "Elder" shall designate responsibility. The Elders of the Lodge, in this context, are the Principle Stone Carrier, Unipi Leader and the Itsipi Leader, for they constitute the Lodge Council. The "Elders" of the Community shall be the members of the Community Council. The "Elders" of the General Councils shall be the Delegates participating in the Council. The "Elders" of the Great Council shall be the Delegates participating. The "Elders" of the Sacred Sahaptan Healing Way shall be the Elected Principle Medicine Chief and those individuals whom he/she calls to counsel in that responsibility, and so forth.

The Band Mothers (General Council of Mothers)

The Band Mothers General Council of Mothers are all those women who have reached the age of agency, who have been duly adopted by the EPMC, in accordance with the ancient tradition of Spiritual Adoption and by the direction of the Ancestors and Wyakin, and who have covenanted to sustain and uphold each other and to diligently study the Sacred Sahaptan Healing Way.

Age of Agency

“Agency” is the right of Nemenhah Members to vote in any Council and in the Conference Assembly. The Age of Agency has been determined by unanimous vote of the first Council of Mothers to be thirteen (13) years of age. The Age of Agency may be changed upon consensus of the Council of Mothers participating in Great Council.

Lodge

Any member of the Nemenhah who has been designated a Principle Stone Carrier by the EPMC may be authorized by the EPMC to create a Lodge within any Community of the Nemenhah. The function of the Lodge is to create a Local Gathering of the Nemenhah congregation of the Church and a venue for the teaching of the Sacred Sahaptan Healing Way, as well as to examine and teach all good things. The Principle Stone Carrier presides over a Lodge Council consisting of a Unipi Leader and an Itsipi Leader.

The Nemenhah Community

The Community of the Nemenhah is created when any Lodge consists of thirteen or more women who desire to form a Community Council. Whereas the Lodge is governed either directly by the EPMC or by a Lodge Council under the direction of the EPMC Principle Stone Carrier whom the EPMC shall appoint, the Community is governed by a Council nominated by the Council of Mothers and elected by the General Assembly of the Lodge membership, and the EPMC resigns to a position of advisor to the Community Council. The Community may consist of as few as one or as many as thirteen or more Lodges and the Lodge leadership is retained. When a Community is formed, however, the Lodge Council reports directly to the Peli Council of the new Community.

Community Councils shall consist of at least thirteen people of the age of agency, (being that age which the Band Mothers deem appropriate) chosen from among the General Assembly of the Community each year, and shall meet as often and for as long as that Council shall deem necessary, or need arises, and shall not adjourn until the business at hand is resolved. The Community Council is nominated from among the members of the community by a consensus of the Mothers of the Community who wish to vote. The Council, as nominated by the Band Mothers, must also receive a sustaining consensus of all the members of the community who have reached the age of agency and who demonstrate their wish to participate in the election by attending the Conference appropriate to that election. If the Council, as nominated by the Band Mothers, fails to obtain a consensus, it shall not convene and the Band Mothers shall meet again to nominate a new Community Council.

The Community Council may be removed from office before the end of its term only by the consensus of the Band Mothers and of the members of the community.

The EPMC appoints the Peli and the Community Council shall elect a Feather from the list of Peli in that community which shall be provided by the Peli Council of that community, where one exists, or by the General Council of Peli.

Membership in the Community Council is an honor rather than a profession and any member elected to the Community Council must personally approve of his or her election. No person shall receive remuneration for service in the Community Council, nor shall any person be coerced into service.

The Peli and the Peli Council

“Peli” is a *Penutianization* of the Hebrew name “Leb,” or “Levi,” as the name is used in common English today. The ordinances and performances of the Peli bridge the gap between the political organization (the Communities) and the spiritual organization (the Lodges) of the Band (Church).

The Peli are men within the Nemenhah who are Sahaptan Shirts, or those men who have committed to work to become such, and who have received the Order of the Sons of Levi by ordination by the EPMC, and also they are the Mothers who are Sahaptan Shirts, or those who have committed to work to become such, and have been set apart by a blessing of the EPMC, ***for the Mothers need no ordination***. Whenever ordinances are performed in public gatherings, the Peli perform such ordinances, or they guide and direct those who shall perform them. under the direction of the EPMC.

The Peli Council of the Community shall consist of no less than four, and no more than twelve Medicine Shirts of the Sacred Sahaptan Healing Way who are Peli residing within that Community. The function of the Peli Council of the Community is to direct the work of the Sacred Sahaptan Healing Way, to set standards and procedures for the performance of the ordinances, assist in the education of those undertaking training to become ministers and administrators within that discipline and to provide and maintain a list of the Peli Shirts who reside in a given community.

The General Council of Peli shall consist of all the Peli of the Nemenhah who wish to participate. The Feather of the General Council of Peli is the EPMC, in accordance with the will of the Creator, the guidance of the Ancestors. The function of the General Council of Peli is to maintain a uniform curriculum for the training of ministers and administrators.

Immunity

Members of all Councils shall be held to the same performances as they impose upon the members of the communities. They shall have no immunity. Even the EPMC may be expelled from the Nemenhah for base and grounds described herein.

The General Councils

Where thirteen Communities exist among the Nemenhah, in a designated region, who wish to have social and /or economic association one with another, the Communities shall elect a General Council. The General Council shall consist of one Delegate, chosen from among each participating Community Council, every second year, by consensus of all the members of the participating Community Councils who wish to vote. The General Council shall choose a Feather from the list of Peli Shirts provided by the General Council of Peli.

The General Council shall meet from time to time to hear counsels, which have to do with the association of communities, and to hear disputations between communities. Once convened in council, they shall not adjourn until the business at hand is resolved.

Membership in the General Councils is an honor rather than a profession and any Community Council member elected to the General Council must personally approve of his or her election. No person shall receive remuneration for service the General Council, nor shall any person be coerced into service.

Conference or Great Council or Council of Fifty

The EPMC shall call for the Great Council at least once every year or, otherwise, when he/she deems it necessary. No regular Great Council may be called except by the EPMC of the Nemenhah. The EPMC is automatically the Feather of the Great Council.

The Great Council shall consist of up to fifty members of the age of agency chosen from among the General Councils and/or it shall consist of Delegates sent from the Community and Lodge Councils, when such Council is called for, by consensus of all the members of the General Councils. The Great Council shall appoint, as often and for what term it deems necessary, Chiefs who will act as counselors to the elected Councils. Such positions shall include, but shall not be restricted to: Chief of Legal Services, Chief of Security, Chief of Operations, Chief of Family Services, Chief of Education, Chief of Industry and Science, Chief of Transportation, etc. No person shall receive remuneration for service in the Great Council, nor shall any person be coerced into service. The Counsel Chiefs shall receive no remuneration for their services to the community, but such service shall be attributed to them as part of their covenant donation. Where programs designed to aid the Band in the implementation of its programs, such as in the case of the College (Nemenhah Program NAC, Inc.), for example, remuneration for the services of such Chiefs as are deemed necessary for such programs shall be authorized and shall be obtained from the donations and offerings of the participants in such programs.

Council Eligibility

No one shall be a Council Member who has not attained to the age of agency and who has not bound themselves by covenant (outlined in Article Seven) to the community.

Proxy

Each duly elected Community Council Member, duly appointed Lodge Council Member, or duly elected Community or Lodge Delegate shall have one vote on any matter that comes to a vote in their appropriate Councils. If any Community Council Member is unable to attend a Council, he/she may assign their Proxy Vote to any other duly elected or appointed member of the appropriate Council and they shall vote in their stead.

The Feather and Principle Stone Carrier

The Feather calls the Council to order and determines the order of speakers in Council. The Feather may also adjourn the council if order cannot be maintained or when all counsels are complete. All members shall have opportunity to speak and when all have spoken, the Feather shall call for a vote of the members. The Community, General and Great Council Feather is chosen by the Council and has no vote. The Principle Stone Carrier functions as the Feather of the Lodge Council under the direction of the EPMC.

Removal and Expulsion

The Councils shall have sole power to remove any Council Member or Counsel Chief, but may do so only upon base and grounds that would also necessitate that member's expulsion from the community and divorcement from the Nemenhah. Expulsion from a community is the only base and grounds for removal from a Council, standing to reason that, should any matter be brought against a

Council member that might necessitate his or her removal from a Council, the same would justify expulsion from among the people in general. Physical or mental incapacity shall not be construed as base and grounds for expulsion but shall be cause for members of Councils to be asked to step down. In that case, such Council Members must step down but they do so without divorcement or any dishonor. Members of any Council may step down for any reason without any dishonor. Lodges and Communities may only be disbanded by the EPMC.

Vacancies

When vacancies occur in the representation of any Council, the Feather of that Council shall request that the Council of Mothers make nominations for the positions and cause an election to be held to fill the vacancies. Should the vacancy involve the elected Feather of any Council, the Council shall elect a new Feather prior to filling any other vacancy.

Covenant Donation

The Covenant Donation, as outlined in Article Seven, is the stewardship of the Principle Stone Carrier of any organized Lodge, the Feather of the Community Council of any organized Community, and where there are no organized Lodges or Communities, it is the Stewardship of the EPMC. In the case of the Nemenhah Program, which is the Seminary of Native American Medicine affiliated with the Band, and any other affiliate programs which may be approved by the Peli Council, donation funds directed into such programs shall be administrated by the Council of that program, under the direction of the appropriate Council Chief, or under the direction of the EPMC.

Article One: Where men and women, who are engaged in the Sacred Sahaptan Healing Way and wish to become Nemenhah, undertake to celebrate ordinances which are intended to regulate their own community life through the ancient traditions of Council, the authority to do so shall be vested in the EPMC (where counsel pertains solely to the Sacred Sahaptan Healing Way and the organized Lodges and therein), the Community Council (where counsel pertains to the organized Nemenhah Community), the General Council (where counsel pertains to more than one Nemenhah Community), and the Great Council (where counsel pertains to all the Members as a body).

The peace and order of the Nemenhah Community is the responsibility of each member of the Community singly as also in unity. Resolution of disputes shall first be attempted between the parties, as is fitting in a covenant society. If disputes arise that cannot be resolved between the parties, they shall be taken before the appropriate Council of the Nemenhah.

Article Two: Lodges and Communities of the Nemenhah shall be organized following the model provided by the suggestions given by the great warrior and historian, Shi-Tugohah, as found in the Nemenhah Historical Records (Mentinah Archives). This model may be amended and expanded upon according as the EPMC and the Councils are moved upon by the Creator and as they are guided by Wyakin. His counsel suggests that nominations for positions on the Community Council be given by the Band Mothers of that Community and that the nominations be elected by the vote of the General Assembly Members of the Community.

Article Three: There shall be no form of bond servitude or slavery among the communities. This shall apply both to persons, as well as economies. Should a member the Nemenhah be found guilty by Council of offense not worthy of expulsion, and service is required of that person to retain his/her membership, the member shall render that service without compulsion. That person shall also be given

the alternative of not performing the service and, should the alternative be chosen, that member shall be expelled from the Community.

Article Four: No title of nobility shall be granted by the Nemenhah. Rather, all men and women shall stand as equals before their Creator. There shall be no class or caste. Titles of elected or honorary vocation or profession, such as “Elder” or “Chief” shall not be construed as title of nobility, for they are derived by consensus and may be removed by the same principle.

Article Five: The Community Council shall exercise oversight over its own Nemenhah Community. Should any Nemenhah Community member have any disputation with any other, and that dispute cannot be settled between the parties, the matter shall be taken up by the Community Council. Disputes within an organized Lodge shall be handled in the same manner- the Principle Stone Carrier, Itsipi Leader and Unipi Leader constituting the Council. Decisions by such Councils are final.

Article Six: No person shall be allowed to represent or speak for and in behalf of another in any disputation in the Councils, but must present his or her own case in his or her own words. No priestly class of attorneys and judges shall be created or allowed to develop within the communities. Instead, the Council shall appoint a clerk who shall have the keeping of the records of the counsels rendered by it and shall assist the Council in its own analysis of the counsels as the Council shall deem necessary. The clerk shall not have any vote in the Council and shall not speak for any member or for the Council in any matter before the Council. The clerk’s term of office shall be whatever the Council deems appropriate and, since the clerk is not an elected officer of the Community, he or she may be released by the Council at any time without cause. Neither the Council nor the Clerk shall receive any remuneration for their services to the community, but such service shall be attributed to them as part of their covenant donation.

Article Seven: Every member is entitled to their living and is free to enter into contracts, do business, and to own and dispose of property as he or she sees fit. To be a Member, however, and receive the benefits of what security the Band might offer in time of need, one must consecrate to the Principle Stone Carrier of the Lodge, the Feather of the Council of the Nemenhah Community, or to the EPMC from out of the surplus of one’s work product, either in money, kind, or in service, whichever may be deemed most appropriate by the **Member** making the donation. This is the Covenant Donation. Neither the Principle Stone Carrier of the Lodge, the Feather of the Community Council, the EPMC, or the Councils shall decide the nature, amount, or appropriateness of the Covenant Donation. They may make recommendations, but they may not dictate the amount or kind of the offering. No individual shall be forced to enter into the covenant, however, membership privileges, as well as security in time of need, shall only be extended to covenant members. All other people must depend upon the charity of their neighbors and hope for the best. The Lodges shall have power to solicit and accept appropriations from the Principle Stone Carrier. The Community shall have power to solicit and accept appropriations from the Feather of the Community Council. All Lodge and Community expenses, if any, shall be paid by the Principle Stone Carriers or the Feather of the Community Council with funds obtained from the Covenant Donations of the community members by application. The Feather of the Council and the Principle Stone Carriers shall safeguard the accounts and make moneys or kind available to the Councils as appropriated. The EPMC shall have authority to administrate the funds received through the Seminary Programs and distribute them as the Council for that project deems appropriate. This is a dedicated fund under the direct administration of the EPMC.

The General Councils shall have power to apply for and accept appropriations from the Community Councils. The General Counsels shall have no power to lay and collect taxes, duties,

imposts and excises, or membership fees, but may set up dedicated, voluntary funds for specific purposes which shall be accounted separate from the Covenant Donation.

The Great Council shall have power to apply for and accept appropriations from the General Councils. The Great Council shall have no power to lay and collect taxes, duties, imposts and excises, or membership fees, but may set up dedicated, voluntary funds for specific purposes which shall be accounted separate from the Covenant Donation.

If the community members want programs and services, they will pay for them through the Covenant Donations and through Dedicated Funds. The Councils shall impose no programs and services upon the members for which they are not willing to voluntarily donate. This is in accordance with the ancient practice of the Sacred Giveaway and is a vital tenet of our traditional beliefs, faith, spirituality and sacred practices.

Article Eight: Men, women, youth and children are members of the Community of the Nemenhah and only of the Lodge in which they reside, unless otherwise assigned by the EPMC. If a person resides where no Lodge is organized, he or she may become a member of the nearest duly organized Lodge until such time as one is organized in their own area. Should they decide to move from one Lodge to another, they shall not be considered a Member until they have met with the Principal Stone Carrier of that Lodge and have committed themselves to that Lodge by covenant. If a member wishes to be a member of the Community but not of a given Lodge, they are free to do so. Commitment to the Community shall be by covenant of consecration, whereby the individual donates from out of the surplus of their work product to the community, as heretofore set forth. In other words, there are no membership dues or fees per se. The Members support the Lodge and Community individually with giveaway offerings (donations).

Article Nine: No crime shall be deemed violent unless by it a person willfully and knowingly renders another physically unable to make a living, or acts in a manner that might give threat of doing so. Murder, rapine, abuse of a child or of a weaker person, sexual abuse of any kind, upon man, woman or child, as well as any act of mayhem, including the manufacture and/or distribution of illicit drugs or other harmful substances, shall be considered violent crimes without mitigation, regardless of whether the crime renders a person physically unable to make a living or not. Such criminals shall be expelled from the community and delivered to the appropriate authority, or to nature in the event that no other authority exists. They shall not have the security of the community but shall be in perpetual exile. Be it known therefore, the Nemenhah maintain a zero tolerance policy regarding such things which shall be exercised without mitigation.

Article Ten: Nemenhah Communities and Lodges are sovereign and self-governing. No Community or Lodge shall exercise rule or compulsion over another. All Communities may participate in the General Councils and the Great Council by sending duly elected Delegates to them. Any Community may, by a vote of consensus, decide not to participate in General Councils or Great Council. Those Communities shall be considered alone among friends and shall not be shunned. Nevertheless, they shall not enjoy the blessings and privileges afforded those participating in General and Great Councils.

Article Eleven: Even though this Declaration and Constitution is set forth to establish the Nemenhah as a Native American Traditional Organization, it should be recognized that we recognize all truth as our religion. Councils shall offer no counsel regulating an establishment of religion or any

religious belief for and in behalf of individual members of the Band or prohibiting the free exercise thereof; except where that profession of belief causes injury to another to the extent that it renders that person unable to earn his or her living, or threatens to do so. The Nemenhah shall always respect and uphold the religious beliefs of its members.

Article Twelve: Councils shall offer no counsel regulating or abridging the freedom of speech, or of the right of the people peaceably to assemble, and to petition the Councils for a redress of grievances.

Article Thirteen: The enumeration in this Constitution of certain rights shall not be construed to deny or disparage others retained by the members. Neither shall any enumeration of any rights serve to make those rights automatically under the regulatory power of the Councils. In other words, to be able to enumerate the rights and privileges of the people shall not give the Councils the authority to take away or restrict those rights.

Article Fourteen: The right of Community Members of the Nemenhah to vote shall be dependent upon age and upon the commitment by covenant of the member to Community or Lodge in which he or she may reside and shall not be denied or abridged in any way, on account of race, color, religion, or whether they are male or female.

Article Fifteen: The right of Community Members to choose their method and kind of medicine shall not be denied or abridged in any way and the Councils shall not enact any counsel that shall place one profession or modality of medicine over any other, except when such professions or modalities tend to render a person unable to earn a living, or threaten to do so. The Peli Council shall have the right to create and control curriculum for the training of ministers and administrators in the church, but they shall not have the right to dictate any person's choice of modalities.

Article Sixteen: The Community may provide schools for the education of children, but the right of Community Members to choose to provide education for their own children shall never be denied or abridged.

Article Seventeen: There shall be no 'Parens Patre' counsels. The natural, or duly adopted, parent of a child shall at all times be considered sovereign of his or her own home. The Community shall at no time consider itself greater, wiser, more prudent, or more intelligent than the parent, except in the case of violent crime, as defined herein. The parent who is convicted by Council of violent crimes against a child shall not be considered competent to parent, shall be cast out from among the people, shall have no place within any Lodge or Community of Nemenhah, shall be surrendered to the appropriate authority, or to nature in the absence thereof, and the child so injured shall be surrendered to the non-offending parent. In the event that both parents do commit violence upon their child, they shall be surrendered to the buffetings of nature and of a hostile world and the child shall be given sanctuary by the community, and shall be succored as deemed appropriate by the community through the principle of Band Adoption, where allowed. Where such adoption is not allowed, the child shall be surrendered to the appropriate authority.

Article Eighteen: This constitution may be amended only by Great Council Conference of the Nemenhah and such amendment shall take effect only upon consensus of the membership of the Nemenhah assembled in Conference.

Article Nineteen: No Tribal Councils or Governments, be they federally recognized or otherwise, Community Council, or General Council shall have authority to enter into contracts or treaties which bind the Nemenhah as a whole. Only the Great Council of the Nemenhah may enter into such arrangements. Likewise, only the Great Council of the Nemenhah shall decide upon disciplinary actions against other nations or peoples, when and where appropriate. Notwithstanding, the Communities shall have authority to exercise reasonable diligence in maintaining their own security against the incursions of hostile neighbors.

*As amended by the Great Council of 2008
and approved by the General Assembly this Nineteenth (19) day of February, 2008, A.D.*