



**Native Women's  
Association of Canada**

***NWAC Workshop on Reclaiming Our Nations  
Initiative:  
Nation-Building and Re-Building – Gathering  
Women's Wisdom***

**Community Awareness and Engagement**

**The Aspen Family Support Centre, National Human Rights  
CASHRA Conference and Individual Comments**

**Calgary, Alberta  
June 12-19, 2011**

**Background:**

Through activism, policy analysis and advocacy, the Native Women's Association of Canada (NWAC) works to advance the well-being of Aboriginal women and girls, as

well as, their families and communities. This work includes identifying gaps in the equal enjoyment of human rights by Aboriginal women and mobilizing action to address these gaps. A fundamental premise of NWAC's work is that the civil, political, cultural, social and economic rights of Aboriginal peoples cannot be realized without identifying the gender impacts of laws and policies applied to Aboriginal peoples and addressing the needs of Aboriginal women, in a culturally relevant way.

Prior to first contact, many Aboriginal societies were matriarchal and matrilineal in nature and focused on family, community and the continuity of tradition, culture and language. Aboriginal women were central to all of this as the first teachers in the home, as the healers, and as the givers of life.

While Aboriginal men and women had distinct roles, their roles were equally valued. The need to restore the value of Aboriginal gendered roles has motivated the development of culturally relevant gender-based analysis (CRGBA). CRGBA is a tool for use by anyone to assess policy, programs, projects, and/or legislation towards achieving more equitable outcomes for women and men and their families.

NWAC applies a gender perspective to human rights issues to ensure that decision-makers of all kinds - political leaders, judges, officials in all governments at all levels - are aware of equality gaps and issues that affect Aboriginal women and girls and have continued to do so with respect to the nation-building and re-building process.

NWAC and our Provincial/Territorial Member Associations have established positive reputations and have thorough structures in place to reach many women and their communities across Canada. NWAC has engaged and informed women, youth and Elders and their communities in discussions on nation-building, citizenship, and the relationships between our members, communities and Nations. Given that NWAC is also familiar with cultural practices, governance issues, protocols and traditions while dealing with First Nations, we were well placed to build on these established respectful relationships and have successful sessions with women on this important issue.

NWAC has facilitated a national dialogue on First Nations citizenship and membership. The dialogue was funded by the Department of Aboriginal Affairs and Northern Development Canada as part of the Exploratory Process to respond to the range of issues related to Indian Registration, membership and First Nation Citizenship. In addition to holding Workshops, and asking women to identify issues that they have experienced regarding Indian Registration within the Indian Act, we have asked women to fill out Questionnaires to provide us with their views on Nation-Building for our future generations.

**NWAC Workshops on Citizenship and Nation-Building and Re- Building –  
Executive Summary**

First Nations were organized on the basis of Indigenous Nations with distinct structures of government. These structures included Hereditary Systems, Clan Systems, Federations, Confederacies and Military Systems, Economic and Cultural relationships and alliances among all Nations. The current *Indian Act* structure of reserves and the governance on reserves that have resulted from the imposition of the *Indian Act* does not reflect First Nations political, legal, or traditional governance. There is general consensus among First Nations that this situation must change.

At every session that was held, our participants have indicated that this process was only one small step in the ongoing process that needs to continue to happen among First Nations Peoples in discussing the issue of citizenship, membership, identity and Nationhood. This process was not deemed to be any form of consultation, enabling Government to unilaterally make changes to the *Indian Act*, impacting on our communities. The Government has legal duties and must adhere to them. They must work collaboratively with our organizations, governments, communities and families through a lengthy, inclusive, and comprehensive consultation process over the next five to ten years before they contemplate making any further changes so that everyone has an opportunity to engage in the work that needs to unfold.

Participants at every session expressed concern with an Exploratory Process that lasts from April to November 2011, and stated that it was insufficient time to reflect on how we can move from the systemic barriers within current Indian Registration legislation within the *Indian Act* and policies within the Department of Aboriginal Affairs and Northern Development, to true methods of Nation-Building among our communities across the country.

Women repeatedly indicated that there needs to be a one-year, two-year, five-year, ten-year workplan (at the very least ) and an ongoing process for collaboration and meetings between the Government of Canada and First Nations' Governments and among First Nations' women both on and off reserves, their families and communities and for our leadership to continue to gather information, discuss options and to strategize on how to move forward.

Our women have indicated that we need to focus on rebuilding and supporting our governance structures, supporting women's participation in decision-making and increasing women's participation and inclusion in any consultations that occur to

strengthen our Nations. They have also acknowledged that there are best practices across the country for inclusive approaches to citizenship and we need to continue to build on these positive efforts.

We have been told that in order for further positive change to take place, there needs to be full engagement of our people, our communities, and our Nations. First Nations must be able to determine the tools they need to develop inclusive and healthy Nations, based on the fulfillment of our rights to self-determination and by affirming effective, efficient and successful First Nations governments.

Participants repeatedly reiterated that the Government of Canada needs to take a broader and more inclusive approach to Indian Registration, expanding on the scope, beyond Bill C- 3 *Gender Equity in Indian Registration Act*, which was identified as a narrow interpretation to the *McIvor* decision. They also stated that the Government needs to commit to an in depth process to explore the complex and broader issues related to citizenship, membership and identity.

Comments were routinely made criticizing the current limiting exclusions from Indian Registration by the double mother rule and with the problematic policies that are currently implemented with the Unstated and Unrecognized Paternity that require a father to sign the birth registration where the couple is not married, in order for the child to receive full or accurate registration.

NWAC spoke about the need for a process that must include adequate funding for National Aboriginal Organizations in order to respond to the numerous requests, complaints, and emails that came in to the organization about the problems women are facing. The demands were many and quite regular from people calling NWAC for help. Often people expressed their preference to call NWAC rather than the Department because they would be assured that their requests would be responded to, whereas, they had been waiting for months to hear back from the Manitoba Registration Office.

Our Provincial/Territorial members also requested that more funding should go to them to empower provincial and territorial organizations, and First Nations generally, to engage fully with the grassroots communities in exploring all possible solutions given the complexities of the issues. They would require additional funds to help them to come to a consensus on as many issues as possible over the coming years and not simply for an eight-month Exploratory Process.

Many women referred specifically to the United Nations Declaration on the Rights of Indigenous Peoples as the standard for a principled framework for partnership between First Nations and the Government of Canada. The Declaration's principles of partnership

and respect can guide this work.

Participants affirmed that Article 3 of the UN Declaration: “Indigenous peoples have the right to self-determination. By Virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.” There are numerous articles that affirm the right of self-determination, including related rights to lands, resources and territories and to indigenous cultural traditions and customs and systems of governance in all aspects of life. One of the general provisions of the Declaration sums up the vision of the advocates who fought for the adoption of the Declaration. It is Article 43, which states that, “The rights recognized herein constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world.”

The women, men and Elders repeatedly reminded us that it is our right to determine our own membership according to traditional and historical practices, and which are affirmed in our Treaties, and is a fundamental right of every one of our Nations. Our citizenship and identity must be enforced and maintained by our own Peoples and not determined by the Government of Canada.

### **Creating a Movement for Change – Guiding Principles Established for Nation-Building/ Reiterated at Workshops - Executive Summary:**

- **Establish a Vision for the Future:** Create a shared vision and establish a mandate for change, backed by the people, the Council and the Chief, and all leaders, making sure it is inclusive of women, youth, Elders and families.
- **Map Your Journey:** Identify how you intend to achieve your community’s vision, adjust the plan when needed to overcome challenges.
- **Exercise Your Rights and Live Your Culture:** Learn your rights and responsibilities, your inherent and Treaty rights and exercise your rights by living your culture, understanding women and men, Elders and youth all have important roles.
- **Moving Away from the *Indian Act*:** Take the time to choose and develop your own governance structures that are community-based and community-paced, inclusive and not exclusive of our women, children and grand-children.
- **Strengthening Governance at all Levels:** Make laws that benefit all citizens and reflect culture, and establish government to government relationships based on respect.
- **Make Progress and Achieve Outcomes:** By being engaged in the economy and having control of our traditional lands, while governing according to our traditions and customs we can achieve outcomes, establish nation-to-nation

relations and restore our nations to the thriving communities they once were.

### **Meeting and Information Distribution Highlights**

Due to the fact that the Native Women's Association of Canada's Provincial Member Association is not located in the Calgary or Edmonton areas, NWAC sent emails and contacted more than 10 organizations working with Aboriginal people in Alberta in order to arrange for sessions in the Calgary area.

Many documents including forms, applications, academic papers, NWAC's policy papers, Questionnaires were also sent to the organizations electronically as well. Given the lack of human resources allocated to all Aboriginal organizations, each group advised that they would not have time to be able to organize a meeting in June, which was the time set aside to do sessions in Alberta within NWAC's workplan, due to the fact that many of their organizations also support students and graduation activities and cultural celebrations taking place at the same time.

NWAC had arranged to have a meeting with the Tsuu T'ina First Nation between the 13th and 17th of June, but due to a death in the community of a local Elder, all business stopped within their area to acknowledge and honour him. Therefore, the meeting was cancelled.

As an alternative, NWAC staff attended the Canadian Association of Statutory Human Rights Agencies (CASHRA) conference and monitored a booth on the initiative, distributing materials and Questionnaires to participants, many of whom attending were First Nations or Métis.

CASHRA is the national association of Canada's statutory agencies charged with administering federal, provincial and territorial human rights legislation. Its goals are to foster collaboration among its members and to serve as a national voice on human rights issues of common concern. Each year, a different jurisdiction hosts CASHRA's annual conference. In 2011, the Alberta Human Rights Commission is the host.

The 2011 conference theme is *Human Rights in Canada: New Realities, New Directions*. Conference sessions focused on new realities related to human rights, diversity and inclusion in Canada and on new directions in building discrimination-free welcoming and inclusive communities and workplaces, including the implementation of the *Canadian Human Rights Act* on reserves and because of the First Nations specific sessions, many participants attending were Aboriginal.

NWAC also organized a meeting with the Aspen Family Support Centre Unit 10, 2115-27 Avenue in North East end of Calgary, Alberta for the June 15, 2011. Although more than a 15 people had initially responded to say that they would attend, many cancelled at the last minute indicating that due to the hockey playoffs game being televised that night, they would not be attending the meeting.

A small circle discussion took place with those participants that attended. The Questionnaire Answers in the next session of the Report highlights their responses.

As well, written comments also followed from meetings with individuals from the Calgary Native Friendship Centre, students and other community members who agree to answer the Questionnaire. Their input is also included there.

## Questionnaire Answers

### **1. What role do you see for Elders, youth, women, men and families in the re-building of your Nation? How will/should the diverse voices be heard in the process? How will everyone be involved in the implementation?**

- Elders should share their oral knowledge.
- When we empower our community and families, it brings pride to our community.
- People on the reserve and elsewhere should get together to understand what the problems are and develop action plans that include recommendations for change.
- Listening, sharing and caring are fundamental principles.
- Create 4 Councils, one for each group to work with chief and council. The women's group will have a veto to remove chief and council when they are not listening. Chief and council need to be reminded that they are elected by the people.
- Have each Nation return to their traditional process.
- Participation in the workshops by all groups is important; and all the diverse voices need to be heard. One size does not fit all.
- I would like to see Elders take their place and re-claiming their roles as teachers, and leaders.
- Men and women should instill the teachings and language to our youth.
- As the old saying goes it takes a village to raise a child ... I would like to see this practice re-born.

### **2. What are the key steps and activities you deem necessary for Nation Re-Building? What actions must to be taken? What would be the outcomes?**

- More adequate housing, affordable healthy foods-putting a stop to the drug dealers, who are stealing our people. Wouldn't that be wonderful!
- Time to think about what this all means. I don't think all Nations can decide on what to do on the basis of one meeting. Lots of meetings need to take place on this topic over many years.
- Community members need time to think about the issues before moving forward on any decision.
- Longhouse Government structures need to be remembered.

- Community meetings to share on different topics to find solutions to address challenges.
- Use local television or radio to keep community informed.
- Looking out for our youth, they are our future.
- We need to focus on publicity about the issues preventing us from practicing our culture.
- We need to be united about the issues of poverty, abuse either sexual or physical of any kind and loss of traditional cultural values and practices and language.
- Meetings and community teachings gatherings should be key steps in gaining information or resources.
- It is important to regional input on the advisory council. The result is a well rounded perspective on issues as well as possible solutions.
- We need to empower ourselves to be self reliant and not count on the Government for anything.
- We need to asserting authority over territories to which treaties are still in force. Our people have forgotten to go back to these.

**3. What would be the most important resource that you would need for Nation Re-Building? How would you make sure that you have them available to you? Would these be different for women/men/Elders/youth?**

- There are major problems with the Government defining us - the First definition of Indian and remember that treaties were negotiated between Nations in 1871. When did the government start treating us like tribes? We need more workshops on this topic maybe even a video or APTN documentary.
- More adequate housing, affordable housing. Putting a stop to drug dealers.
- Information and expert advice.
- We need the time to be ready to decide how we want to move forward.
- Secure funding and programs like this to help us with making an informed decision.
- It would be nice to having role models who have integrity and credibility. Could be a good idea to have a circle one for each group

- We need to share information from coast to coast to coast to hear what is working with others and what we can do to help one another.
- 4. How can we use our culture, traditions, and inherent rights to advance our efforts? What accountability mechanisms have been put into place to ensure equality and benefits to everyone, over the long-term? How and who will you track your progress?**
- We need to return to the old traditions.
  - It is important to use our culture, speak our language.
  - Need support from anyone who can help. Our family and friends can help by supporting each other.
  - Knowing what our rights are and implementing them to keep our rights protected.
  - Our culture has evolved since colonization and we now have to adapt our culture to this current environment.
  - We need to use our culture and language every day.
- 5. Do you know of any traditional roles that women and men held in relation to governance and decision-making within your nation? Could they be useful today?**
- In traditional times everyone had their role. Today, everything is so confused. No one knows what their responsibilities are.
  - There is a need for cultural and friendship centres to support and welcome back our people.
  - Find out what other communities think about this issue and share it with social media. Ask the world wide web about their opinions on the Canadian government/First Nations' decisions and strategize for change.
  - We need to research our traditional governance and decision-making. Women, youth, men and Elders each have a say and a role to play in the process.
  - We need to have a cultural Rules of Order with our cultural and traditional philosophies included, this will be more meaningful.
  - Government's decision to assimilate Aboriginals by putting them into residential schools where their language and their culture was not permitted to be used. Let's get it back and show the government they can't win.

**6. In the past, what resources were the most important in helping you achieve success in your challenge? Do you know of any best practices/ model that is being used by a Nation that may be useful to others.**

- We need to have a cultural Rules of Order with our cultural and traditional philosophies included, this will be more meaningful.
- Government's decision to assimilate Aboriginals by putting them into residential schools where their language and their culture was not permitted to be used. Let's get it back and show the government they can't win.
- Have an open mind and accept others for who they are and the skills that they bring.

**7. What role do you deem appropriate for other governments (federal and provincial) and with the private industry in advancing your goals?**

- We need to all take responsibility for our well-being and work together, within our communities to improve them.
- Provide the time and resources necessary to develop proper, acceptable, culturally-appropriate Nation-Building models for implementation within our communities and Nations.
- Partnerships, mergers and acquisitions that benefit our people.
- Governments need to provide funding to the successful organizations who are achieving many things with little funding. Imagine the greater things we could do if we didn't have to look for funding on a monthly basis but could access 5-year agreements so long as they are delivering successful results with the communities with whom they work.
- Communities need to join together to work as collective Nations. For example, have the 10-30 communities come together as a collective, where they can.

Additional Comments from Alberta Participants

Nation-Building and Re-Building is now a popular topic and there are numerous organizations the topic but from a foundational point of view, there are many serious questions and issues that first must be addressed in our discussion of the topic.

For example, there are historic Cree communities that stretch from the Innu of Labrador to the Cree of the northern British Columbia. There are Cree communities where our people moved north into the Northwest Territories as part of the fur trade. Because of the Royal Canadian Mounted Police and Government reaction to the Métis Rebellion in 1885, some Cree people were forced to flee south to Montana. There is one Cree reservation at Rocky Boy, near Havre Montana, though there are other communities in Montana of Cree people, particularly near Butte, Montana less than 100 miles north of Idaho.

On top of these historic communities, we have large contemporary communities of Cree people living in urban areas. For example, if you were to add all of the First Nations people in the lower mainland who traced their origin to B.C. First Nations, that number is smaller than the number of Cree people who reside in the lower mainland.

Further, when you acknowledge that many First Nations that exist today are merely the result of administrative units created by the Government of Canada, the question arises - Who are the Cree People?

Many of the participants who supplied information were women from the four Bands in Hobbema, and in that region Bobtail signed Treaties on behalf of the Cree people of the Bear Hills and two reserves were created for them.

The larger reserve was later divided into two reserves then three. and finally, four reserves. What was one Band with two Bands ultimately became four Bands with separate reserve lands that all border one another and one reserve held in common at Pigeon Lake. To make the situation more confusing, in the 1960s, Cree people from the four Bands permanently moved to the Rocky Mountains in what is now called the Rocky Mountain Cree Camp, and they live there close to the land in a traditional manner on what is considered Crown land. (There is no reserve status for the people of the Camp, but they have been living there for 50 years, and the Government of Alberta has started discussions to legally recognize the reality that they are not going anywhere.)

So when you discussed the concept of Nation-Rebuilding, one of the young ladies sitting at my table started talking about the lack of requirements placed on youth for education or training prior to receiving their trust monies. It's actually quite an interesting discussion; what kind of

requirements should be put in place before youth (who receive their "18 money") get their trust cheques, sometimes over six figures in size. Fascinating as it is, it is completely irrelevant to most communities. Most of our communities do not have wealth of that nature. But it tells you where people are at in terms of having this discussion.

The people of Maskwacis (Bear Hills) are historically one band. and are one part of the Plain Cree, who are themselves part of those Cree who speak the "Y" dialect, who are themselves who speak the various of Cree language.

So when you talk of Nation-Building in the context of the people of Maskwacis, who are you talking about? The descendants of Bobtail's band? The Four Bands and the Camp? The Plains Cree?

Treaty 6 people (many of whom are not historically Cree, but through intermarriage the majority of people living in historically Nakoda communities in (Paul and Alexis are Cree). Are they defined in relation to Alberta where the Plains Cree and the woodland Cree share the "y" dialect? Are they defined according to the Cree Nation as a whole, which would cover seven provinces, one territory and two countries?

And if you were going to talk about where people actually live now let me point out that Band Members living off reserve look for Band support and they live in Florida and Arizona or from members who served in the Canadian Armed forces and who are living in Kandahar. So when you talk of the Nation it is not a simple proposition as it might have been 50-100 years ago when all our people lived on reserve. And when you see these organizations and academic departments talking about the topic, no one has taken the time to address the very basic foundational question of who is in fact a member of any given Nation and how do we define who belongs to which Nation.

### **Jurisdiction**

In the past, it was accepted that all leadership and our people knew and understood the Treaty relationship with the Crown. The time is now gone and people do not generally know or understand the Treaty relationship and how broad or powerful our treaty governments should be

Most people now think that First Nations Governments are merely federal municipalities or appendages of the Department of Aboriginal Affairs so it is

a definite challenge to discuss this as a topic of governance when people have no idea what are governments and our rights are supposed to be. It is extremely frustrating when you see First Nations just accept or adopt something far inferior to what they should have based on the Treaty relationship when government throws a little money in their direction.

When you talk about jurisdiction in Alberta that is still inextricably linked by a Treaty relationship. They may not be able to hold a cogent discussion on the topic, but they still acknowledge that the treaty relationship is central to everything.

For NWAC to come into Alberta to begin discussions with First Nations women who live here about rights and governance, without including the Treaty leadership, this can create significant issues for the treaty leadership here, however, the women participants greatly enjoyed participating in the session.

Thank you for your input; it will be included into a final report and posted on our website at [www.nwac.ca](http://www.nwac.ca)