



**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

University of Manitoba
Drake Building – Room 530
Fort Garry Campus, Winnipeg, Manitoba
November 23, 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 – Common Remarks

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 process that needs to continue to happen among First Nations Peoples in discussing the issue of citizenship, membership, identity and Nationhood.

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 and 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:

- **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.



NWAC Workshop on the Reclaiming Our Nations Initiative

Nation-Building and Rebuilding – Gathering Women's Wisdom

University of Manitoba
Room 530 – Drake Building
Fort Garry Campus – University of Manitoba
November 23, 2011
10:00 a.m. – 1:00 p.m.

Make Your Voice Be Heard!!

Agenda

1. Opening Prayer
2. Introductions
 - Teresa Edwards - Director of International Affairs & Human Rights, NWAC
 - Deborah Young - Executive Lead, Indigenous Achievement, U of M
3. Roundtable Introductions - Participants
4. Presentation by the Native Women's Association of Canada – Citizenship and Nation-Building
5. Roundtable Discussion
6. Questionnaires Completed and submitted by Participants
7. Wrap-Up
8. Lunch will be provided

Meeting Highlights

NWAC arranged to have a meeting with Deborah Young, the Executive Lead, Indigenous Achievement from the Office of the President at the University of Manitoba coordinating to bring Indigenous students and faculty together to discuss topics of Nation-Building, Identity and Citizenship.

Several weeks in advance of the meeting Ms. Young contacted both Aboriginal students and faculty regarding an opportunity for them to attend an upcoming workshop that NWAC would be doing at the University.

NWAC had supplied Ms. Young several documents, including the NWAC Questionnaire to ensure that the group had access to a wealth of information in advance of the meeting. These materials were then shared with the group and Ms. Young also asked them to fill out the Questionnaires in advance of the meeting so that the group could talk about other things while at the meeting. None of the participants who had indicated that they were attending replied, nor supplied any input to the NWAC materials that were sent out in advance of the meeting.

Ms. Young had communicated with students, staff, and support staff regarding the meeting and indicated we were looking for approximately 15-20 First Nations women to participate but that everyone was welcome to attend.

On the day of the meeting, the NWAC staff arrived to the meeting late as the taxi driver did not know where the location was and proceeded to drive around the University campus for almost 30 minutes. Although the staff had left their hotel early to account for any problems, they were from Ottawa so were unfamiliar with the campus or the University property and arrived 15 minutes late to facilitate the meeting. The meeting was to take place from 11:00 a.m. to 1:00 p.m. so with NWAC arriving late and then the Elder's prayer, the meeting only got underway around 11:40 a.m.

Elder Barbara Nepinak did the Opening Prayer to start the meeting off in a good way, bringing everyone together for a common purpose. She is a well-respected Ojibway Elder, who is a member of the Pine Creek First Nations, and currently resides in Winnipeg with her husband Clarence, who is also a respected Elder.

The meeting began with the Facilitator providing an overview of Indian Registration, changes to the Indian Act in this area, and highlighting some of the caselaw on this subject. NWAC communicated some of the issues they had heard from prior sessions, and explained why they were doing the sessions in Manitoba. NWAC currently does not have a Provincial Member Association in Manitoba, so staff indicated that they would be holding and had held workshops

in Winnipeg with youth and trans-gendered, and a session with Elders, and women of all ages, along with a session with women from many reserves near and around Portage La Prairie area.

There were 12 participants present, all were women but two male Elders. These participants were amazing women from many from various different Nations and backgrounds - First Nations, Métis, and Non-Status, including students of all ages. After 20 minutes into the session, the lunch, which was provided by the University, arrived and the group took a short break to eat, but then started back during the lunch to continue on with the session.

During the session when the Facilitator asked for input from the group, all of the time was spent with the two male Elders giving their views on the issues being discussed. The meeting ran out of time and the women had no time to discuss or participate in the dialogue.

Given that there was little to no time for the women to provide input, NWAC sent out an email to the participants inviting them to continue to provide their feedback or input on topics such as, but not limited to: Nation-Building; emerging concepts of First Nations membership, citizenship and identity; residual discrimination and second generation cut-off; the current system of Indian registration under the Indian Act; First Nations assertion of jurisdiction over citizenship and issues related to governance and identity; the relationship between programs and services and Indian status and Band membership; and issues pertaining to policies with registration such as the one on unstated paternity. NWAC also offered the group the opportunity to the group that any information they would like to provide would get rolled into the Final Report.

Several days later three students wrote a letter regarding NWAC's request for a written response in follow-up to the Workshop on Nation-Building and Citizenship. They noted that they attended the meeting based on the fact that it was supposed to be a discussion and dialogue and that collectively as students, their decision to attend was based on the invitation to participate in a process that would contribute to a better understanding of the short-comings of Bill C-3. They expressed their disappointment with how the meeting turned out and the lack of opportunity for them to participate during the meeting.

They went on to say that they were extremely disappointed that the time allocated for “discussion” was reduced by opinions offered by the Facilitator and unrelated discourse by the two male Elders in attendance. They also stated that they hoped that NWAC appreciates the irony of hosting a “discussion” with women to gather reaction to Bill C-3: *Gender Equity in the Indian Registration Act*, only to exclude the very women present to speak to it.

They felt that the collective wisdom gathered in that room deserved respect and appreciation, not just lip service about equality. While it may be ‘traditional’ practice to allow an Elder to speak, the net effect was the exclusion of the very people NWAC espouses to represent. They went on to write that the entire exercise was symbolic of what is wrong with Bill C-3, as it demonstrated

the entrenched marginalization of women, not simply as a product of colonization, but as a lack of commitment by the Aboriginal community to include women's voices.

Emails went from NWAC to the students apologizing for how the meeting turned out and NWAC offered to do any follow-up to appease the women's concerns and to help further facilitate their input.

The three students cautioned NWAC that a resulting report should not be characterized as 'consultation' from members of the academic community of the University of Manitoba, given the scant discussion that was allowed during the meeting. NWAC wrote back to reassure participants that the meeting was not consultation but rather the beginning of many conversations that need to happen over the coming years on these issues by our people.

They later wrote again to say that they ought to have communicated more strongly their appreciation of NWAC's efforts to engage us in the dialogue in the first place because there has been no activity on a local level for Indigenous women in any capacity in Manitoba. The political organization that purports to advance the causes for Aboriginal women in Manitoba (Mother of Red Nations) no longer exists in any meaningful way and therefore, leaves the Indigenous women of Manitoba without a collective voice.

They indicated that as grassroots women, students and single mothers, it is a rare occurrence that they have the opportunity to engage in any national Aboriginal dialogues at any time. They went on to state that the individual voice continues to be left out of any dialogues on issues that they face as Indigenous women – in our homes, in our communities and in our Nations.

Their expectations had been high as they were excited to finally have a venue in which their voices might have been heard. Particularly in a roundtable discussion venue that could have strengthened a stronger spirit of sisterhood, here in Manitoba – where no organized collective exists.

They closed their comments by indicating that they would be interested in pursuing what could be done in Manitoba to get some engagement for Indigenous women happening on a local and regional level.

Although NWAC and Ms. Young through the University offered to provide for another opportunity for the parties to engage either via email or teleconference, the women indicated that with all their responsibilities and academic requirements at this time of year, they would be unable to participate further in any discussions at this time but that they would continue to share their views on this topic and others in the future. No Questionnaires were completed by this group.