

**ISWEWAK, ISKWESAK
EKWA NISO-
AHCAHKWAK
PAST AND PRESENT⁺ •**



PRESENT

Iskwewak, iskwesak ekwa niso ahchhkwak live in a state of marginalization and oppressive state policies, genocidal tactics and sexist policies that have worked to police and shape attitudes of Indigenous females.

We need to know the history so that we can return to our rightful place as healers, hunters, intellectuals, nurtures and leaders.



IN INDIAN COUNTRY

Within our own communities there are women that are powerful, knowledgeable leaders and nurturers.

They have kept our Nations strong and cohesive. They have kept the language, traditions and culture vibrant.

Indigenous Women are strong!!



STATISTICS

Domestic violence

MMIWG

Single parent households

Sexual abuse

Incarceration

Leadership positions



HOW DO WE MOVE FORWARD POSITIVELY

Leaders

Policy change

Stereotype busting

Learning your language, culture, traditions

Education

Implementing Calls to Justice

GENDER AND SEX



GENDER AND SEX

Separate concepts





SEX

Is used to refer to the biological differences that exist in terms of genetic makeup, anatomy, hormones, and physical characteristics.

There is female sex and male sex. It is a binary.

Sex and gender are not easily categorized as many Indigenous peoples have always understood.



GENDER

The concept of gender is used to describe the culturally constructed categories that reflect the idea about a person's role, traits and position within society, depending upon how they present themselves as male, female or another category.

Gender may be conceptualized on a spectrum with masculine at one end and femininity at the other.

Indigenous cultures across turtle island have different definitions and expressions of gender than is found in Western cultures.



GENDER ROLES

Gender Roles are the culturally defined duties and responsibilities that people are expected to carry out depending on gender identity.

They could be traditional male and female roles as we know them today but sometimes a male will do female duties and females male duties.

What we were trying to understand is that male and female roles were interchangeable. Indigenous groups had their own definitions. Gender roles were unique to each tribe.

Further, Indigenous women often held spiritual, political and economic power equal to men. Women and men's roles were different but equally important.



TWO-SPIRIT

Indigenous youth are reclaiming lost ways of understanding traditional gender systems and have introduced a new term to describe cross-gendered people – often referred to today as two-spirit.

The term two spirit represents the prescence of masculine and feminine traits within an individual.



SEX AND GENDER

Different concepts

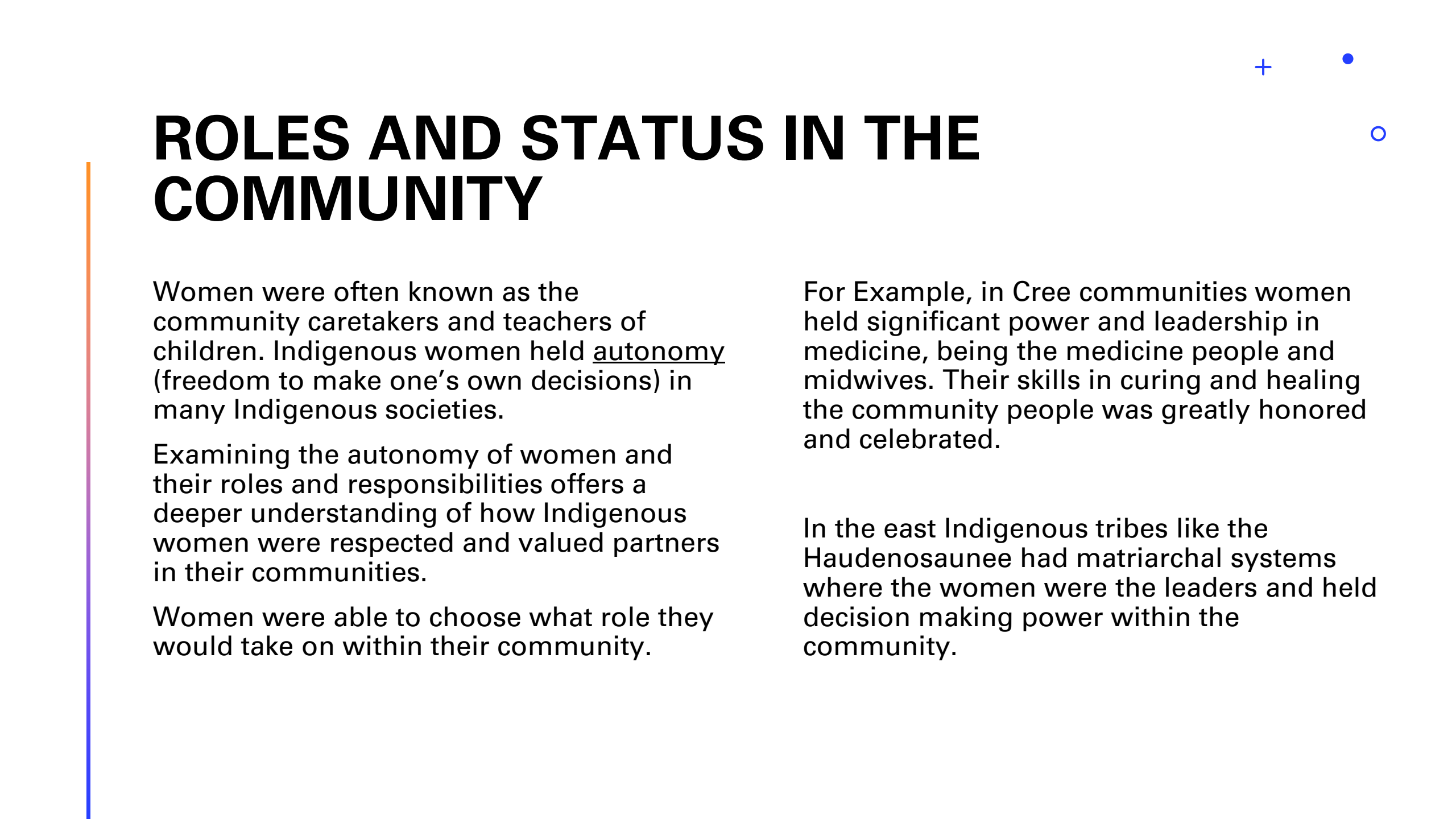
tribal specific roles and definitions

Females held positions of leadership and power equal to men

Gender is on a spectrum rather than a binary



WOMEN'S ROLES AND SOCIAL STATUS



ROLES AND STATUS IN THE COMMUNITY

Women were often known as the community caretakers and teachers of children. Indigenous women held autonomy (freedom to make one's own decisions) in many Indigenous societies.

Examining the autonomy of women and their roles and responsibilities offers a deeper understanding of how Indigenous women were respected and valued partners in their communities.

Women were able to choose what role they would take on within their community.

For Example, in Cree communities women held significant power and leadership in medicine, being the medicine people and midwives. Their skills in curing and healing the community people was greatly honored and celebrated.

In the east Indigenous tribes like the Haudenosaunee had matriarchal systems where the women were the leaders and held decision making power within the community.

Racism is fundamental to colonialism.

Settler colonialism is also a gendered process.

Colonization imposed European patriarchal social systems.

Patriarchy – male dominated societies

Where men hold power in political, spiritual and domestic areas.

Settler colonialism reproduced the sexist beliefs held by Europeans

Colonization disrupted the balance of gender roles and shared power in Indigenous societies. It created inequality within Indigenous communities.

COLONIZATION AND GENDER



CALLS TO JUSTICE

In these systems that affect us that's where we need to be holding conversations for change and innovation.

Boardrooms

Chief and Council – leadership

Health care

Justice

Child and Family Services

Education

Protective Services

COLONIALISM AS A GENDERED PROJECT

Government policies institutionalized gender inequality and led to the internalization of patriarchal values within Indigenous communities.

Consequences of this include disempowerment and devaluation of Indigenous women's participation in the political, economic, social and cultural areas in their communities





EXAMPLES

During treaty negotiations – indigenous women were excluded from political interactions because of western patriarchy and the view that women should be in the kitchen

The Indian Act – established provisions that exclusively gave men positions in political, economic and social power structures.

Further, section 12(b) in 1951 Indian Act – women who married non-status men lost their status and were not able to pass on that status to their children

Result: disempowerment, disconnection, lost identity, belonging



EXAMPLES

The Indian Act introduced a patriarchal government model with the “Chief and Council System” that prevented the influence of Indigenous women. It thus created power imbalances in politics and government.

Indigenous women could not possess land and were prevented from holding property.

These policies greatly diminished the influence of Indigenous women within their communities.

INDIGENOUS WOMEN





STEREOTYPES AND REPRESENTATION

Many historical recordings express views of Indigenous women as overtly sexual. This helped to create a stereotype of Indigenous women as sexual. The first writers that came into turtle island wrote about the deviant acts of the Native population – which often denigrated or trivialized the female experience.

When we look at the way Indigenous women are portrayed in the media it is often with negative connotations. These stereotypes maintain negative stereotypes of Indigenous women which create harmful beliefs which are connected to gender violence.



EXAMPLES

Pochahontas – Indian Princess – innocent and in need of protection

Highly commercialized

Halloween costumes – oversexualized representations

Harmful to Indigenous women – keeps getting perpetuated and diminishes the respect for Indigenous women



LEGACY OF PATRIARCHAL VIOLENCE AGAINST INDIGENOUS WOMEN

Indigenous women's traditional positions in society have been removed, their images have been misrepresented, their cultures mocked, and they have become devalued in the process.

However, Indigenous women have continued to fulfill traditional caretaking and mothering roles even within the colonial context.

COURT CASES CONFRONTING THE INDIAN ACT





R v. Bedard (1971)

challenged section 12(1)(b) of the [Indian Act](#), which concerns the rights of Status [Indian](#) women in Canada. The [appellant](#) in the case, Yvonne Bedard, took the [federal government](#) to court after losing her rights as a Status Indian because of her marriage to a Non-Status man. In 1973, before the [Supreme Court of Canada](#), the Bedard case merged with [AG v. Lavell](#), another case concerning gender discrimination (see [Status of Women](#)) in the *Indian Act*. Although Bedard ultimately lost her reinstatement claims, her case inspired future legal battles regarding women's rights and the *Indian Act*, including *Lovelace v. Canada* (1981) (see [Sandra Lovelace Nicholas](#)) and the Descheneaux case (2015).



The Lavell case (AG v. Lavell)

was a challenge to Canadian law as it related to Indigenous women's rights under section 12(1)(b) of the Indian Act. In 1970, [Jeannette Corbiere](#), an Anishinaabe ([Ojibwa](#)) woman from the Wikwemikong Unceded Indian Reserve on [Manitoulin Island](#) in [Ontario](#), married David Lavell, a non-Indigenous man from [Toronto](#), Ontario. Because of section 12(1)(b) of the [Indian Act](#) — an 1876 amendment that removed [Indian](#) status from women who married non-status men — Corbiere Lavell lost her Indian status.

It merged with R v. Bédard and mounted a significant challenge against the patriarchal (male-dominated) and sexist nature of constitutional law in Canada.

In the end, the Supreme Court overturned the lower court's ruling on 27 August 1973, in a controversial and much-questioned decision, stating that the *Bill of Rights* did not invalidate the *Indian Act*.



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Lovelace v. Canada 1981

Brought before the United Nations, gained international attention.

Sandra Lovelace, a Maliseet woman from Tobique Reserve, married a non-status man, losing her Indian Status. Once divorced she did not have Indian status and no longer a band member. She argued that her loss of status violated Canada's Bill of Rights and the United Nations Human Rights.

Canada was found to have violated the International Covenant on Civil and Political Rights as Lovelace was denied equal treatment



Mclvor v. Canada (2007) BCCA

The case was about gender discrimination in section 6 of the 1985 [Indian Act](#), which deals with [Indian status](#). Sharon Mclvor — a woman who regained status rights after the passing of Bill C-31 in 1985 — was not able to pass on those rights to her descendants in the same way that a man with status could. In her case against the [federal government](#), the British Columbia Supreme Court ruled in 2007 that section 6 did, in fact, deny Mclvor's equality rights under the [Canadian Charter of Rights and Freedoms](#). In response to this case, the federal government introduced new legislation (Bill C-3) in 2011 to counter gender discrimination in the *Indian Act*.



Consequences

Bill C-3 addressed the double mother clause – restored grandchildren of women status under the Indian Act.

The discriminatory policies and practices of the Indian Act, through the regulation of status and band membership severed important kinship ties – children were disconnected from extended family networks and communities.

Many disenfranchised women and their children struggled with issues of poverty, unemployment, domestic violence and lack of adequate housing. Today, generations of Indigenous families continue to struggle with poverty and issues of identity and belonging.



White Paper 1969

Initiated a sovereignty movement where Indigenous groups formed to address their rights. Indigenous male dominated resulting in women groups forming as women lacked representation.

Indian Rights for Indian Women

Native Women's Association of Canada

The Charlottetown Accord addressed Aboriginal people's inherent right to self government which led to consultation with government. Indigenous women's voices had to be filtered through Indigenous male dominated organizations.

NWAC pushed for inclusion of women's voices in this process.

Demonstrated the need to incorporate Indigenous Women in Govt debate.



MOVING FORWARD

MMIWG Calls to Justice

The Calls to Justice provide direction to all levels of government to move forward in reclaiming Indigenous women roles in community thus reducing violence and death among Indigenous women, girls and two-spirit people.