

**Nova Scotia Native Women's Association**

**Final Report**

**Royal Commission on Aboriginal People**

**Intervenor Participation Program**

**July 1993**

## *Acknowledgement*

*The Nova Scotia Native Women's Association would like to extend their appreciation to the Royal Commission on Aboriginal People - Intervenor Program for their financial support for our project, without their financial assistance many voices would not have been heard.*

*We would like thank Nora Bernard, who was hired as the research worker. Her dedication and hard work made the project successful. We would also like to acknowledge Grace Francis, Executive Assistant for the Nova Scotia Native Women's Association who administered the project.*

*The association we would like to extend their appreciation to Ric Charles who administered the Intervenor Program. Finally, we would like to thank all the Micmac women in Nova Scotia who participated; the Nova Scotia Native Women's Executive and Board members, who gave freely of their time to the project.*



## Table of Contents

Introduction.....	Page 1 - 3
Housing Concerns.....	Page 4
Housing - Recommendations.....	Page 5
Taxes Issue - Recommendations.....	Page 6
Indian Residential Schools.....	Page 7 - 9
Indian Residential Schools Recommendations..	Page 9
Aboriginal women and Self-Government.....	Page 10 - 12
Self-Government - Recommendations.....	Page 12
Family Violence - Recommendations.....	Page 13
Federal Schools on Reserves.....	Page 14
Single Native women.....	Page 15
Employment/Training Concerns.....	Page 16
Bill C-31 Issues.....	Page 17 - 18
Aboriginal Ancestry/Status.....	Page 18 -19
Micmac Family Services.....	Page 20
Young Offenders Act Concerns.....	Page 21
Teenage Pregnancies.....	Page 22
Project Statistics.....	Page 23 - 26
N.S.N.W.A. 1993 Resolutions.....	Page 27
Charter of Rights/Freedoms Workshop Recomm..	Page 28
Presentation to RCAP June 25/93.....	Page 29

### Introduction

The Nova Scotia Native Women's Association hired Nora Bernard on February 1, 1993 to work on their project funded by the Intervenor Program. Her duties were to interview native women and document findings; sponsor workshops on the purpose of the Royal Commission on Aboriginal People and attend any meetings where self-government, treaty rights, Charter of Rights/Freedoms and any other issues that concerned native women were addressed.

Since February 1, 1993 Nora interviewed and held workshops and meetings across the province for aboriginal Native women. Interviews were conducted with approximately 500 women on and off the reserves in Nova Scotia. Questionnaires were used in the research. Some of the questions were asked by native women in the past. Some questionnaires were mailed out to aboriginal women who could not be interviewed. Nine reserves in Nova Scotia were covered; however not every Micmac women was interviewed. The workshops were held in 7 areas: Afton, Pictou, Yarmouth, Cambridge, Bear River, Shubenacadie, and Sydney, Cape Breton. The workshops focused on native women's issues and concerns. Nora attended two local meetings, one in Eskasoni with the Ladies Auxiliary and at Chapel Island with First Nations Ladies. She visited some band offices, schools, training centres, health



centres, Micmac Family services, school boards, Micmac lodge, and Eagle's Nest. Other workshops were on the Charter of Rights and Freedoms and there was a general assembly held by the Nova Scotia Native Women's Association in June 1993, which she attended. She also attended a Provincial Human Rights workshop in Halifax, and the Union of Nova Scotia Indians assembly on July 7 and 8 in Dartmouth, N.S. and gave a presentation to the students of St. Mary's University and the general public who were present at the Central Regional Library in Halifax.

We met with Commissioner Viola Robinson and Becky Printup from the Royal Commission in Halifax, N.S. on June 25, 1993. At that time we presented, verbally and in writing, some of the major concerns and issues of Native Women.

Because of the inadequate funding, personnel and the short time frame given to Native Women's Association of Nova Scotia to conduct and compile the information on this very important process, it was not sufficient to cover all of the Native communities on and off the reserves and in urban areas.

Aboriginal women felt that the government and the bands must start listening to their concerns and issues such as self-government, housing, education, equality rights,

Bill C31 (on and off reserves), human rights, land claims, social issues, the Indian Act, and the proposed Charter Land Act. They felt, where self-government is concerned, that there was no clear understanding of the issue, which is why the majority voted no to the Charlottetown Accord. They were not informed, nor did they have an equal opportunity to participate in the process of its development.



Housing for Aboriginal Women

and Bill C31 Women Living On/Off Reserve and Urban Areas

Issues: Housing - Native Women felt that the Federal government caused hardship to the bands and Bill C31 women by allocating funds to the bands and restricting this to the persons who were to return to the reserves and that this was not fair for those who remained off the reserves. Native women felt that very little was gained by the restoration of their status brought about by Bill C31. Where the Charter of Rights and Freedoms are concerned, they felt the government had infringed on their rights as First Nations by restricting their residency to on reserve if they wanted assistance with housing. The government accomplished this by allocating funds to the bands for housing and services for Bill C31 persons only if they returned to the reserves.

Issue: There are still hundreds of aboriginal women residing off the reserves, some by choice and others who can not return due to a shortage of housing. The women who did return said there was no new housing for them. They were given old dilapidated housing which some are still living in now. The majority of these women were put on the housing list and are still on there for the past five to eight years. They feel that this is discrimination and that it has to stop.

Recommendations:

1. That the federal government release funding to Bill C31 women and aboriginal Native women living off the reserves and in urban areas.
2. That the federal government re-instate the off reserve housing program immediately.
3. That they release additional funding for programs such as: education, welfare, employment programs and training, economic development, and health services for them and their children.
4. That they be compensated for the loss of their culture, language and the hardships they have had to endure while residing off the reserves.
5. That federal government and the bands release funding and services to off-reserve Native women and their children -- services such as housing, welfare, education, training, economic development, land claims, and all of the services that Native persons enjoy while a residing on the reserves.



Taxes

Issue: Micmac women are First Nations women and they feel that they should have the tax exemption clause in the Indian Act apply to them, regardless of where they live. Furthermore, when the representatives were negotiating with the government on tax issues, they did not negotiate on their behalf and were excluded completely. This is another form of discrimination.

Recommendation: •Native people who reside off the reserve feel that we, as Aboriginal People should not have to pay any taxes whether we live on or off the reserve.

### Indian Residential Schools

Issues: First Nations children were removed and incarcerated (through no fault of their own) by the Indian agents and suffered from the hands of their guardians, namely, the Roman Catholic priests, Sisters of Charity and the federal government. They suffered from the separation of sisters and brothers, loss of language and culture, and through the lack of contact with their homes. Most of these children spent five to ten years in this environment.

The suffering they went through was very devastating. They remained there until they reached the age of sixteen. Some students still carry the scars today. Alcohol and drug abuse play a major role in their lives. Our Native culture and freedom of expression was prohibited by the government and the people who were in charge of the school children. The children who were participating in sweat lodges and Sweet Grass Ceremonies lost all interest in them because they were not allowed to carry on these traditions. Some children were embarrassed for being Native after leaving these prisons where they were kept.

The government has taken away our rights in the past. We have lost our culture, language, mobility rights, and our freedom of expression. Our Native language was taken away by the priests and the nuns who were teaching the



Native children in the residential schools and also in the federal schools on the reserves that were being taught by non-native teachers. The priest and nuns were instructed by the government to stop us, by force, from speaking our Native language.

These survivors want a healing and counselling process and monetary compensation paid directly to them -- not through any organization or agency. Survivors who endured these schools felt that the government pressured parents to send their children to Indian Residential schools. The survivors feel that this was a part of the cultural genocide that the government was practising.

Following is a list of the problems these children had to face:

1. Residential school syndrome.
2. The children of these survivors are also victims. The trauma was transmitted from generation to generation.
3. The school functioned as prisons, incarcerated through no fault of their own.
4. Children were numbered as they entered the school, deloused and their hair was cut.
5. They were called barbarians and savages.
6. They were made to feel ashamed of their culture and ancestry.
7. They were stripped of their pride, self-respect, self-confidence, and language.
8. Child abuse on the survivors of these church-run government schools was where violence was learned.
9. Sexual and physical abuse was widespread.

10. They created child labour.
11. They were de-programmed of their culture, language and history.
12. Children were apprehended while sitting in classrooms without the knowledge of their parents.
13. The parents were threatened with the loss of their welfare if they did not send their children to these residential schools.
14. The survivors were called truant, that they were not attending schools on the reserves.
15. The survivors suffer to this day with emotional and traumatic lives.
16. They cannot cope with family crises.
17. They cannot deal with this trauma psychologically or socially.

Recommendations:

1. That the church's clergy and the federal government apologize to the survivors and the victims of the residential schools throughout Canada.
2. That the government release funding for a healing and counselling process.
3. That the federal government and the churches give monetary compensation directly to the survivors and victims.

The Role of Aboriginal Women in Self-Government

Issues: Native women must start with political and economic equality or justice can not be obtained for Native Woman. They must also be given input and a chance to participate with these major issues and concerns: self-government, the Charter of rights and freedoms, treaty rights, and the Aboriginal and First Nations Charter Land Act.

Aboriginal Native women on and off the reserve are excluded from participating in any negotiations in regards to self-government and all other issues concerning Native peoples. Native women in general were never approached as to what their concerns or issues were. The women felt that there is no equality where representation was concerned because all of the Band Councils are male dominated. The Chiefs and councils are insensitive to all of our concerns and issues.

Recommendations: That the federal government and bands include Native women in all of their negotiations with the federal and provincial governments and that they fund aboriginal women groups accordingly, so they can come to some mutual agreements where land claims, self-government, and other areas are concerned.

Issue: The Band councils can not say they represent us -  
- they don't know what we want. The bands are not ready for self-government. They could not look after the



welfare of our Native peoples due to a lack of education and interest. One native woman said, "The bands are going broke now, what will happen under self-government?" and these sentiments were repeated by many other Native women who were interviewed. Natives will end up paying taxes. Native women are concerned with self-government in the areas of the Charter of Rights and Freedoms, human rights, land claims and other issues which will affect them one way or another. Some specific concerns are:

1. Would the Charter still be in effect to protect our equality?
2. How would this affect our future generations?
3. Our elders were never approached as to their inputs or direction by the Band councils. Its the elders who are informed on how our governments worked in the past. They feel they have been excluded from all negotiations with the government and the Bands.

Native Women do not want self-government for fear the bands would not be able to handle the budget on a yearly basis. They do not think the bands can administer funding for programs such as housing, education, welfare, medical services and employment. They fear for the future of their children and grandchildren. For example, if the bands go with self-government where housing is controlled by the bands with the involvement of Central Mortgage and Housing commission, what will happen with the houses if the band goes bankrupt? C.M.H.C. will repossess their

houses. They will eventually have to pay taxes on their properties. This is one big issue and fear with Native women.

They are also afraid of the issue of welfare if the bands go broke. They would have to go to the provinces, counties and town, wherever they can to obtain help for themselves and families. These are only some of the reasons why Native women voted no to the Charlottetown Accord. Until the women can freely mention their concerns, they are going against the bands on the issue of self-government.

Recommendation: More funding to First Nations Women so they can afford the legal advice, the staff and travel dollars to attend meetings and consultation on issues that concern First Nations. We need more aboriginal women in power at the Band council level and more information from the other native organizations on self-government. Furthermore, that aboriginal Native women be included in all negotiations concerning self-government and that aboriginal Native women are kept informed about land claims and the new Charter Land act. Also, that aboriginal Native women be allowed to freely air their views on land claim settlements.



Family Violence

Issues: The majority of Native women feel that women's shelters on the reserves would benefit women and their children and that they should be counselled by Native women counsellors because they feel that a Native woman would be more understanding to other Native women. They also feel that the abuser should be counselled with the rest of the family. This they feel would be the only way we could do away with abuse and family violence on the reserves. The shelters now are not accessible to Native women, especially for the women who live away from towns. They feel that some native constables do not want to interfere in marital problems, so they tend to over look the abuse.

Recommendations: That the government release funding for shelters for victims of family violence on the reserves and that these shelters be staffed by Native women. Also that the government give family violence awareness courses to the Native Constables on the Reserves. Shelters on the reserves are necessary and more should be built. It is further recommended that a 24 hour help line be set up for the victims so they can escape from abuse and finally that the abuser be given counselling to help solve their problem.



Federal Schools on Reserves

Issues: The federal government has paid large sums of money to the province for the schooling of Native children each year. The monies which the schools receive for the native children who attend schools off the reserve are never returned to the government even if the child drops out or is expelled from school.

Recommendations: That the federal government build and provide funding for federal schools on each reserve and that they hire aboriginal Native teachers which will benefit the aboriginal future generations.

Rationale: The monies, which is in the millions, should be used to build schools on the reserves. Native schools on the reserves would be beneficial where drop outs are concerned. We do have Native teachers within the bands. The children would be taught their native tongue and culture, and their history would be corrected to a certain extent. There would be Native studies in the curriculum. Native women feel that there would be a lower drop-out rate as a result. It is important for our children to know who they are. The Native teachers should be given equal pay as the non-native teachers. This would benefit our future generations.

Single Native Women

Issues: Native single women feel they are being discriminated against by the governments and band councils because they do not have children. When they ask for a house, they are told that they give housing to the women who have dependant children. Native women are given the impression that they have to become pregnant before they can get adequate housing. That is why most young Native women are having children -- in order to get housing and welfare.

Issue: Day Cares -- Native women who get jobs on or off reserves can not keep these jobs due to a lack of day care facilities on the reserves. They end up having to pay a high percentage of their wages for baby sitters or for un-subsidised day care (private day care).

Recommendations: That the government and bands provide funding for single Native women and children for housing, training, day cares, and adequate welfare with no restrictions attached. The the government provide proper training programs and funding so young single mothers can pursue training and upgrading.

Employment/Training

Issues: Native Women also want more training in the areas of culture, language and any other training that will benefit them in the job market. It was felt that employment on the reserves is inadequate. The majority of the women who have gone to college and university can't get jobs on the reserves. Most of the jobs are taken up by non-native women leaving none available to native women.

Recommendations: That the government and the Band councils give priority to the aboriginal Native women for jobs with all Native organizations and they have additional training for these jobs.



Bill C31

Issues: Amendments to the Indian Act in the Canadian constitution on Bill C31 in which Native women had no input. The revision of the Indian Act was to restore status and band membership rights to Native women and their children. The discriminatory part still remains. Native women feel that they are still stereotyped by the government and the Band by being called Bill C31's or 6(2)'s.

Recommendations: That the government remove from the department of Indian and Northern Affairs and all band membership lists the classification of Bill C31 and that the women be registered as Aboriginal Women.

Issue: They feel that the federal government did not finish their jobs, by not revoking the status from the non-native women who married native men prior to 1985.

Recommendation: That the federal government revoke the Native status from the non-native woman from the date they gained them. That their children be register as 6-2's, the same as the children of a Bill C31 woman.

Issue: Another concern was those non-native women who were divorced from native men before and after 1985 but retained their Indian status. These women had children

by other non-native men and these children were allowed to be registered as status Indians.

Recommendation: That the government revoke the status membership from all non-native women who were married then divorced from these native men. That their children from this union be registered as 6(2)'s.

#### Aboriginal Ancestry/ Status

Issue: Where aboriginal ancestry and Indian status is concerned, they felt that this area needed further clarification and changes. They felt that it is not fair that some aboriginal Native women who fall under Bill C31 can not pass their Native ancestry down to their children and grandchildren. However, non-native women who marry Native men are allowed the privilege of passing their Indian status they gained through marriage down to their future generations. The women felt that this was discrimination.

Recommendations: Native women do not consider this equality until such time as the amendments to the Indian Act in the Canadian Constitution are revised and corrected with input from Native women. They want the classification of registration under the Indian Act; 6(1) and 6(2) removed from the Department of Indian and Northern Affairs register and the band membership list due to the discrimination. Aboriginal women want to be

registered as First Nations Women. There is attached a resolution from the Nova Scotia Native Women's Association.



Micmac Family Services

Issues: The Native women interviewed wanted Micmac Family Services to become involved in custody issues, when it is known that one or both parents are unable to adequately care for the children involved.

The native women are in favour in custom adoption if the child being adopted is of native ancestry. However, if the child is not of aboriginal ancestry; than the child should not be eligible for Band membership and be registered as a Indian.

The native women would like to see more professionalism within Aboriginal family and children's agencies. All Board members and workers with such agencies should be carefully screened; because an individual is a Chief does not necessarily mean that he/she is a role model, in some cases these very individuals are perpetrators themselves who violate women and children.

The native women are recommending that government be more involved and supportive of family violence in the native communities by providing more funding for counsellors, healing lodges, cultural events, native women's groups, etc.

The Young Offenders Act

Issue: The Native women voiced their concerns about the Young Offenders Act where Micmac Family Services are concerned. They feel that the act does not help when it comes to their children being allowed to go free from the courts with a slap on the wrist after committing an offence. They stated that the offender walks away without having to face any punishment. The Young Offenders Act has created more problems within the family unit as well as in the education system (schools). The Young Offenders Act is indirectly responsible for the problem of runaway children in that children can not be returned home by police if he/she does not want to go.

Recommendations: That the Young Offenders Act be revised so that young offenders are adequately punished for their wrong doing and also that the parents of these young offenders would not be charged with child abuse while performing disciplinary actions to their children within reason. Also to allow teachers to discipline school children within reason without them being charged with child abuse.

Help for Teen-age Pregnancies

Issue: The Native women felt that there are too many teen-age pregnancies. Frequently, the girls are only children themselves. Most women feel they are being pressured by their band to have children in order to obtain housing and welfare.

Recommendations: Training and more recreation centres for these young girls on the reserves were seen as being a help for them. More employment and day care centres for these teenagers are also needed.



## Project Statistics

Some of the findings documented from the questionnaires used for the project were. Out of 500 questionnaires, 392 were answered and 108 were not sent in. 10 out of the 13 reserves in Nova Scotia and urban areas were covered.

1.	Aboriginal Women interviewed	320
2.	Reserves Residents interviewed	273
	Off Reserve residents interviewed	47
4.	Number of Children documented	1077
	Children registered	948
	Number of children not registered	29
5.	Type of political representation identified were: Band Councils, Native Council of Nova Scotia, Union of Nova Scotia Indians, Confederacy of Mainland Micmacs and the Nova Scotia Native Women's Association.	
6.	Satisfied with Representation	Yes - 205 No - 107
7.	Major Concerns were: Housing, education, Indian Act, Bill C31, daycare, health care, Land claims, employment, culture, nepotism, status of non-native women, input on the constitutional accord, shelters for abused women, discrimination, child abuse, unwed mothers and single women.	
8.	Satisfaction with services	Yes - 125 No - 193 N/A - 74
9.	Can you obtain adequate Housing?	Yes - 160 No - 224 N/A - 19

Comments: Those who could not obtain adequate housing had to take out a mortgage or a loan with C.M.H.C. and some are still waiting for housing.

10. Familiar with self-government? Yes - 140  
No - 177  
N/A - 12
11. What are your concerns with self-government?  
Would you like to have self-government?  
Agree - 11  
Don't Agree - 249  
No Opinion - 78
12. Would people benefit by having schools on the reserves?  
Yes - 246  
No - 50  
No opinion - 78
13. What are your feelings about shelters for abused women and children?  
Support - 237  
Not Support - 35  
No opinion - 8
14. Have you attended hearings or workshops on the constitutional process?  
Yes - 73  
No - 241  
N/A - 6
15. What would you like to see the Native Women do in regards to native women's issues?
- a. Press the National Native Women's Association to present the recommendations of the local Native Women's concerns and issues.
- b. The National Native Women's Association should lobby for the needs of the local women.
- c. More feedback from the Native Women's Association to the grassroots women through letters or newsletters.
16. Other concerns are:
1. Equality for aboriginal Native Women and Bill C31.
2. Native women and Bill C31 women don't get any assistance while residing off the reserve.



3. Aboriginal native women must have input into the revision of the Indian Act.
4. Native women's association to present the issues and concerns to all chiefs and councils of each band.
5. Need assistance for young single women and single mothers such as adequate housing, adequate welfare, training programs, daycares, recreational programs and centres, more employment and counselling for them and their children.
6. Aboriginal Native Women must have an input into the Canadian Constitutional process to have their rights protected and entrenched.
7. Hunting/fishing rights to be entrenched for both on and off-reserve native people.
8. Land claims should be negotiated for aboriginal people no matter where they reside.
9. Equality for the children of Bill C31 and grandchildren for on and off-reserve natives.
10. Allocated moneys for housing for Bill C31 to go directly to those living off-reserve.

Statistics that were taken from the questionnaire are as follows:

1.	Inadequate housing	224
2.	Education and training needed	136
3.	Daycares needed	37
4.	More employment	52
5.	Shelters for abused with counselling	237
6.	Schools on reserves needed	246
7.	Housing/services for unwed mothers and single women	50
8.	Health and Welfare	39
9.	Non-native women and adopted peoples status revoked	67



10.	No to self-government	249
11.	Indian Act input	33
12.	Want more women in Council	46
13.	Not enough information on services	66
14.	Nepotism	43
15.	Assistance for hearing impaired and those with other disabilities	3
16.	Challenges to Indian Act in court using the charter of rights and freedoms	43
17.	Mobility rights	23
18.	Taxes negotiated for all native people on and off the reserve	21
19.	Reinstate Off-Reserve Housing Program	32
20.	Allocate housing moneys for Bill C31 residing off the reserve	18
21.	Bill C31 not allowed on reserve	18
22.	Bill C31 discriminated against	59
23.	Aboriginal Native equality rights for Bill C31 children and grandchildren on and off-reserve	47
24.	Bill C-31 Housing for off Reserve Women and children	63
25.	Compensation for survivors of Residential schools in Canada	43
26.	Compensations for Bill C31 women and children who suffered in the past while being classified as Bill C31 both on and off the reserve	68

Nova Scotia Native Women's Association

• 1993 Annual Assembly

Resolutions

Nova Scotia Native Women's Association

Resolutions - 1993 Annual Assembly

COPY

Resolution #1

Moved by Pauline Lewis; seconded by Debbie Robinson

THAT the name of the Nova Scotia Native Women's Association be changed to the Nova Scotia Aboriginal Women's Association.

Motion Defeated

Resolution #2

Moved by Janis Walker; seconded by Pauline Lewis

That the Nova Scotia Native Women's Association lobby the Micmac Family and Children's Services to become more involved in custody issues where it is known that one or both parents are unable to give adequate care to the children involved.

Motion Passed

Resolution #3

Moved by Annie Paul; seconded by Pauline Lewis

THAT the Nova Scotia Native Women's Association recognize the importance of having youth participate in the association as they are our future leaders of the association.

BE IT RESOLVED that the NSNW will attempt to address this issue by having a youth representative from each local and have the local youth representatives elect the provincial youth representative.

Motion Withdrawn



Resolution #4

Moved by Charlotte O'Brien; seconded by Annie Paul

THAT where land claims are concerned, that all aboriginal people be recognized, regardless of their residency, and be given equal compensation.

Motion Withdrawn

Resolution #5

MOVED by Sarah Fiddes; seconded by Janis Walker

Gladys DiPietro of Eskasoni First Nation is presently living in deplorable housing conditions.

WHEREAS she is a native woman, Bill C-31, and has suffered a stroke; and

WHEREAS she has been unable to get anyone to help her in her attempts for adequate housing;

BE IT RESOLVED that the NSNWA encourage the executive, the board of directors and all other delegates of this assembly to write to Chief Allison Bernard, Grand Chief Ben Sylliboy, the Hon. Tom Siddon, Minister of Indian Affairs, and the Eskasoni Band Council on her behalf. This letter should show the concern and shock felt by the lack of action to have her housed in a timely manner.

Motion Passed

Resolution #6

MOVED by Theresa Moore; seconded by Ethel Lewis

That the Nova Scotia Native Women bring to the attention of Micmac Family and Children's Services, at their Annual Assembly, their displeasure at the continued political associations in the organization and on the board.

Motion Passed

Resolution #7

MOVED by Pauline Lewis; seconded by Josephine Gould

THAT all non-native women who gained their status before 1985 have their status revoked from the date they gained it, and their children be registered as C-2, because the non-native women can pass their native ancestry down to their children and grand children, but the native women can't. It stops with the children of a Bill C-31.

Motion Passed

Resolution #8

MOVED by Helen Robinson; seconded by Elizabeth Paul

THAT because the Indian Act still discriminates against aboriginal women, specifically under Bill C-31, it has created numerous inequalities such as:

1. Stereotyping (way they are registered);
2. adoption (should be revoked);
3. non-native women prior to 1985 (status should be revoked);
4. grandchildren (need to be registered and be provided benefits on an equal basis)

BE IT RESOLVED that the NWAC make the changing of the discriminatory sections of the Indian Act a priority.

Motion Passed



Resolution #9

MOVED by Ethel Lewis; seconded by Annie Paul

That the students of all the residential schools who suffered at the hands of their guardians be given compensation (as was the case of the Japanese) such as counselling, healing and monetary.

Motion Passed

Resolution #10

MOVED by Pauline Lewis; seconded by Josephine Gould

THAT the NWAC make every effort to form a Working Committee made up of representatives from all five national native organizations to lobby the Federal Government for housing funds for all Bill C-31 aboriginal women regardless of residency. It is essential that an off-reserve housing program be reinstated.

Motion Passed

Resolution #11

MOVED by Janis Walker; seconded by Pauline Lewis

To promote an awareness program on how gender inequality emerged from the assimilation process, in contrast to the traditional aboriginal society where equality was the norm. This was only one of the many virtues that the native people used to maintain and/or to restore harmony among its First Nations people.

Inequality breeds racism, discrimination, physical and/or verbal abuse which contributes to emotional trauma and social and economic transgressions.

BE IT RESOLVED that the NWAC develop an awareness program that can be implemented by provincial organizations.

Motion Passed



Charter of Rights/Freedoms Workshop  
Recommendations

**Nova Scotia Native Women's Association**

**Charter of Rights/Freedoms Workshop**

**February 27th. & 28th., 1993**

**Recommendations**

COPY

- ☐ Charter should be strengthened - expand Section 25 to address women's concerns
- ☐ problem with some issues on reserves i.e. language, religion, etc. Section dealing with freedom of expression, etc. some reserves may only practice traditional government
- ☐ Make sure Section 25 does not conflict with Section 28 to ensure equality
- ☐ Section 6 - mobility - specifically apply to native women, live where they like without losing rights. Same rights should apply to on and off reserve residents
- ☐ NWAC challenge the federal government that Indian Act discriminates on the basis of residency.
- ☐ NWAC take action into compensation for Bill C-31 women
- ☐ That the Union of Nova Scotia Indians and the Confederacy of Mainland Micmacs, Native Council of Nova Scotia negotiate with governments for Micmac Nation not only for on reserve
- ☐ Investigate compensation in the form of counselling for victims of residential schools

- ☐ That native women inform the Royal Commission about discrimination based on residency and request compensation
- ☐ Send recommendations to government departments, Royal Commission and Native Organizations and request meetings
- ☐ Use affirmative Action Programs to hire and promote native people when the program is for native people. Native people at all levels



Nova Scotia Native Women's Association

Presentations

Royal Commission on Aboriginal People

Halifax, N.S.

June 25, 1993

COPY

**Nova Scotia Native Women's Association**

**Presentation**

**To**

**Royal Commission on Aboriginal People**

**Housing for Native Women (Bill C-31)**

**June 25, 1993**

**Halifax, N.S.**

Housing For Native Women (Bill-C-31)

Native women who lost their Indian Status under the Indian Act before 1985 were denied housing on the reserve and denied access to the off reserve housing program. In 1985 these women gained their Indian status but the off reserve housing program was terminated. The Department of Indian Affairs develop the Bill C-31 funding formula which further aggravated the housing problem for native women. Only Bands that took back Bill C-31 women were allowed to access housing funds through the Bill C-31 Housing monies for the reinstated population. Again, this left the native women at the mercy of the Bands. To this day some Bands did not access Bill C-31 Housing funds for these women.

Those Bands that did access funding through the Bill C-31 program only received a housing subsidy and in many cases could not come up with adequate funds to completely finish a house. The Bands were instructed by the Department of Indian Affairs to provide adequate housing for the Bill C-31 women but this did not necessarily mean that the Bands would provide a new house to the native women. In many cases the Bill C-31 women received substandard housing; mini-homes; some had to secure bank loans; some are still waiting and some did not gain access to their reserves. In some cases through no fault of the Bands adequate funding for housing was not given, although the Minister of Indian Affairs assured the Bands that the reinstated population would not cause undue hardship to the Bands. We don't believe that the Department of Indian Affairs showed good faith with this statement.

Due to the Department of Indian Affair policy on housing they are restricting the native women rights to live where they want. Partial Funding was offered to those women who were reinstated under Bill C-31 for housing only if they relocated on the reserves. However, the Bill C-31 women who lived off the reserves were not even considered. These women need adequate housing also; their



existing homes needs repairs and many are still paying rent. These women who had to move off the reserves when they married non-native men established themselves in communities and attained employment, thus they could not uproot their families and disrupt their lives to relocate back to the reserves to attain housing.

The native women feel that the Federal Government continues to discriminate against them, to a point where they develop obstacles that continue to keep them the most disadvantage group. The native women are demanding that the Federal Government reinstate the off reserve housing program immediately, so they can access adequate housing. They are also requesting that more housing funds be allocated to the Bands to provide housing for the Bill C-31 women who have or want to relocate back to their Bands. We further recommend that the Department of Indian Affairs develop a fair policy for Bill C-31 housing funds and ensure that the funding go to Bill C-31 women who need housing.

COPY

**Nova Scotia Native Women's Association**

**Presentation**

**To**

**Royal Commission on Aboriginal People**

**Aboriginal Women Reinstated Under Bill C-31**

**June 25, 1993**

**Halifax, N.S.**

Aoriginal Women Reinstated Under Bill C-31

On June 28, 1985, the Minister of Indian and Northern Affairs, announce that Bill C-31 - an Act to amend the Indian Act, was passed by the Senate and given Royal Assent. The New amendment presumably ended discrimination against Indian women, restored Indian status to those who lost them and significantly enhanced the jurisdiction of Indian Band governments. For the first time in Canadian Law the right of Indian bands to control membership is being recognized, the Minister said. The jurisdiction of Indian governments has been strengthened through these changes to the **Indian Act**.

As we are all aware, Bill C-31 came about as a result of the United Nations hearing on the Sandra Lovelace case. In 1981, Canada was found to be in violation of human rights under the covenant on Civil and Political Rights. Canada promised to address the issue and change the discriminatory sections of the Indian Act, specifically Section 12 (1)(b) which discriminated against an Indian woman marrying non-native men. Prior to Bill C-31 Indian women who married non-Indian men were stripped of their Indian Status and band membership. However, this did not apply to Indian men; they could marry whom they pleased and they retained their Indian status, as well as, passed their Indian status on to their non-native spouses.

The Minister of Indian and Northern Affairs insisted on three major principles to be reflected in Bill C-31;

1. elimination of the discrimination from the Indian Act
2. reinstatement of individuals who once had Indian status and band membership



3. band control of membership

Bill C-31 does not reflect the major principles that were to be reflected in the new amendment. The implementation of Bill C-31 reflects the Federal Government's policy as in the past; a policy to reduce the Indian population, which will reduce the Federal Government responsibility to this population.

Bill C-31 introduces the following;

- ☐ discrimination is passed onto the children
- ☐ unequal transmission of status and band membership
- ☐ the rights of illegitimate children are jeopardized
- ☐ non-Indians are able to gain Indian status through adoptions
- ☐ divide and conquer policy introduced; band membership and Indian status are separate
- ☐ family members applying for Indian status and band membership are treated differently
- ☐ discrimination against unwed mothers
- ☐ court cases for bands
- ☐ a disguised form of genocide
- ☐ self-determination is violated by the government; the government continues to define who is or who is not entitled to Indian status

Under the new Act there will be transmission of Indian status and this transmission will be extended to the children; to what extent will depend on the parents Indian status.

For those Indians who married non-Indians before April 1985 their transmission of status will be unequal. For instance prior to the new Act a non-Indian wife gained Indian status when she married an Indian man. However, a non-Indian man did not gain Indian status when he married an Indian woman. For future transmission of Indian status the children of the first example will have two parents who have Indian status and will be able to extend Indian status to the second generation without having to marry a person with Indian status. However, in the second case the children from that union cannot pass Indian status to their children unless they marry a person with Indian status. Thus the rights of the non-Indian woman who gained Indian status upon marriage, are not affected, nor are her children. On the other hand, an Indian woman who lost her Indian status through marriage; her children's rights are not protected in the same way. We are recommending that those non-native women who gained Indian status should have their Indian Status revoked and their Band membership.

Children born out of wedlock will be greatly affected by the amendment to the Indian Act. Prior to the new amendment, illegitimate children rights has some protection. These illegitimate children's names were posted in a band office for a period of six months to a year, and if no one contested these children's Indian status, then they were put on the band list and given Indian status.

As of April 17, 1985, single mothers are requested to name the father of their children. If the mother refuses to name the father, the child's father will automatically be assumed to be a non-Indian and the child would be registered as a 6(2) or child with only one Indian parent. A 6(2) Indian cannot pass on Indian status. We are all aware that there are increasing cases of single mothers. In many cases the single mothers are very reluctant to name the father of her child because of rape, the father already married, etc.

We believe that Indian Affairs has not right to be in the bedrooms of our nations. Under certain sections of the Canadian Charter of Rights and Freedoms we have a right to privacy and protection of our children rights.



Band membership and restoration of Indian status are separate. Although, you may be entitled to Indian status, you may not necessarily be eligible for band membership. Those who enfranchised are eligible for registration only and not band membership. There are some bands that refuse to accept some Indian women that were reinstated under Bill C-31.

Indian women who lost their Indian status under 12(1)(b) of the old Indian Act are eligible for status and band membership, but their children are only entitled to registration and are put on the General list. In some cases their children cannot be registered. They must apply for band membership. Their band membership will depend on the band's criteria for membership, if the band institutes its own band membership code.

The bands are put in a very awkward position. Unless, the bands are guaranteed increased funding for the increase population on their reserves they are reluctant to admit more members. There is also a shortage of land base on the reserves to accommodate more members. We don't feel that the bands should take control of its own membership until their rights are entrenched in the Canadian Constitution and funding formula for increased and extended services is guaranteed for all Indians and their future generations.

Due to the discrimination in the Indian Act prior to 1985 Indian women who lost their Indian status were denied access to their bands; housing; education; medical services; employment; their culture, etc. We strongly believe that these women whose rights were violated and even today they are violated; should be adequately compensated for. The Canadian Government compensated the Japanese whose rights were violated for only a couple of years; Bill C-31 women's rights were violated for decades; since the introduction of the Indian Act.

We the Nova Scotia Native Women's Association oppose the total implementation of Bill C-31. The Bill continues to discriminate against Indian people. The Bill determines who shall and who shall not be entitled to Indian status. The new amendment to the Indian



Act increased the paternalistic attitude of the Federal Government toward Indian people.

COPY

**Nova Scotia Native Women's Association**

**Presentation**

**To**

**Royal Commission on Aboriginal People**

**Indian Residential Schools**

**June 25, 1993**

**Halifax, N.S.**

## Indian Residential Schools

The Indian Residential Schools that were built in the early 1920's was part of the Federal Government's assimilation policy. The Federal Government consistently pushed tactics of assimilation. The main purpose was to make First Nations people white. What better way to rid Canada from their fiduciary responsibility of First Nations people but totally eradicate the problem. The most effective way of doing this was to become the guardians of First Nations children. With this generation they could instill a new culture in their minds and completely wipe out any Indianness they had. This strategy had to be one of the most disastrous act of mankind towards another nation. Not only was it a total violation of human rights; it was an act of alienation.

Through deceit of the Indian agents parents were forced to hand over their children to them and the residential schools across the country were filled with First Nations children; thus the government master plan of assimilation began. The First Nations children who were incarcerated through no fault of their own in the Residential Schools throughout Canada, suffered by the hands of their guardians. Namely the Roman Catholic priests; Sisters of Charity and the Department of Indian Affairs. These students suffered mental and physical abuse from these caregivers. These children experienced culture shock because they were put into an environment totally foreign to them. They were removed from their family units, their only support group. They were deprived of their language and culture.

The children were taught to speak and write in English. The use of their native tongue was forbidden and harsh punishment was dealt out should the children disobey. Non-native and christian values were instilled in the children. The concept of being Indian was to be a savage and uncivilized but to be white was to be civilized and more acceptable. It was of the utmost importance that parents not have contact with the children; this way native language and culture from the parents could be completely severed. The schools were located in such remote areas away from the native communities that it was almost impossible for them to visit the children.



Former students of these residential schools give vivid stories of the suffering that they had to endure. They were forced to scrub concrete floors, wash clothes, cook, sew, and do farm work in severe conditions. Some small children froze their hands and feet because they were not allowed in the building until a certain time. Some former students spoke of being sick and vomiting in their plates and made to ingest it. They were deprived of privacy and subjected to humiliation. The boys had to take showers in open stalls and the girls had to line up and show the Sisters the crotch of their underwear, the reason for this is not known. The students who wet their beds had to wear the soiled sheets around their necks and be put on display in front of other children, so they could be laughed at and humiliated. Children who tried to run away from the schools had their heads shaved and locked in closets that were poorly ventilated and fed very little food. Some students were punished physically; some still carry their scares on their bodies.

The former students from these residential schools want an apology from the Catholic Church and the Department of Indian and Northern Affairs. They want compensation by way of services and financial assistance. They want to begin the healing process by receiving the proper counselling. Many of the students who suffered emotional and physical trauma have not went on to live a normal life. Many carry the emotional and physical scares. They became alcoholics and drug users; they became depressed and are unable to cope with their own lives and families. These students want to receive financial assistance to help them attain a new lease on life. For some they need housing, education, training and financial help in attaining self-sufficiency through economic development.