



'Until Our Hearts Are on the Ground''

Contemporary Issues Facing Aboriginal Women in Ontario

An Ontario Native Women's Association Position Paper

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Executive Summary

Following a brief introduction of the Ontario Native Women's Association, its purpose, structure and basic organizational principles, this paper highlights some of the key issues facing Aboriginal women in Ontario as they continue their struggle for equality in contemporary society. It must be noted that there exists tremendous diversity among Aboriginal women in Ontario, however, as the author will argue, centuries of colonial oppression and exploitation have created enough commonality of experience to justify a united approach to social change. The paper describes the difficulties faced in relation to domestic violence, legislative discrimination and the effects of Bill C31, the lack of Human Rights Protections and the repeal of section 67, the lack of protection of Matrimonial Real Property, inadequate housing, and the environment. The ONWA makes recommendations for future actions to begin the process of initiating the necessary changes with a special focus on the need for grassroots control, activism, and leadership development for Aboriginal women.

INTRODUCTION

Incorporated in 1971, the Ontario Native Women's Association (ONWA) represents the views, aspirations, and needs of Aboriginal Women¹ and their families in the province of Ontario. Based on the principle that all women of Aboriginal ancestry shall be treated with dignity, respect, and equality, the ONWA extends benefits, services, and supports to all, regardless of residency, status or Tribal affiliation. The ONWA was created to provide a forum through which Aboriginal women could effectively address the social, economic, health, justice, employment, and training issues that affect their lives, their families, and their communities. In order to meet the needs of our women, the ONWA was actively involved during the founding of the Native Women's Association of Canada in 1974, and remains an affiliated chapter to this day.

Although the Association's head office is located in Thunder Bay Ontario, the ONWA has approximately 80 affiliated community groups or "Locals" spread across the Province of Ontario, each with their own memberships and volunteers, thereby reflecting the geographical, linguistic and tribal diversity of our nations. The ONWA membership is open to Aboriginal women 18 years of age or older, who reside in Ontario. Our main programs and services are provided for Aboriginal women and their families, and/or as specified in each program's criteria, as set by various funding sources. Through our staff and volunteers, the ONWA delivers programs and activities which over the course of a year will provide a variety of services, and supports to over 10,000 Ontario citizens.

ISSUES

Although the individual issues we face may have changed over the decades, the underlying need for the recognition of the voice of Aboriginal women has remained constant. Indeed, what began as a fundamental belief during incorporation, became an uncontested fact in 1980, when the ONWA undertook a major research project in order to identify the needs of their membership and clearly identified “participation in the decision-making” as the “number one priority for all native women” ². However, lacking sufficient resources for the necessary education of Aboriginal women on the issues and policies that shape their existence, any opportunity to have the voices of our sisters heard in a meaningful and effective manner has remained elusive. Unfortunately therefore, decades later in 2007, the ONWA still finds the demand for equal participation in decision making processes to be our number one priority.

Despite the well recognized power and respect accorded to Aboriginal women in our traditional societies (or perhaps because of it) since the earliest days of colonization, those in power have not only ignored the voices and concerns of our women, but have in fact worked hard to silence them. Whether their actions were an unconscious reflection of their own patriarchal beliefs, or a deliberate attempt to disrupt the strength and social organization of our nations, the colonial imposition of male-centric ideologies, legislation, and policies have caused significant damage in our communities.³ Sadly,

social and economic marginalization of Indigenous women, along with a history of government policies that have torn apart Indigenous families and

communities, have pushed a disproportionate number of Indigenous women into dangerous situations that include extreme poverty, homelessness and prostitution.⁴

As a result, Aboriginal women have a lower life expectancy than non-aboriginal women, and higher incidences of diabetes, HIV/AIDS, tobacco addiction, and suicide (up to eight times the rate experienced by other women).⁵ Although we acknowledge that measuring quality of life by monetary standards is not only difficult, but also culturally inappropriate, we cannot ignore the impacts of alarming levels of poverty found among Aboriginal women. In fact, Aboriginal women face the highest incidence of poverty, with a rate twice that found among non-aboriginal women, and are often unable to provide for basic necessities such as adequate food and shelter. According to census data, the average income of Aboriginal women generally was only \$16, 519.00, which is well below the poverty line, with Registered Indian women living on-reserves earning even less at only \$14,000.00, as compared to \$23,065.00 for non-aboriginal women ⁶. Unfortunately, not only do Aboriginal women have lower incomes and lower rates of employment than all other women in Canada, they also have lower incomes than Aboriginal men, who earn approximately \$24, 753.⁷ Clearly, Aboriginal women experience extreme hardship as a direct result of both racial and gender inequity. As the author has argued elsewhere,

this situation is compounded by a higher than average birth rate among Aboriginal women, and a higher than average percentage of female headed single parent families. Indeed, according to Hull's 2001 report⁸, one in three (33%) Aboriginal mothers was a single mother, compared to one in six (16%) of non-aboriginal mothers in Canada. Furthermore, Aboriginal families generally, and Aboriginal single mother families specifically, tended to be larger than those of non-aboriginal Canadians:

33% of Aboriginal single mother families had 3 or more children as compared to only 16% of non-aboriginal single mothers.⁹

In addition, given the fact that 27% of Aboriginal families are headed by single mothers, and 40% of those single mothers earn less than \$12,000 per year, it is therefore not surprising that the Ontario Federation of Indian Friendship Centers report on urban Aboriginal child poverty found 52.1% of all Aboriginal children were living in poverty¹⁰. Obviously, the double discrimination faced by Aboriginal women has a significant effect on the life chances of their children as well.

Domestic Violence and Aboriginal Women

In our struggle to achieve equality for Aboriginal women in Ontario we have found concerns regarding the eradication of domestic violence to be of primary importance.¹¹ Before we can even begin to address issues of poverty, education, employment, health and overall quality of life we must be able to guarantee the basic safety of our women. In 1989, the ONWA released "*Breaking Free: A Proposal for Change to Aboriginal Family Violence*," wherein our own research indicated that 80% of Aboriginal women had personally experienced family violence. This appalling statistic was a catalyst for change in Ontario. In response to the report, with over forty million dollars and a unique partnership between various government ministries, First Nations, and Aboriginal organizations (including the ONWA) the Aboriginal Healing and Wellness Strategy was created to address the situation in a holistic and inclusive manner that allowed for local Aboriginal control and delivery of innovative violence

prevention and treatment programs. Although the reported cases of domestic violence appear to have increased in some communities, it has been argued that this may be an indicator of increased awareness and willingness to report, rather than an overall increase in actual incidences of violence.¹² While rates and statistics provide a good first step in the process of identifying the enormity of the problem, the continued documentation of Aboriginal women who have been beaten, gone missing, or been murdered (according to the Native Women's Association of Canada in recent years the over 500 Aboriginal women in Canada are missing and/or were murdered) does not provide any form of solution. In order to determine and develop appropriate mechanisms to address the unacceptable levels of violence perpetrated against our Aboriginal mothers, grandmothers, sisters, and daughters we must first understand the underlying root causes of such abuse.

While many have argued about whether domestic violence was a problem for Aboriginal communities prior to contact, citing traditional cultures as a protective factor, there has been general agreement that levels of domestic violence have been increasing steadily over the last 150 years.¹³ Unfortunately, the inequity faced by Aboriginal women in comparison to the rest of society results in increased likelihood of, and vulnerability to, violence. Persistent poverty, and economic stress are proven factors that contribute to levels of domestic violence¹⁴. Furthermore, leaving an abusive relationship can have significant monetary implications. The cost of relocating and the fear of loss of spousal support force many Aboriginal women to remain in abusive relationships,

especially if they have children to provide for. However, to suggest that solving the economic problems of our communities will ultimately solve the issues of violence is not only simplistic, it is inhumane and amounts to a denial of our Aboriginal women's right to live free of fear of violence or persecution.

Research has shown that the disparagement of one partner is directly connected to the frequency of violence. In this case traditional culture did provide protection as women were honored in our societies, and disparagement of women was rare.¹⁵ Therefore, the rise in violence against Aboriginal women can be understood as the result of the degradation of the status of Aboriginal women since contact. Some have argued that it was the fear of critique of the patriarchal colonial society that originally lead to the persecution, and oppression of Aboriginal women in our nation. According to Andrea Smith, in her analysis of the roots of systemic violence against Aboriginal women, in comparison to the fundamentally oppressive and sexist European societies,

prior to colonization, Indian societies for the most part were not male dominated. Women served as spiritual, political, and military leaders, and many societies were matrilineal. Although there existed a division of labor between women and men, women's labor and men's labor were accorded similar status. As women and men lived in balance, native societies were consequently much less authoritarian than their European counterparts.¹⁶

Devon Mihesuah concurs, claiming that prior to colonization, most Aboriginal groups were egalitarian, and "women's and men's roles may have been different, but neither was less important than the other... none were inferior"¹⁷. A society that maintains its gendered hierarchical social structure through violence and the domination of women, cannot bear such egalitarian beliefs. However, lest we fall prey to romantic tendencies to portray pre-contact Aboriginal communities as

utopian societies, it is important to point out that both women and men toiled hard to ensure their collective survival.

Thus, while many point to the adoption by Aboriginal men of patriarchal western beliefs and behaviours as the source of violence in our communities, which seems warranted as rates of violence have increased steadily over the last 150 years, such analysis is too simplistic. The real purpose behind the colonial persecution of Aboriginal women, was not so much to force the Indigenous peoples to become patriarchal and therefore more like the Europeans, (especially since it was generally accepted at the time that such a thing would be impossible) but rather to prevent Europeans from becoming like the Indigenous or 'going Native' as it was commonly known.¹⁸ Clearly then, as Smith concludes, the societal "demonization" of Aboriginal women that continues to this day had its beginnings as part of an overall strategy in the struggle of "white men to maintain control over white women".¹⁹ A patriarchal society that maintains an imbalance of power through the oppression of its own women cannot bear the existence of egalitarian beliefs, much less empowered women. These colonial attitudes towards Aboriginal women underlie the pervasive violence in our communities.

Recently, as the result of a three day summit, held by the ONWA in 2007, to discuss the problem of domestic violence we have in collaboration with our partners across the province determined the need for an action plan to End Violence. The primary objective is above all else to ensure the safety of our women and children. We must put an end to violence by first working to assist Aboriginal women to recognize the signs of abuse, to provide ability to leave

violent situations, to find safe affordable housing and culturally appropriate supports to work through the process of healing, and ultimately the skills for economic independence to prevent return. We must also simultaneously revitalize our traditions, invest in programs that will teach our men and our families that violence is not our way and provide skills to first recognize abuse and second to learn alternative positive behaviours. We must return to the traditional respect for women as the givers of life, the soul of our nations, and the caregivers of our communities. Our women were given the responsibility of giving life to our nations and they must be supported if we are to continue as a distinct people. We feel that all leadership must not only support and implement this action plan, but also take personal responsibility for ending violence in their own families, communities and nations. Interestingly, both the NWAC and the ONWA have since inception been criticized for dividing our nations as many felt that drawing attention to 'Aboriginal women's issues' was taking away from the greater struggles of our nations for sovereignty and economic stability. However, we firmly believe that domestic violence is not a 'women's issue'. Violence in the home has significant impact on the health of future generations and it is therefore an issue for men, and family and community and nation. If our women and their children continue to be forced out of their homes and communities by violence, our communities lose not only valued members, but the knowledge, talents, and potential held by those individuals. Without strong healthy women to nurture our future generations, our nation will indeed perish.

Human Rights Violations

Despite years of our continued struggles for equity, today in 2007, Aboriginal people generally, and Aboriginal women specifically still do not enjoy equality with the non-aboriginal population in Canada, not just in terms of economic standing, employment, health and education standards, and overall quality of life, but also in terms of basic human rights. With the creation of the Canadian Human Rights Act (CHRA) in 1977, the government felt it necessary to incorporate a specific clause in relation to peoples identified as Status Indians governed under the Indian Act (many have argued this was done deliberately to avoid making determinations regarding the gender discrimination inherent in section 12(1) b of the Indian Act which forced the extinguishment of the rights of many Aboriginal women). Thus Aboriginal people were, and continue to this day to be, specifically excluded from the basic human rights protections that all other Canadians take for granted. The frequently overlooked section of the Human Rights Act, section 67 to be exact, states clearly that “nothing in this Act affects any provision of the Indian Act or any provision made under or pursuant to that Act” and thus our own government has allowed for the denial of our very humanity. Given the scope of the Indian Act, which regulates a great many aspects of life for First Nations people living on the reserves, the impact of this section is significant. Although this section was originally intended to be a temporary measure, to this day, any Aboriginal person who is experiencing discrimination in his or her First Nation with regard to band member registration, use or occupation of reserve lands, wills and estates, education, housing, etc.,

has no recourse, no ability to appeal to the usual human rights commissions or tribunals.²⁰ While this lack of protection does apply equally to both Aboriginal men and women, it is for Aboriginal women that this causes the greatest concern.²¹ Just as racial discrimination is not generally a problem faced by the 'white' majority population, gender discrimination is not generally a problem for men (although there are always exceptions). Throughout our history, Aboriginal women have faced double discrimination because of their race and gender and therefore, these women are the most negatively effected by lack of protection from such acts of discrimination. Not only does section 67 deny Aboriginal people the basic human rights protections enjoyed by other Canadians, it is also in contravention of the International Declaration of Human Rights which prohibits the kind of race based exclusions found in the Human Rights Act.

Discussion around the necessary repeal of section 67 has gone on for decades. Bill C-44 is the current proposed act to amend the Canadian Human Rights Act. This Bill demands the repeal of Section 67 from the federal human rights statute which restricts access to its process of redressing human rights violations. However, as a result of lessons learned from the implementation of Bill C31 (which was intended to end gender discrimination, but which ultimately lead to a degradation of the ability of First Nations communities to pass on membership and status) we at the ONWA believe it is important to proceed with caution. We agree with the assertion that Aboriginal peoples, and Aboriginal women specifically, must be effectively involved in a genuine consultation process. There must be opportunities and resources for the necessary public

education on the issues surrounding the proposed legislative change to enable our members to make informed decisions, especially with regard to any possible unintended consequences or negative impacts on the sovereignty and security of our nations. We are not, as has been suggested, putting our needs ahead of those of our communities. We firmly believe that with careful consideration and thoughtful wording, we can articulate a legislative change that provides for Human Rights protections while still protecting Aboriginal Treaty rights and our land base.

Bill C31- Continued Discrimination and Exclusion

It is important to acknowledge at this point that although we recognize the extraordinary diversity that exists not only between specific Aboriginal groups, but also within these communities, this fact has largely been ignored (by those in power) throughout history, which has created a commonality of experience for Aboriginals in contemporary society that crosses all tribal, linguistic and geographic barriers. Indeed, through a variety of legislative acts, beginning with, but certainly not limited to, the provisions of the Indian Act, Aboriginal women as a group have historically and continually been denied many of the rights that others take for granted in this country, with a range of often devastating results for many of these women on an individual level.

One of the key areas of oppression through legislated discrimination against Aboriginal women was found in the Indian Act itself. For well over a hundred years, beginning in the 1870's and continuing until as recently as 1985,

under the provisions of section 12(1)(b), upon their entrance into marriage with a man not possessing Indian Status²², the Canadian government stripped tens of thousands of Aboriginal women (and any subsequent children) of their Indian Status, and all the rights such status entailed including access to health care, education, and perhaps most importantly the right to live in their own homes and communities. Conversely, under the Act, not only did Indian men not lose status upon marriage to a non-aboriginal, their spouses gained status as did their children. As a result of being forcibly uprooted and disconnected from their communities many of these women were subsequently dependant both economically and socially upon their spouses for support (Amnesty International, 2004, p. 6). Furthermore, since the extinguishment of Indian Status was irrevocable many Aboriginal women were left without recourse in the event of domestic violence, divorce, or widowhood.²³

Jeannette Corbiere Lavell, an Ojibway woman from the Wikwemikong First Nation, former president and currently lifetime member of the ONWA, was the first Aboriginal woman in Canada to challenge this discriminatory section of the act. It was not the loss of the right to own or inherit property on the reserve, or the right to have a share in treaty monies, or the right to avoid paying taxes that was of greatest concern for these women, but rather it was the loss of community support that was the hardest to bear. Neither she nor her children would be able to live among her people. Even in its contemporary manifestation, as opposed to the more historical notions of communal tribal living, for most members of the Aboriginal community, and especially for Aboriginal women who

live below the poverty line, everyday survival is still dependant upon extensive networks of family and friends who support and assist each other. Thus, the isolation of many Aboriginal women was a significant contributor to the aforementioned problems of poverty and domestic violence.

Although Bill C31 was heralded as the end to discrimination against Aboriginal women, these women were not given back their original status under the act. They were allowed back into their communities as “reinstatedes” which gave them a lesser class of status, and lesser ability to pass on the rights of membership. Thus, Aboriginal women and their children were, and continue to this day to be, denied the rights and privileges enjoyed by their brothers and any children they may have. As National Chief Phil Fontaine claims “after living with Bill C31 for twenty years, we can clearly and unequivocally say that it has failed Canada and it has failed First Nations... the Bill has not resolved any of the problems it was intended to fix and has in fact created new problems. Significant gender discrimination still remains ... and the population of status Indians is declining as a direct result of Bill C31”.²⁴ The effects of the original gender discrimination were not eliminated, just postponed for a generation, and as a result many of the children who were reinstated with their Aboriginal mothers now face the same challenge as their own children are declared non-status.

Once again the ONWA firmly believes that the time has come for the Government of Canada to end its legislative attacks on our women, to stop discriminating against us simply because we are Aboriginal women. Once we move past the first generation of reinstates, this is no longer an Aboriginal

women's issue, the second class status of 'reinstated' has led to the extinguishment of membership and status for their grandchildren regardless of gender, and an overall decline in the population of status Indians (despite the initial increase as band members were reinstated). For this case in particular, the needs of women are completely consistent with the needs of the Aboriginal community if we are to have a community at all in the future, as declining membership has already put some First Nations in jeopardy. Furthermore, according to the International Declaration of Human Rights, everyone has the right to their nationality and no one can be arbitrarily deprived of that nationality.²⁵ So it would seem that by denying the grandchildren of our reinstated Aboriginal women the right to their nationality, their membership in their 'First Nation', the Government of Canada is guilty once again of committing human rights violations against the most vulnerable members of our society, our Aboriginal women.

Matrimonial Real Property

While the act of entering into marriage no longer results in exclusion from the community and subsequent hardship for Aboriginal women, currently the dissolution of a marriage still does.²⁶ As a result of persistent failure of the federal government to allow Aboriginal women the same protection guaranteed to all other women in Canada, First Nations women living on-reserve do not have the right in law to an automatic 50/50 division of matrimonial property upon divorce.²⁷ According to subsection 61 (24) of the Constitution Act of 1867, which gives the federal government exclusive authority over the 'Indians and Lands reserved for

the Indians', the provincial or territorial laws that govern the division of assets upon marital breakdown are deemed inapplicable with regard to matrimonial real property (lands and homes) on reserves. Unfortunately, it is often not until they are in the last stages of marital breakdown and heading for divorce that many Aboriginal women become aware of the fact that they have no legal claim to their own home. These women are either forced to leave, which can jeopardize any claims for custody of minor children as they have no stable home, or worse yet, they choose to remain in an abusive situation for lack of viable alternatives²⁸. This is a choice no woman should ever have to make, much less a woman living here in Canada, a nation that supposedly values and protects equality for all regardless of race, or gender, that is unless you happen to be an Aboriginal woman. Once again we have found that the lack of protective legislation, in this case the lack of Matrimonial Property Rights, has the most negative impact for Aboriginal women and their children. Indeed, as a result of this particular issue, Aboriginal women and their children are at greater risk of becoming homeless than Aboriginal men.

The ONWA believes that only when we begin to understand the current situation of Aboriginal women in Canada as the logical outcome of centuries of inequity and discrimination, will we stop blaming the victims and begin the necessary process of envisioning real solutions to the persistent socio-economic disparity. Again the ONWA calls for the Government of Canada to deal with the lack of Matrimonial Property Rights for our women. We firmly believe that a recognition of an Aboriginal woman's right to her fair share of the family assets,

and the right to remain in the matrimonial home with her children, is not necessarily at odds with the desire to protect the lands held in common under the reserve system. There are creative ways of ensuring the safety and protection of our women without jeopardizing the future existence of our communities. Once again, it is the position of the ONWA that any proposed changes by either the federal government, or the local chief and council, cannot be implemented without a meaningful consultation and consent process. In order for this process to be fair and purposeful, in our opinion, there must be sufficient resources allocated to the community education aspect in order to enable informed decision making opportunities. As was the case with the the lack of Human Rights Protection, and the continued discrimination under Bill C31, we have found that many Aboriginal women were not fully aware of the implications of the Lack of Matrimonial Property Protection, and many did not feel comfortable with their level of knowledge. Through our own Matrimonial Property Rights consultation, the ONWA developed the following recommendations:

- That the ONWA should apply for funding to the Ontario Law Foundation, or the Federal government to conduct a series of educational workshops with our women to help create awareness of their rights, how to access those rights and where to find assistance.
- That the ONWA actively engage youth and elders, to educate and conduct leadership camps to share traditional forms of practice.
- That the ONWA not support Provincial Law as a model to impose on our people, further that the ONWA consult with the Chiefs of Ontario and the AFN Women's Council to build a strategy.²⁹

Housing

Since Aboriginal women, and especially Aboriginal single mothers, have the highest rates of poverty in Canada (more than twice the rate of non-Aboriginal women) they are also consistently more vulnerable than other groups and face more barriers when accessing housing. The negative effects of low income are exacerbated by pervasive racism and prejudice. Furthermore, as a direct result of the failure of the Canadian government to address, in a timely fashion, the lack of Matrimonial Property Rights for Aboriginal people living on reserves, in combination with the intolerable levels of domestic violence, many Aboriginal women and their children are forced to leave their homes during times of family breakdown. Although some access emergency shelter services, such options are only temporary and without adequate affordable 2nd stage or transitional housing many often are left with no choice but to return to violent homes. When combined with the acute housing shortage found in many First Nation Communities, many Aboriginal women find they have no choice but to move in with already overcrowded relatives, or leave their reserves in order to find shelter. As all Aboriginal women who lost their status through section 12(1) b of the Indian were deprived of any home they may have possessed on the reserve, when the tens of thousands of reinstates returned to their communities, in numbers significantly greater than had been originally estimated by government, the comparatively small amounts of money transferred to each community to support the returning women and children were in no way sufficient. Over 20 years later, many of these women are still waiting for a home in their community.

On-reserve housing policies,³⁰ and CMHC housing ownership programs,³¹ often discriminate against Aboriginal women, especially Aboriginal single mothers, indirectly through the imposition of minimum family income levels that are often unattainable for single Aboriginal women. Thus, low incomes for Aboriginal women, in combination with racist landlords, and a lack of affordable social housing, results in situations where many Aboriginal women are only able to secure inadequate and substandard housing for their families. Unfortunately, as a 2004 report of the National Anti-Poverty Organization indicated, 80-90% of Aboriginal single mothers in urban areas exist below the poverty line without adequate housing.³² Often the cost of even substandard housing is so great that once rent is paid there is very little left for food or clothing and other necessities. Indeed, in their report on Urban Aboriginal Child Poverty, the OFIFC found that many families consistently went without food for a period of each month.³³

The ONWA recommends that there be a significant and sustained increase in the amounts allocated to housing for Aboriginal people on-reserve and off-reserve until such time as we can begin to meet the demands of our women. There is a need for more affordable social housing for vulnerable Aboriginal women, such as single mothers, and the elderly or disabled, especially in off-reserve communities as a disproportionate number of Aboriginal women now live in urban settings away from their First Nations. There is also a need for more 2nd stage housing initiatives to help Aboriginal women who have been victims of violence to move out of the shelters and rebuild their lives. It is hoped that such supports will provide alternatives to the common return to violent and

abusive situations and begin the process of breaking the cycles of violence in our communities.

Environment

According to our Traditional teachings in Anishnawbe territory the women were the water carriers; their role as the carriers of new life, and the waters that support that life was paralleled by their role as the stewards of the waters in our natural environments. We share grave concerns for the state of our natural environment as it is polluted, pillaged and ultimately destroyed in the name of progress, economic growth and increasing profits. Since many Aboriginal peoples, and many Aboriginal communities still live off the land we are uniquely capable of seeing the devastating effects of such so-called progress, and we are also uniquely vulnerable to disease and ill health caused by overwhelming environmental pollutants. Logging, industrial pollution, urban sewage, and large scale water diversion are all significant sources of concern for the Aboriginal people who live in the Great Lakes Area.

However, we are not powerless in the face of large scale environmental destruction. A group of Anishnawbe women, began a water walk, determined to raise awareness of the need to protect our environment and our waters, in order to preserve life. Without any government funding these women set out to walk around all the Great Lakes carrying their water and their message of the importance of environmental stewardship. Lead by Josephine Mandamin, the former Executive Director of the ONWA, who is also currently an active member of the Grandmothers Council, these women are very close to achieving their

goal. They bring the message that clean pure water is essential for all life. They lead by example, not waiting for government to take charge, they are making a difference in everyway that they can. These women have had a significant impact of a great many leaders, and now as Josephine says “Our First Nations/Tribal leaders must take the step toward acting on their responsibility. Our elected government leaders must also enact polices to protect our waters and waterways”. The ONWA fully supports the initiatives of the Water Walkers. As a result of their teaching the ONWA will also demand that our Aboriginal women must have their voices heard in all consultations on all issues related to our environment. When the voices of our women are once again heard at the decision making tables perhaps then new values will be adopted as we embrace our role as protectors of the environment.

Conclusions

Lest we become paralyzed by the severity of our situation as Aboriginal women struggling for equality in a society that excludes us, ignores our voices and discriminates against our sisters we must remember that we are the heart of our nations. The heart of a woman is the first sound that fills the ears of every Aboriginal person as it gave life and sustenance. Our bodies nourished our young ones, and our souls will nourish the spirit of our nations. Our Aboriginal mothers have worked and sacrificed to ensure the survival of our nations. According to the Royal Commission on Aboriginal People,

“it is clear that despite diverse cultural backgrounds and places of residence, there are many commonalities among Aboriginal women, the

greatest of which is an overriding concern for the wellbeing of themselves, their children, extended families, communities and nations. It is also clear that women who appeared before us are determined to effect change in their current life situations. (RCAP, v4, p. 21)

These words illustrate one of the most amazing things about our culture. Despite years of discrimination and oppression, it is the women, the women of our locals, the women of our centers, the women in the grassroots communities and the leadership seats, it is these women that are doing the work that is needed. They are the volunteers that keep underfunded programs operating, they are the leaders that are advocating for change, making sure our voices and our concerns are heard at the decision making tables. Back in 1980, the women of the ONWA recognized the need for our women to learn how to exercise their right to speak for themselves at the grass roots level upward. We need not speak on their behalf but rather the leadership of our nations must support their women to speak for themselves. As the United Nations Secretary General Kofi Annan stated that “there is no tool for development more effective than the empowerment of women”.³⁴ Thus in conclusion, it is the fundamental belief that given the opportunity Aboriginal women will be able to determine for themselves the appropriate courses of action as we work collectively to eradicate violence, poverty, and despair, while we move to a future filled with strength, success and hope.

¹ It is important to define what Aboriginal means in the context of this paper. As the author has argued elsewhere,

due to the ongoing attempts by government to define and categorize the original inhabitants of this continent, as well as the peoples' resistance to this imposed definition, not to mention the current concerns with politically correct terminology, any discussions regarding the naming of the original populations of our nation are fraught with confusion. While some claim the initial label of 'Indian' came as the result of misidentification on the part of Columbus, who believed himself to be in India, and is therefore not only misleading, and inappropriate, but downright offensive, the fact that we (Aboriginal women specifically) have fought, and won, the right to be deemed an 'Indian' under the meaning of the Indian Act, leads to substantial disagreement regarding the usage of this term. As a result of amendments to the Indian Act in Bill C-31, which came about as a result of the court action begun in 1971 by Jeannette Corbiere Lavell, (a lifetime member of the ONWA) tens of thousands of people proudly reapplied for their status as 'Indian people' in this country. However, legally the category of 'Indian' as defined by the Indian Act includes only status Indians, thereby excluding the Metis, Inuit, and those who, for a variety of historical reasons, were deemed non-status. Thus, despite our long struggle to regain the right to call ourselves Indian people, in order to be consistent with the vision of the ONWA and embrace inclusivity, for our purposes herein we have agreed upon the use of the term Aboriginal. While some prefer to be called Native (or Native American as is popular south of the arbitrary border that divides our nations), this term also lends itself to confusion as it can simply be an indication of one's birth in the specific geographic area and may therefore be used just as legitimately by second generation immigrants, although the use of capitalization generally indicates Aboriginal reference. Thus, although this is a paper of the Ontario Native Women's Association, in the interests of clarity the term Native will also be avoided, unless used in a direct quote from another writer. While most of our women prefer to refer to themselves by their own individual tribal affiliations in their own languages, such as the Anishnabe people, these terms are not functional when context demands reference to the entire Indigenous population. In order to prevent confusion, for the purposes of this document, we have used the constitutionally recognized term Aboriginal whenever possible, which quite simply means from the original people. In doing so, we are referring to all those who are the direct descendants of the original inhabitants of this continent, i.e. the First Nations, Metis and Inuit peoples, which is in correspondence with the inclusive values of the ONWA. According to our own oral traditions, we have been here since time immemorial, and are clearly the original people. The category of Aboriginal encompasses the multiplicity of distinct tribal cultures, as well as legal entities, including Status, non-Status, Métis, and Inuit. Originally published in Harvard, D. and Lavell, J. (2006). "Until Our Hearts Are on the Ground: Aboriginal Mothering, Oppression, Resistance, and Rebirth." Demeter Press: Toronto.

² Fels, J. (1980). *Ontario Native Women, A Perspective*. Guide Printing: Thunder Bay, p. 2.

³ Harvard, D. and Lavell, J. (2006). *Until Our Hearts Are on the Ground: Aboriginal Mothering, Oppression, Resistance, and Rebirth*. Demeter Press: Toronto.

⁴ Amnesty International (2004) *Stolen sisters: Discrimination and Violence Against Indigenous Women in Canada*. Retrieved May 29, 2006, from www.amnesty.org p. 5

⁵ Mann, M. (2005). *Aboriginal Women: An Issues Backgrounder*. Ottawa: Status of Women Canada. Retrieved May 2006, from http://www.swc-cfc.gc.ca/resources/consultations/ges09-2005/aboriginal_e.pdf

⁶ Indian and Northern Affairs Canada. (2001). *Aboriginal Women: A Profile From the 1996 Census*. Ottawa: Minister of Public Works and Government Services Canada.

⁷ Indian and Northern Affairs Canada. (2001). *Aboriginal Women: A Profile From the 1996 Census*. Ottawa: Minister of Public Works and Government Services Canada.

⁸ Hull, J. (2001). *Aboriginal Single Mothers in Canada, 1996: A Statistical Profile*. Ottawa: Minister of Public Works and Government Services Canada.

⁹ Harvard, D. and Lavell, J. (2006). *Until Our Hearts Are on the Ground: Aboriginal Mothering, Oppression, Resistance, and Rebirth*. Demeter Press: Toronto.

¹⁰ OFIFC. (2000). Urban Aboriginal Child Poverty in Ontario.

¹¹ The findings of the 2004 General Social Survey indicate that across Canada Aboriginal women are three times more likely than Non-Aboriginal women to experience violence at the hands of their partners (24% compared to 8%). Over half (54%) of those who reported abuse indicated experiencing severe or even life threatening violence such as choking, use of a knife or gun, or sexual assault (as compared to only 34% of non-aboriginal victims). Aboriginal women were also more likely to sustain injuries (43%), and report a 'fear for their lives' (33%), than non-Aboriginal victims (31% and 22% respectively). Due to a myriad of factors that conspire to prevent victims of such abuse from leaving violent situations, Aboriginal women are also 8 times more likely to die at the hands of their partners. Statistics Canada (2006). *Women in Canada, A Gender based Statistical Report*.

¹² ONWA (2007) from speech delivered at the *Summit to End Violence Against Aboriginal Women*.

¹³ Hamby, S. (2005). *The importance of community in a feminist analysis of domestic violence among native Americans*, in N. Sokoloff, and C. Pratt Domestic Violence at the Margins: reading on race, class, gender, and culture. P. 174-193

¹⁴ Hamby, S. (2005). *The importance of community in a feminist analysis of domestic violence among native Americans*, in N. Sokoloff, and C. Pratt Domestic Violence at the Margins: reading on race, class, gender, and culture. P. 174-193

¹⁵ Hamby, S. (2005). *The importance of community in a feminist analysis of domestic violence among native Americans*, in N. Sokoloff, and C. Pratt Domestic Violence at the Margins: reading on race, class, gender, and culture. P. 174-193

¹⁶ Smith, A. (2005). *Conquest: Sexual Violence and American Indian Genocide*. South End Press: Cambridge, p. 18.

¹⁷ Miheesuah, D.A. (2003). *Indigenous American Women, Decolonization, Empowerment, Activism*. Lincoln: University of Nebraska Press, p. 42.

¹⁸ Smith, A. (2005). *Conquest: Sexual Violence and American Indian Genocide*. South End Press: Cambridge, p. 18.

¹⁹ Smith, A. (2005). *Conquest: Sexual Violence and American Indian Genocide*. South End Press: Cambridge, p. 21.

²⁰ Canadian Human Rights Commission. (2005). *A Matter of Rights: A Special Report of the Canadian Human Rights Commission on the Repeal of Section 67 of the Canadian Human Rights Act*.

²¹ This argument builds upon the discussion of human rights for Aboriginal mothers originally published in Harvard, D. and Lavell, J. (2006). *Until Our Hearts Are on the Ground: Aboriginal Mothering, Oppression, Resistance, and Rebirth*. Demeter Press: Toronto.

²² In order for an Aboriginal woman to maintain her status she had to marry a "status Indian" man, if she married a Metis, Inuit, non-status Aboriginal, or non-Aboriginal she would lose her right to be an Indian under the Act.

²³ This section builds upon the discussion of Bill C31 as originally published in Harvard, D. and Lavell, J. (2006). *Until Our Hearts Are on the Ground: Aboriginal Mothering, Oppression, Resistance, and Rebirth*. Demeter Press: Toronto.

²⁴ Assembly of First Nations. (2005). *Bill C31 Twenty Years Later: AFN National Chief calls for First Nations Control of First Nations Citizenship*.

²⁵ General Assembly of the United Nations (1998). *The Universal Declaration of Human Rights*. Retrieved on June 9 from <http://www.un.org/overview/rights.html>

²⁶ The discussion of Matrimonial Property Rights builds upon the argument as originally published in Harvard, D. and Lavell, J. (2006). *Until Our Hearts Are on the Ground: Aboriginal Mothering, Oppression, Resistance, and Rebirth*. Demeter Press: Toronto.

²⁷ Mann, M. (2005). *Aboriginal Women: An Issues Backgrounder*. Ottawa: Status of Women Canada. Retrieved May 2006, from http://www.swc-cfc.gc.ca/resources/consultations/ges09-2005/aboriginal_e.pdf

²⁸ Mann, M. (2005). *Aboriginal Women: An Issues Backgrounder*. Ottawa: Status of Women Canada. Retrieved May 2006, from http://www.swc-cfc.gc.ca/resources/consultations/ges09-2005/aboriginal_e.pdf

²⁹ ONWA. (2006) *Matrimonial Property Consultation Workshop Report*.

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- ³⁰ Standing Senate Committee on Human Rights (2003). *A Hard Bed to Lie In: Matrimonial Real Property on Reserve*
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- ³³ OFIFC. (2000). *Urban Aboriginal Child Poverty in Ontario*.
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