



'The Least Members of Our Society'

THE MOHAWK WOMEN OF CAUGHNAWAGA

Deux exposés présentés au gouvernement fédéral par les Indiennes Mohawk de Caughnawaga ayant perdu leur statut d'Indiennes par leur mariage soit avec des Indiens sans statut, soit avec des hommes n'étant pas de race Indienne. Ces femmes réclament la reconnaissance de leurs droits.

This eloquent plea was presented to the Canadian government in 1978. It chronicles the desperate situation of Indian women who have lost their Indian status through their marriage to Indians without status or to non-Indians. A speech given by Native activist Mary Two-Axe Early at the Canadian Research Institute on the Advancement of Women conference in Edmonton in October 1979 follows.

We, the Mohawk Indian women of Caughnawaga who have lost our status through marriage to Indians without status or non-Indians, present our plea for justice and for the recognition of our legitimate rights to the Canadian people.

Some of us live on the Caughnawaga Indian Reserve, our Iroquois tribal lands that date back to 1674. We live under the constant threat of eviction by the Band Council. Others have already been forced off the Reserve and live in homes in and around Montreal.

Our tribal Chiefs were abolished in the 1890s. The government then instituted the elective system which had its origins in Europe. This was supposed to be a temporary measure but it has continued to the present day. According to anthropologists and leading North American historians, the Iroquois Indians had a strong sociopolitical structure. The great Iro-

quois Confederacy was held together by a sociopolitical system of clans, headed by women, in a true matrilineal political and familial system, the like of which was never witnessed in other tribes of North or South American Native Peoples. The clan system of family, government and social organization was the foundation upon which a political structure was built. This uniquely democratic structure of government has been acclaimed by historians to be the model for modern democratic representative government.

It seems strange that a people nurtured by such a heritage would adopt a foreign patriarchal system and then that they would use this system as a legal basis for stripping us women, who have married non-Indians or Indians without status, of our cultural identity and our legal status as Indians. It seems inconceivable that our biological constitution should be rea-

son enough for our birthright and heritage to be arbitrarily divested at the moment that we enter into a sacred union with another child of God. Although the same blood flows in our veins and the same views and beliefs are forever a part of our selfconscious being; the same memories of our traditions, folklore and customs are imprinted in our subconscious; the same Indian words pass over our tongues; we are said to have lost these our Indian cultural assets, as though they were tangibles that can be freely given or taken.

Let us chronicle our pain, point by point:

1. When the Great Spirit calls us we cannot be buried alongside our ancestors in the traditional burial grounds where their bodies have gone to rest. This is the most cruel condition of our imposed exile. Yet people from the neighbouring City

of Montreal can bury their dogs on selected plots of Reserve land.

2. We cannot inherit property given to us by our ancestors or bestow property to our children. It is as though we were non-entities, not to be accorded the normal recognition afforded to all free people.
3. We are prohibited from exercising the right to political participation, including the right to vote and to advocate the candidacy of those worthwhile persons who could be an asset to our people.
4. We cannot be Indian in word or action. We are the victims of cultural genocide.

In 1968, thirty of us Mohawk Indian women, who had lost our status by marriage to non-Indians, came together under the leadership of Mary Two-Axe Early, a grandmother of wholly Indian blood and of proud spirit. It was the beginning of our struggle to create a public awareness of our plight.

We prepared a brief, chartered a bus and travelled to Ottawa to present the brief to the Royal Commission on the Status of Women. In Ottawa, we were met by the Honourable Grace McGinnis, MP, and by Senator Thérèse Casgrain, the foremost fighter for women's rights in Quebec. She was to become one of our staunchest allies.

The main arguments of our presentation can be briefly summarized:

1. A non-Indian woman who marries a male member of the Band assumes all the rights and privileges that their Indian husbands possess, as specified in the *Indian Act*. They can vote on major issues affecting the life of the community. They are also allowed to participate in the direct election of Band councillors. There are over two hundred male members of the Band who are married to non-Indian women of Danish, Irish, French, German, Italian, Polish or English ancestry. We feel that their voting block represents a continuous threat to the preservation of Indian cultural life. It is Indian women who can enlighten the non-Indian wives on Indian thought and culture so that it can be perpetuated. We believe that we should retain the right to vote along with our non-Indian sisters.

Write now to your MPs expressing your solidarity with their demands.

2. The children of marriages between Indian males and non-Indian females are accorded the full rights and privileges of the father. Children raised by white mothers tend to identify with white culture because mothers are the culture bearers of the society. Our children are raised in the customs and traditions of the Indian people, yet they are not recognized as Indians by the *Indian Act*.
3. The Indians of Canada are entitled to educational benefits at a primary, secondary and post-secondary level. With marriage to a non-Indian, the Indian woman loses these benefits, and although our educational needs may be much greater than those of our white sisters, it is the non-Indian wife who gains these benefits. On our Reserve, the children of Indian women who have lost their status are bused many miles to white schools, where they often encounter racist attitudes against them. In the United States, the Department of the Interior extends educational benefits to all persons of one-quarter Indian blood regardless of lineage. We should follow the example set by the United States.
4. According to the *Indian Act*, an Indian woman who marries outside of the Band must sell or dispose of her property within ninety days. This infringes upon a woman's natural right to use her property. We believe that it should be our right to inherit and bequeath property as we choose, as long as this property remains among the people of one-quarter or more Indian ancestry.

Our brief was well received and positive recommendations to end the discrimination of the *Indian Act* appeared in the final report of the Royal Commission on the Status of Women.

In 1973, we affiliated our group with *Indian Rights for Indian Women*, a national organization based in Edmonton. The history of these first Indian women's rights groups will become a part of the history of Canada, because our struggle has become a unifying force as the women of Canada rally behind our cause.

In 1975, the United Nations International Year of Women, the base of support spread to women's groups across Canada, backed by the support of the National Action Committee on the Status of Women. When we discovered that Indian women were not to be represented by the

official Canadian delegation to the International Women's Conference in Mexico, an appeal was launched for funds to send our president, Mary Two-Axe Early. Money was donated by the National Action Committee and by a sympathetic Quebec government.

While she was in Mexico attending the conference, Mary Two-Axe received the news that she had been evicted from her family home on the Reserve. Mary spoke from the podium at the Tribunal with passionate anger and sorrow and three thousand women delegates from all over the world listened and, for the first time, learned of the shameful treatment accorded to the Indian women of Canada. The delegates unanimously voted their support and cablegrams were sent to Prime Minister Trudeau; the Minister responsible for the Status of Women, Marc Lalonde; and the Minister of Indian Affairs, Judd Buchanan. With the resulting world publicity, the cause of the non-status Indian women became an international issue.

The government of Canada not only failed to respond to this international pressure but also, in June, 1977, passed to the Senate Committee for approval Bill C-25, the new Human Rights legislation, which made no provisions for the protection of the rights of Indian women. It might have passed without comment but for the intervention and courageous protest of Senator Joan Neiman. We are grateful for the friendship of Canadian women who have taken personal and political risks to raise their voices in our defence.

It is important for the Canadian people to know how the provisions of the *Indian Act*, which discriminate against Indian women, put Canada in violation of its obligations to the United Nations.

The Charter of the United Nations recognizes the equal rights of men and women in the Preamble and Purposes. Article 2 expressly imposes upon members the duty of fulfilling 'in good faith, the obligations assumed by them in accordance with the present charter.' Provisions of the *Indian Act* which violate the equality of men and women under the Charter therefore violate Canada's obligations to the United Nations.

The Universal Declaration of Human Rights Article 16 (1) provides that men and women 'are entitled to equal rights as to marriage, during marriage and at its dissolution.' Article 16 (3) states that 'the family is entitled to protection by society and the state.' When the *Indian Act* protects only the rights of male Indians, it is



Mary Two-Axe Early

... We Indian women stand before you as 'the least members of your society.' You may ask yourself why. First, we are excluded from the protection of the *Canadian Bill of Rights* or the intercession of any human rights commission because the *Indian Act* supercedes the laws governing the majority. Second we are subject to a law wherein the only equality is the inequality of treatment of both status and non-status women. Third, we are subject to the punitive actions of dictatorial chiefs half-crazed with newly acquired powers bestowed by a government concerned with their self-determination. Fourth, we are stripped naked of any legal protection and raped by those who would take advantage of the in-

equities afforded by the *Indian Act*.

Raped because we cannot be buried beside the mothers who bore us and the fathers who begot us:

- Because we are subject to eviction from the domiciles of our families and expulsion from the tribal roles.
- Because we must forfeit any inheritance or ownership of property.
- Because we are divested of the right to vote.
- Because we are ruled by chiefs steeped in chauvinistic patriarchy who are supported by the *Indian Act*, drafted by the rulers of this country over one hundred years ago.
- Because we are unable to pass our Indianness and the Indian culture that is engendered by a mother to her children.
- Because we live in a country acclaimed to be one of the greatest cradles for democracy on earth offering asylum to Vietnamese refugees and other suppressed peoples while within its borders its Native sisters are experiencing the same suppression that has caused these peoples to seek refuge by the great mother known as 'Canada.'

Three score and ten years ago I started my life's journey. I have seen man land on the moon, the development of air travel, a nation linked by modern highways, the advent of radio and television, the age of cybernetics, the development of a body of scientists so vast that there are more scientists alive today than in the whole of our past development. There was never a better or more exciting time to live on this earth or in this country. I am excited for having lived during a period that has witnessed the greatest social, political, technical and scientific advances. I am excited that this is a time of great social change for women and with your help it could be a time of great social change for Indian women, 'the least members of your society.' Perhaps tomorrow the rest of the free world will look upon the great mother 'Canada' with respect and admiration for she will have responded to our cries, amended the *Indian Act*, created a Human Rights Commission that would affect Indian women.

I have the utmost confidence that the great mother 'Canada' will engender the leadership and afford the courage to effect these changes.

Mary Two-Axe Early

in violation of this Declaration.

The Convention on the Nationality of Married Women provides that marriage shall not affect the nationality of women. Canada has ratified this Convention. It is a clear violation of the spirit of this Convention, if not the actual wording, for Canada to use the *Indian Act* to take away an Indian woman's Indian 'nationality.'

If Canada wishes to continue to enjoy world esteem as a free and democratic country, it must give equality to Indian women. We have no wish to shame our country in the eyes of the world but the United Nations may become our last court of appeal.

There is still time to resolve this injustice within Canada and with honour.

The *Indian Act* was proclaimed into law in 1951, without prior consultation with the Indian people. The National Indian Brotherhood is presently working with a joint government committee to draft legislation for a new act to be ready by 1980. Indian women are not represented on that committee and their opinions have not been solicited.

Our brothers have betrayed us. We have suffered with them the indignities of the white man's *Indian Act*. Now we must walk the trail alone through the 'Peaks of

Hope' and the 'Valleys of Despair': the Peaks of Hope in knowing that millions of fair-minded and justice-seeking citizens of Canada and other democratic countries support our position and empathize with our efforts; and the Valleys of Despair in the realization that chauvinistic men, steeped in patriarchal heritage, would see injustice in the name of 'Well that's the law, Babe.' A Valley of Despair as each sun sets with the knowledge that another day has passed wherein thousands of Indian women have had to live as second class citizens, facing the world and their people as non-entities. Days that are filled with tensions and the stress of dealing with families who are divided by these issues. Where the weak would give up the fight, we continue to find the strength deep within ourselves to continue our search for justice.

At a press conference on June 9, 1978, Indian Affairs Minister Hugh Faulkner said that he would ask the next Parliament to eliminate discrimination against Indian women in the *Indian Act*, even if he does not have the consent of most of the Indian people. However this would not be retroactive and thus it would not help the women in the Indian women's rights groups who have been campaigning for

change.

Can the Minister believe that we, who have fought so long and so hard, will give up our claim to justice? Are we to abandon the sick and aged widows who seek only to end their days in the Indian community of their birthplace and to be laid to rest in their traditional burial grounds? Are we to deny the deserted wives and children the security of family life on their reserve land?

We demand in the name of humanity that the government act now to give us back our status and to alleviate the distress of these widows and mothers of children who live in fear, from day to day, under the threat of eviction.

Prime Minister Pierre Elliot Trudeau, speaking in Vancouver, said: 'What can we do to redeem the past, to compensate for injustices? We will be just today. This is all we can do. We must be just today.'

This is what we ask: justice today and for all the tomorrows.

We are dedicated to Indian unity within a Canadian unity. Allied with the women of Canada, we will continue the fight against racism and poverty, neglect and despair. With our non-Indian sisters, we will become an invincible force in the cause of peace and unity.