

We've Always Been Here: Tracing Shifts in the Portrayal of Status, Agency and
Mi'kmaw Women's Activism in the *Micmac News*, 1971-1979

by

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Abstract

This thesis uses the *Micmac News* to explore the rise of status and non-status Mi'kmaw women's activism in Nova Scotia chronologically, from 1971 to 1979. It traces change in opinion, practice and community needs over time, in the context of the national battle to remove Section 12(1)(b) from the *Indian Act*. The *News* was created and maintained by Mi'kmaw people, giving us a Mi'kmaw perspective on aspects of Indigenous women's experiences during the period; this regional approach is often missing from literature on this subject. By focusing on Mi'kmaw women's writing in the *News*, this thesis challenges conceptions of Indigenous activism perpetuated by historical works focused primarily on the experiences of national, predominantly male, status Indigenous lobby groups. Reconciliation requires historical understanding; as such, this thesis demonstrates how paternal assimilation policy marginalized Indigenous women, and how these policies were internalized by Indigenous groups. If we understand, we can heal.

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Preface: A Personal¹ Note on Sources, Methodology and Structure

I remember the first time I found someone I knew in my sources. Early on in my research for this project I had gone to Ottawa to read through some of the Indian Affairs files on the Shubenacadie and Eskasoni Agencies—the regional branches of the Department of Indian Affairs (DIA) that would have worked in Nova Scotia, where I was focusing. As the title of my thesis suggests, I was looking for “Statement[s] on Marriage to a non-Indian,”² which Agents would have had Mi’kmaw women fill out if they had married a non-Indigenous person—or an Indigenous person without status—after 1951. Once these forms were signed, effectively, these women would be barred from returning to their reserves, access to the treaty and land rights they were born with, and even from being recognized as Mi’kmaq by the federal government, and in some cases, by their own people. I was also looking for any correspondence where a Mi’kmaw woman’s interactions with Indian Affairs were dictated by who she married. I was definitely not disappointed. There were many examples of letters from Indigenous women asking for aid where their requests were denied because they had lost status. There was also not a shortage of memos from the Office of the Superintendent requesting Mi’kmaw women to confirm the status of their husbands.

What I remember taking note of at the time was that I found each letter, especially the letters requesting information on marital status, to be incredibly vague; agents rarely

¹ Part of decolonizing scholarship involves Indigenous people telling their stories. I feel that it is important that I centre my identity as a Mi’kmaw woman here. This introduction may feel a little colloquial, but in order to tell my story, I have to do it in my own words.

² Department of Indian Affairs: Shubenacadie Agency: c-15132 (RG 10 vol 8540 Indian Affairs) 51/18-26: Letter from F.S. McKinnon, Regional Supervisor of Indian Agencies to H.C. Rice, June 21, 1955

gave much detail on why they were requesting this kind of information from Indigenous women. Take, for example, this letter from Superintendent J.D. MacPherson to Mary Barlow, a Mi'kmaw woman who had moved to Waterburn, Connecticut with her husband. MacPherson inquired about the nature of her spouse's status, stating:

I have been advised by Father Boudreau³ that you were married to Archie Barlow on January 11, 1956. In order that our records can be completed, would you kindly forward your marriage certificate to us, (or a copy of it). Also advise if your husband is of Indian Status if so to what Reserve does he belong, and his band number if he knows it. Trusting I will hear from you at an early date.⁴

If Barlow were to reply that her husband was non-status, she would have been removed from her band list. The letter is not quite open about that fact, but knowing what we know now about Canada's enfranchisement policies, especially before 1985, it is clear that the Agent was monitoring to see whether or not Barlow could be removed from under the umbrella of Indian Affairs.

The way the archive I was working with was laid out meant that I had to scroll through endless sheets of microfilm, organized in many cases by year, or subject, so I would often come across sources pertaining to unrelated Indian Affairs matters. Sometimes I would see letters from Agents inquiring about putting Indigenous children into foster care, about parents who were seen as unfit to raise their children, about accepting or denying requests for aid. As a Mi'kmaw woman myself, reading excerpts from these lives filtered through the matter-of-fact, bureaucratic lens of the DIA was not

³ Clergy clearly played a role in Mi'kmaw marriage surveillance. Many letters of this nature from the period inform the reader that the officiant who married them had informed the Indian Agent of the ceremony.

⁴ Department of Indian Affairs: Shubenacadie Agency: c-15132 (RG 10 vol 8540 Indian Affairs) 51/18-26, March 1, 1956, Letter from J.D. MacPherson to Mrs. Mary Barlow in Waterburn, Connecticut.

easy. I grew up knowing many stories about Indigenous interactions with Indian Agents and other arms of the federal government—my family has many. But to read these letters for myself, ones written by people so entirely disconnected from the lives they had so much power over, added new colour to what I already knew. By the time I had made it to Ottawa, I had started reading letters from Indian Agents in my head with the same voice. Always male; always dry, vaguely cheerful, condescending. They wrote about us—even to us—with an air that suggested they saw us as objects. I left the archives each day heavy, wanting to put off having to go back, to give my eyes and my heart a rest.

But, I had deadlines to meet, and thanks to the benefits of internet access and archive digitization, I often took my work home with me. It rained the entire time I was researching on unceded Algonquin territory, and I often walked back to my hotel with my sandals squishing and my shoulders cold. I finished each work day wrapped in a blanket with a damp cup of tea I had grabbed on the way home, surrounded by a dying laptop and written notes strewn across the hotel floor. It was in this position, on the last night that I spent in Ottawa, that I found what I had been hoping to avoid. In the early hours of the morning, with my eyes rapidly tiring and my patience wearing thin after passing what felt like the ninetieth unrelated office memo, I was prepared to give up for the night and turn in. And that's when I caught it. The document series had moved into a series of forms and telegrams discussing matters related to groups of Mi'kmaw children, and while I normally would have passed over them quickly looking for marriage issue, something about one of the files on a single Mi'kmaw child caught my eye. At the top of one of the forms was a name I knew well.

The child, now grown, was a very important person in my life. A mentor; a friend. I stared at the file for a few more minutes, half in shock, before I closed my laptop, pushing it away. I had a hard time diving back into the archives the next day, mostly because I was afraid I would come across information on more people that I knew and loved. I looked anyway, and soon I found myself coming across more sources, this time ones that involved family members, sometimes regarding matters that they had not discussed with me and I suspected that they hadn't discussed much with anyone. I'm not going to talk about what it was I found about anyone I know. These stories are not mine to tell, and I have a hard time talking about what it was like to see the way Indian Agents treated person I cared about. But my experiences researching for this thesis deserve discussion, in particular about how my identity, as a Mi'kmaw woman, has shaped my project, the way I do my research, and the way I treat my sources. If we as scholars are attempting to decolonize the academy, these discussions are important.

There has been a movement over the last fifteen years or so to centre Indigenous voices in academic work that involves Indigenous people, and this is certainly crucial to challenging the harmful ideas that scholarship has perpetuated about Indigenous lives in the past. This practice allows us to switch our lens from one that favours a colonial narrative to one that more accurately describes Indigenous experiences. In the history field in particular, many of the traditional sources we use are often written documents; now, that's not to say that scholars of colonial history are very aware of the point of view that many of these sources present. When colonial actors, be they governors of colonies, missionaries or Canadian bureaucrats, record history, they often ignore marginalized voices. In order to pull an accurate Indigenous experience from these sources, we are

taught to now read “between the lines,” and be hyper-critical of the discourses presented in many cases by men of European descent. While this is certainly an important method to utilize, I feel that we need to think about taking this research a step further. Instead of only challenging the discourses that present themselves in many of the written sources, we should think about the kinds of sources that we favour, and the issues that consistently returning to these sources present. For example, when historians of the late nineteenth and twentieth centuries—like myself—write about Indigenous people, we tend to head straight to Indian Affairs resources, where we run into the same kinds of masculine, colonial discourses. Though Indian Affairs files concern Indigenous lives, they are written primarily from the point of view of non-Indigenous people who were given legal power over Indigenous bodies. These files can, of course, be read critically, and with a lens that works to dismantle colonial power, and there *are* many examples of letters written by Indigenous people, capturing Indigenous points of view as they engaged with Indian Agents on matters concerning their lives; you can find them if you look hard enough. Robin Jarvis Brownlie provides a fantastic example of reading through Indian Affairs archives to find and centre Indigenous voices in their work, *A Fatherly Eye: Indian Agents, Government Power, and Aboriginal Resistance in Ontario, 1918-1939*.⁵ In this case, Brownlie examined Indian Affairs with the goal of identifying precisely how the paternalism the department promoted worked to control Indigenous lives, while at the same time, using those same sources to determine areas where Indigenous people exercised remarkable agency.

⁵ Robin Jarvis Brownlie, *A Fatherly Eye: Indian Agents, Government Power and Aboriginal Resistance in Ontario, 1918-1939*, (Toronto: University of Toronto Press, 2014).

Brownlie demonstrates that we can certainly use Eurocentric sources in ways that challenge colonial thought; and I still think it's important that we continue to examine these kinds of sources critically. It would be irresponsible to forget the assimilation policies that governed Indigenous lives, and I think it is useful to use these kinds of sources to pinpoint exactly how assimilation worked to disenfranchise Indigenous people—if only to work toward healing the hurt that these caused. The problem I have with staring at Indian Affairs documents as an Indigenous person, though, especially as I began to come across loved ones in the files, is how much relying on these documents completely diminishes Indigenous agency in the past and present. The fact remains that the Canadian government treated us—treats us still—like wards of the state. This is perfectly clear in the way Indian Agents addressed us in their letters, on the rare occasions that they did address us—most of the time Indian Affairs officials often relied on other Indian Agents on the ground to relay information to Indigenous groups. We can search for Indigenous agency in these sources, and recent scholarship definitely demonstrates that this is a method that effectively challenges the all-encompassing power many believe that the DIA had over Indigenous people. But we can never fully understand the agency we as Indigenous people practiced, and continue to practice, until we move away from these sources and start letting Indigenous people tell their own stories and their own histories in the first place.

Relying on Indian Affairs archives as a primary source pool also raises questions about information ownership and data sovereignty in decolonial scholarship. I'm not referring to copyright questions, but of the right we as academics have to dig through these files and write histories about people who haven't consented to having their stories

told. I went to a friend of mine—one who I had found in some mid-twentieth century files—and after much internal debate, told them that I had discovered their information in a national archive open to the public. They confirmed that who I had found was, indeed, them, but they were also shocked that I had found information on them in the first place. They had no idea that Indian Agents had been writing about them, let alone that these documents had been on file, some in Ottawa, and others easily accessible on the Internet. Despite conversations about reconciliation, and a more open dialogue about how government and societal structures continue to marginalize Indigenous people, today, many Indigenous people still feel that our agency is being taken from us in different ways. While the government proudly advertises its funding of initiatives like the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG), Indigenous people are still fighting to have treaty rights recognized—many of us are fighting for the right to live in an area with safe drinking water, and proper housing. We're facing the same kind of issue with research and research practices, especially as Indigenous people like myself are increasingly moving into the academy to make space for ourselves. While writing in the age of reconciliation is important, how much of it is still done without our consent? How much of it is done without community consultation?

When I set out to do this project, I wanted to write a history through our eyes as Mi'kmaq, and in particular, as Mi'kmaw women. Too often the work done on us comes from a colonial archive and misses out on the beauty and resiliency so central to our survival as a nation. There is a trend in Indigenous scholarship currently that works to centre Indigenous voices and Indigenous knowledge, and in many fields beyond history, this research is done by Indigenous people working in tandem with Indigenous

communities with their full, informed consent and active participation. Recently, in Mi'kma'ki, Ella Bennett's 2012 Masters' thesis, which explored the impacts of pollution in Boat Harbour on members of Pictou Landing First Nation provides a great, local example of this kind of research.⁶ Bennett, of Settler descent, "engaged with Elders and Knowledge Holders in Pictou Landing...through conversational interviews, eliciting their oral histories."⁷ While doing important research on the effects of this pollution on the community, Bennett also traces her role as a non-Indigenous researcher learning how to build relationships with Indigenous people and listen to their stories and guidance, "drawing together the voices of the Knowledge Holders in an attempt to centre a Mi'kmaw understanding of the issues at Boat Harbour."⁸ Bennett had been developing relationships with members of Pictou Landing for months before her thesis research began as a research assistant with the Pictou Landing Native Women's Association (PLNWA), and formed meaningful relationships with community members through her work. Her interviews were conducted over the course of many months, in a series of sessions that were relatively informal in in many cases, did not even reach discussion about her subject matter.⁹ Because of nature of her data collection Bennett decided to take a "Narrative Inquiry" approach to her thesis, which "emphasizes the process of research by linking reflection and action. While stories, narratives, or conversations—gained through interviews—may be the focus of textual data, rituals and ceremonies, dreams and epiphanies, field notes or journals, pictures and metaphors may all contribute

⁶ See Ella Bennett, "*We had Something Good and Sacred Here*": *ReStorying A'se'k with Pictou Landing First Nation*, (Master's Thesis, Dalhousie University, 2013).

⁷ Bennett, "*We had Something Good and Sacred Here*," 9.

⁸ Bennett, 58.

⁹ *Ibid.*, 63.

to storying the research process.”¹⁰ To ensure that she was properly engaging with the nature of Mi’kmaw oral culture, Bennett used a method called “reflexive journaling” to trace the specific contexts in which she received her information:

Journaling, or ‘field notes’, are said to be an important piece of narrative research, adding another layer to aid in the representation of the process and providing a way of ‘reading between the lines of [our] own lived experience...’ As Wilson (2008) writes: ‘all stories reflect the storyteller and where they are in their lives’ (p.22). Since I am the one who collected the oral histories and I am responsible for writing this story (thesis), the influence of my positionality cannot be dismissed. As I acknowledge the subjective nature of qualitative research, I therefore recognize myself as part of the research story.¹¹

Bennett’s constant self-reflection allowed her readers a glimpse into how the dynamic exchange between herself and her Mi’kmaw participants played out, challenging ideas about the static nature of knowledge. What her research demonstrated to me, was that my goal of doing meaningful research within Mi’kmaw communities was something that could be done and honoured within an academic setting.

In my own area of research involving women who had lost their status through marriage, there are wonderful examples of Indigenous people telling Indigenous stories that change and challenge the way we do research. Most recently, Catherine Davis’ Master of Education thesis, entitled *Marie: A Disenfranchised Woman from Kipawa*, was extremely influential. Davis interviewed her mother, Marie, about her experiences losing status and then working to regain it after 1985. Davis’ work combines her mother’s stories with her own life as an Indigenous woman to demonstrate the importance of honouring Indigenous knowledge and Indigenous experience to educating others and

¹⁰ Bennett, “*We had Something Good and Sacred Here*,” 62.

¹¹ *Ibid.*, 67.

continuing the “Truth and Reconciliation process.”¹² The thesis also gave an important, in-depth look at the ways Canadian policies sustained the oppression of Indigenous women and what that looked like in their everyday lives. Initially, I wanted to do a similar project with women in my own nation, or perhaps my own reserve, Glooscap First Nation. I have always been interested in how Canada’s assimilation policies have impacted the way we see ourselves as Indigenous people. Why is it that I as a Mi’kmaw woman get to carry around a status card, but there are people no less Mi’kmaq than I am unable to access treaty rights because their family situations don’t fit an arbitrary, state-developed set of criterion? How has that impacted the way we treat each other within Indigenous communities? The way we are treated by non-Indigenous people? In particular, especially as we embark on the inquiry into Missing and Murdered Indigenous Women in Canada, how has this identification system served to perpetuate harm against Indigenous women and two-spirited people? I thought that I would be able to explore these questions by interviewing members of my own community, or within the broader Mi’kmaw nation, hearing their stories, and using what I learned to write a history that honoured Mi’kmaw tradition, and our experiences as Mi’kmaw people. Initially, I was confident that this would be a feasible route for me to take; as the academy moves toward honouring Indigenous knowledge and practice, it becomes more accepting of differing ways of doing research. I felt that I would have free rein to develop a research project in conjunction with Mi’kmaw people, to honour the responsibilities I had to the people I was working with and the relationships I would be building, and to uphold my

¹² Catherine Davis, “Marie: A Disenfranchised Woman from Kipawa,” (Master’s Thesis, Queen’s University, Kingston, 2017), iii.

commitment to sustained community involvement. I was certain that I could undertake research governed by my values as a Mi'kmaw woman, grounded in reciprocity and rooted in my culture and understanding of the world.

I'll admit, I think I overestimated the time and resources I would have to complete this over the course of a two-year MA. It wasn't that I didn't have the support to do something like this; I was extremely lucky to have the supervisor and team of mentors that I had, who have been supportive of me throughout this process. The issue was that I wanted to make sure that the women I worked with were compensated, that the project evolved with their input. Too often scholars come into our communities and take from us—I wanted to be sure that the people who helped me did not walk away empty handed. I wanted to be sure that my research contributed something to the communities I love. This is something that is completely doable, but the resources—financial and temporal—I needed to do this project justice were unavailable to me, and if I couldn't do it right, I didn't want to do it at all. This kind of work still needs to be done, and maybe it will be sometime soon; until then, naturally, my work had to change direction. I still wanted to understand the ways Canada impacted Indigenous women, and I wanted to know how it impacted Mi'kmaw women most—we don't feature much in broader academic works on Indigenous issues, and as you'll see a little later, I think that has a lot to do with the way the federal government viewed the Mi'kmaw nation in particular. I still wanted to use my research to inform the way we understand the problems we face as Indigenous women so that we can continue to work toward healing. And most importantly, I still wanted to centre Mi'kmaw women's voices.

I knew I had to move toward a more traditional written source, but I was wary of relying too much on government documents. The importance of basing my work in the experiences of Mi'kmaw women not filtered through a government lens cannot be overstated. The responsibility to my nation did not end when I made the decision to write a thesis rooted in print sources. I needed sources that highlighted our voices and experiences; that was non-negotiable. I also knew that these kinds of sources, while not necessarily immediately obvious, were out there. What scholarship on Indigenous women has consistently demonstrated over the last few decades is that, contrary to the arguments that present Indigenous women as voiceless actors, especially during the colonial period, we have always found ways to be heard. We have always found ways of speaking up, and we have always found ways to make our mark. I knew Mi'kmaw women's voices were out there, I just had to look hard enough. I found just the source I needed in the *Micmac News*.

There hasn't been much work done on Indigenous-produced print media, but what has been done challenges the monopoly print sources from government archives, or even primary media sources written by non-Indigenous people has in the academic world. Despite not often being offered space on traditional platforms by colonial powers, Indigenous people have a history of using media to inform a broader public of their needs. Kathleen Buddle identifies this clearly in her 2001 PhD dissertation *From Birchbark Talk to Digital Dreamspeaking: A History of Aboriginal Media Activism in Canada*, connecting the rise of Indigenous political use of print media not to the rise of Pan-Indigenous activism in the sixties but "closely linked with the evolution of Native schools, political organizations, missionizing projects, and other phenomena outside the

realm of ‘communications’ policy”¹³ beginning in the nineteenth century when “Aboriginal media activists would gain mastery over the formats that the non-Native public associated with the construction of knowledge and meaning—English language newspapers and books.”¹⁴ Many people tend to link the rise of Indigenous literary agency to the mid-twentieth century, but as we can see with Buddle, we had been making use of these traditionally Euro-Canadian and European sources long before this. There was still a way for me to centre Indigenous voices on their own terms while using print sources.

While I think hearing from Indigenous people in person about their own experiences is one of the ultimate ways to decolonize our scholarship, and in making this comment I am fully aware that this work still comes in an inherently colonial package, there are still ways to honour Indigenous perspectives in historical work, especially in the ways that we used colonial tools to our own benefit. Yes, the newspaper is an inherently European source, but Indigenous people were still able to find ways that made this medium their own. In the case of this thesis, what is important to understand about the *Micmac News* is that for the entirety of its twenty-six year run it remained a distinctly Mi’kmaw publication. The history recorded in its pages was written from a Mi’kmaw perspective and in many cases identified in blunt language how history impacted us, and how we felt about it. We made the medium our own.

I ran into information about my family and articles about people I know and interact with frequently from a time before I knew them reading through the *News*, just

¹³ Kathleen Buddle, “From Birchbark Talk to Digital Dreamspeaking: A History of Aboriginal Media Activism in Canada,” (Phd diss., McMaster University, Hamilton, 2001), 4.

¹⁴ Buddle, “A History of Aboriginal Media Activism in Canada,” 28.

like I did while reading through Indian Affairs documents; this time around, I sometimes even got pictures to go with the stories. The difference in the way I felt about these interactions, however, was immeasurable. Engaging with familiar faces in this way felt better. These were the Mi'kmaw people I knew. This was the nation I was connected to. The *News* didn't shy away from some of the darker things that histories of Indigenous experiences with colonialism necessarily addresses—in fact, it tackled them head on. But what it did differently was show how we as Mi'kmaw people engaged with it in our own way; it placed the ownership of these narratives back in our hands. I remained careful while analysing this source; this thesis is not a micro biography. I did not feature details of the lives of individuals I mention in this thesis unless these details came from the *Micmac News*, or interviews that these individuals had given themselves. Therefore, this work does not tell whole life stories about Mi'kmaw activists and community leaders; it is only a small snapshot of the work that they did during a particular period in our history and an analysis of how the newspaper they created changed over time. Lives change; people change. Many of the individuals I discuss would continue growing and shifting their direction over their course of their lives. I cannot tell their stories for them; this thesis isn't designed to do that. Instead I will only use what they have chosen to provide as they wrote and spoke for the sources I engage with. This is not a foolproof way to decolonize my work, but it is certainly a step toward encouraging a critical awareness of how academia has invaded Indigenous spaces and taken out knowledge, our stories, and our right to transmit that knowledge and tell our stories on our own. The *Micmac News* was an attempt to share our stories on our own terms. I don't know if the creators of the paper understood this when they began it in the mid-sixties, but their work has had larger

impact than I think they could have anticipated. I am forever grateful to them, as a student, but as a Mi'kmaw kid, trying to navigate a colonial world.

I hope that you'll see some of what I do when you read this. *P'jila'si, nitap.*
*Jiks'tmi's'p keskw a'tukwa'tiek.*¹⁵

¹⁵ Welcome, my friend. Listen while we tell you a story.

CHAPTER ONE: Introduction: Status, Gender and Indigenous Media in the Literature

Introduction

From its advent to its last amendment in 1985, Canada's *Indian Act* implemented an assimilation policy that targeted Indigenous men and women in distinct ways. Specifically, the *Act* sought to control Indigenous identity and access to land through a legislated "Indian status," one that perpetuated a colonial, patriarchal system of oppression. Status itself, a concept that did not exist in Indigenous communities before the *Indian Act* was patrilineal—First Nations men could give status to their children, but women could not. In fact, as per the *Act*'s Section 12(1)(b), First Nations women who married non-Indigenous men, or Indigenous men who had been enfranchised, lost their status, barring them from their communities, cultures, and treaty rights. The *Act*'s gender discrimination had far-reaching effects in Canada, and the evidence produced to date by initiatives such as the Royal Commission on Aboriginal Peoples (RCAP) demonstrates the devastating impact of this policy on Indigenous women throughout history. Initiatives like the Inquiry into Missing and Murdered Indigenous Women (MMIW) and ones championed by organizations like the Native Women's Association of Canada (NWAC) have worked tirelessly to identify the long-term issues that these policies have caused so that in the age of reconciliation, we can begin to heal from the traumas unique to Indigenous women's experiences.

Thanks to the activism of Indigenous women in the 1970s and early 1980s, the federal government was forced to amend the *Indian Act* to remove Section 12 (1)(b) and to restore status to First Nations women who had lost it. While many argue that the *Act*

amendment Bill, Bill C-31 has only perpetuated the gender discrimination in Indigenous legislation,¹ much of the work done to date ignores the experiences Indigenous women had in the years leading up to the amendment, how hard they had to fight against a colonial government structure, and sexist backlash from their own people, and what it was like to be enfranchised against their will. Analyzing the harm that these policies caused both in the individual lives of women who lost their status, and the ways in which Indigenous women were subjected to gender discrimination from both the Canadian government, and the power structures in Indigenous communities that federal legislation had established, provides us with an in-depth understanding of how assimilation policy has served to marginalize Indigenous women over time. This thesis works to understand how these forces worked to harm Indigenous women, and to show how women demonstrated remarkable resiliency in the face of colonialism by examining Indigenous women's activism, and the activism of non-status Indigenous people—a population that was predominantly female—in the 1970s.

This decade is important, because despite the eventual *Indian Act* amendment, women fought tooth and nail to have Section 12(1)(b) removed, and to gain rights for non-status people during a time where the amendment was not inevitable. In fact, in many cases, in the face of government oppression, and oppression internally from

¹ See Katrina Srigley, “I am a Proud Anishinaabekwe’: Issues of Identity and Status in Northern Ontario after Bill C-31,” in *Finding a Way to the Heart: Feminist Writings on Aboriginal and Women’s History in Canada* eds. Robin Jarvis Brownlie and Valerie J. Korinek, (Winnipeg: University of Manitoba Press, 2014): 241-266; Joanne Barker, “Gender, Sovereignty, and the Discourse of Rights in Native Women’s Activism.” *Meridians: Feminism, Race, Transnationalism* 7, no. 1 (2006): 127-161; Pamela D. Palmater, *Beyond Blood: Rethinking Indigenous Identity*, (Saskatoon: Purich Publishing, 2011).

Indigenous groups led predominantly by status men interested more in band governance rights and land claims, the amendment seemed far away indeed. Colonialism marked even the communities that worked to fight for Indigenous rights; by understanding the way it works, we can be better equipped to decolonize the world we live in now. While it is certainly important to understand the national trends in Indigenous rights at the time, the way we can see the complexities most clearly is by narrowing our focus and taking a regional approach to exploring a national issue. This thesis seeks to do this by focusing on Mi'kmaw women's activism, and the rise of non-status politics in Nova Scotia. Beginning in the 1960s, Mi'kmaw people began recording the world from their own point of view in the form of a newspaper called the *Micmac News*. As Mi'kmaw people became more involved in the pan-Indigenous rights movement, the *News* captured more about how the Mi'kmaq in Nova Scotia participated, but also how they felt about what was happening. Indeed, the detailed political commentary provided by Mi'kmaw people—many of them reserve community members and not professional journalists—gives us an in-depth look into an important period from a Mi'kmaw point of view, a group historical literature on the period tends to ignore, and allows this thesis to identify how these colonial forces impacted groups of Indigenous people at home.

The Status System and its Impacts on Indigenous Women

In order to understand the context in which Indigenous women organized in the 1970s, it is crucial to understand the way status legislation worked at the time, and how it developed over the course of Canadian history.² Like much of Canada's Indian policy

² In this case, I am referring to the history of Canada beginning at Confederation in 1867.

throughout history, the implementation of Indian status was designed to facilitate the assimilation of Indigenous people into the Canadian mainstream and the usurpation of Indigenous land. Entrenched into the *Indian Act* since it was passed in 1876,³ status has traditionally been recognized as the federal government's definition of what an "Indian" is, and as such, determines who has access to treaty rights, and to the services Canada has agreed to provide to First Nations people.⁴ The status system has been defined as inherently racist, and continues to present issues for Indigenous people across the country, but as backlash to the "infamous White Paper"⁵ demonstrated, status, and the *Indian Act* in general, is the only thing holding the government accountable to Aboriginal and Treaty Rights. Indian policy has been criticized for being inconsistent⁶ in its implementation; while it continues to cause problems, these issues have a lot to do with the fact that the status mechanism was not meant to be permanent.

³ Canada, *An Act to Amend and Consolidate the Laws Respecting Indians*, Ottawa, 1876. https://www.aadnc-aandc.gc.ca/DAM/DAM-INTER-HQ/STAGING/texte_text/1876c18_1100100010253_eng.pdf

⁴ In this thesis, whenever I refer to all Indigenous groups in Canada—First Nations, Metis and Inuit—I will use the term Indigenous, Aboriginal or Native interchangeably, though the term Indigenous is the one I use most, and the one I prefer. Aboriginal or Native depend on the context of the history I am describing. When referring to one of these groups, though I will use the specific title; an Inuit person is not Metis, nor are they part of a First Nation. Otherwise I will refer to the individual nations of those I mention (ex. Mi'kmaq, Anishinaabe, Cree). When I discuss Canadian assimilation policy, in many cases I will be using the term "Indian," as that is the legal terminology for the government's definition of Indigenous people. Note that the term "Indian" is one that Indigenous people avoid, and unless used in historical context, should not be used to refer to us.

⁵ "Indians and the Constitution," *Micmac News*, January 1971, 8.

⁶ Robin Jarvis Brownlie, *A Fatherly Eye: Indian Agents, Government Power and Aboriginal Resistance in Ontario, 1918-1939*, (Toronto: University of Toronto Press, 2014): xiv, 33, 43, 125-126; Martha Walls, *No Need of a Chief for this Band: The Maritime Mi'kmaq and Federal Electoral Legislation, 1899-1951*. (Vancouver: UBC Press, 2010): 55.

Indeed, Indian policy in Canada was meant to serve as an ephemeral solution to what had been dubiously coined “the Indian Problem.”⁷ In the years following Confederation,⁸ Ottawa passed legislation that sought to systematically destroy Indigenous cultures, while assimilating Indigenous people into Euro-Canadian society. Status was built on the idea that to be Indian, was to be incapable of participating fully in the life Canadian citizenship provided. According to Noel Dyck, First Nations groups “contradicted the cultural logic of an emerging Canadian civil society.”⁹ As such, the state targeted Indigenous people as part of a civilizing mission they did not ask to be a part of. State assimilation attempts were accepted by the broader Canadian public sphere—for the most part—because people believed that the government was acting in the best interest of “working class or other kinds of ‘undisciplined’ households.”¹⁰ Indigenous people, of course, were a glaring example of the undisciplined sort. The belief that Indigenous groups were somehow less intelligent, or incapable of the advanced thinking required to be an active part of liberal society, justified the attempts to elevate them. Assimilation policy, and enfranchisement, became moral crusades, and the government positioned itself as a patriarchal figurehead, while the “Indian” was relegated to a position of the child-like ward, who could be raised to enjoy the fruits of the most respectable society in the world.

⁷ Brownlie, *A Fatherly Eye*, 126.

⁸ And certainly in the years before with the *Gradual Civilization Act* of 1857, for example; this thesis only focuses on the years following the 1876 *Indian Act*.

⁹ Noel Dyck, *What is the Indian “Problem”?: Tutelage and Resistance in Canadian Indian Administration*, (St. John’s: Institute of Social and Economic Research, Memorial University, 1991): 50.

¹⁰ E.A. Heaman, *A Short History of the State in Canada*, (Toronto: University of Toronto Press, 2015): 100.

This inferior position, one that sat outside of Canadian citizenship, was first made official at Confederation; Section 91(24) of the *British North America Act* placed “Indians, and Lands reserved for the Indians” under “exclusive Legislative Authority of the Parliament of Canada.”¹¹ Nine years later, the *Indian Act* solidified this role further, by attempting to control Aboriginal and Treaty Rights through the creation of an Indian status.¹² Status controlled the identity of a First Nations person, barring them from citizenship, and making Indigenous individuals identifiable to the state. In the eyes of the government, status was a protection mechanism that kept Indians away from civilization, as they were “ignorant of economic and political rationality,”¹³ and thus not ready for the “freedom”¹⁴ liberal society offered. Until, through successful assimilation, Indigenous people reached this level and were enfranchised, “Indians” were often required to live on reserves that the Canadian government had created, in many cases as part of treaty agreements designed to gain access to Indigenous land.¹⁵ The plan was to assimilate Indigenous people using a series of government-run programs like the Indian Residential School (IRS) system¹⁶ and federal enfranchisement policy. Both of these would lead to

¹¹ Canada, Department of Justice, “British North America Act, 1867- Enactment no. 1” <http://www.justice.gc.ca/eng/rp-pr/csj-sjc/constitution/lawreg-loireg/pl1t13.html>

¹² Heaman, *A Short History of the State in Canada*, 119.

¹³ *Ibid.*

¹⁴ *Ibid.*, 96.

¹⁵ *Ibid.*, 117.

¹⁶ For a comprehensive explanation on the history and impacts of the Canadian Indian Residential School System, see The Truth and Reconciliation Commission of Canada, *Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada* (2015) [http://www.trc.ca/websites/trcinstitution/File/2015/Honouring the Truth Reconciling for the Future July 23 2015.pdf](http://www.trc.ca/websites/trcinstitution/File/2015/Honouring%20the%20Truth%20Reconciling%20for%20the%20Future%20July%2023%202015.pdf).

community breakdown, deeply rooted poverty, and immeasurable cultural loss for Indigenous people.

In order to properly assimilate the Indian, Canada first had to quantify its problem; this meant creating an Indian register, and defining in law what an Indian was. The *Indian Act's* definition proved to be a great deal more exclusive than Indigenous groups' own definitions of themselves, but the creation of status as a definitive legal identifier gave the federal government something to formally remove as it carried out its assimilation goals; it was a calculable measurement of how successful they were at solving the Indian Problem. Over the course of the next century, Canada would develop a series of enfranchisement policies designed to remove Indian status. Until 1920,¹⁷ enfranchisement was, for the most part, and for men, voluntary; this demonstrated the Euro-Canadian belief in the superiority of their own culture and established legal status. Enfranchisement, up to this point, was based on an Indian's ability to participate in Canadian society;¹⁸ as such, there were some circumstances where, due in many cases to Indian Agent judgement on one's level of assimilation, where people were automatically enfranchised against their will. For example, the 1876 *Indian Act* made enfranchisement "compulsory"¹⁹ for Indigenous people who became medical doctors, lawyers or

¹⁷ Canada, Indian Affairs, *Report of the Deputy Superintendent-General of Indian Affairs, 1879*, [Ottawa], 1917, 26.

¹⁸ The 1876 *Indian Act* discusses those who qualify for enfranchisement, and states that they should have achieved a certain "degree of civilization," and present "the character for integrity, morality and sobriety." (27)

¹⁹ Canada, Royal Commission on Aboriginal Peoples, *Report of the Royal Commission on Aboriginal Peoples Volume 1: Looking Forward, Looking Back*, [Ottawa] 1996, 264. <http://data2.archives.ca/e/e448/e011188230-01.pdf>

ministers, or obtained university degrees.²⁰ In other cases, “entire bands”²¹ could be enfranchised if Indian Affairs felt that they were no longer in need of government services, among other reasons.²²

The *Act*'s definition of “Indian” warrants discussion, especially considering that the criteria the *Act* provides for legal indigeneity is rooted deeply in colonial discourse and sexism. Which means that while First Nations people eventually used status as a means to protect access to treaty rights and retain title to land, this movement was necessarily rooted in the same things, which in turn re-victimized women in their own communities. Because status itself is bestowed patrilineally, not only did it disrupt matrilineal societal structures, but perpetuated the oppression of Indigenous women. Joanne Barker explains that “some of the most troubling consequences of the act were in the corrosion and devaluation, however uneven and inconsistent, of Indian women’s

²⁰ Canada, *An Act to Amend and Consolidate the Laws Respecting Indians*, 27.

²¹ Canada, *Report of the Royal Commission on Aboriginal Peoples Vol. 1*, 264.

²² Martha Walls presents a vivid example of this power in her paper on the enfranchisement of the New Germany Mi'kmaw reserve in Nova Scotia. In 1934, New Germany Reserve 19A “lost its reserve designation...and [community members] were no longer considered ‘Indians’ under law” (2). Much of the reserve’s land-holding population in the early twentieth century were Mi'kmaw women who had married non-Indigenous men. “As these women and their children,” Walls argues, “were technically not entitled to Indian status—or the DIA services and access to reserve resources that marked this status—their marriages became the pretext for declaring residents of New Germany to be non-Indians” (4). By 1933, Indian Affairs had become aware of New Germany’s situation, and as the Municipality of Lunenburg was “seeking to expand its tax base in the bleak years of the Great Depression” (32), and placed a great deal of pressure on the Department to enfranchise the lot so that they could tax the land, and by the end of that year, “the DIA completed the program it had embarked upon when it cancelled relief rolls at New Germany and closed the Day School” (34). The area was renamed Elmwood, and Walls argues that Indian Affairs had disregarded its own processes when it neglected to consult the band members on their own enfranchisement. In Martha Walls, “The History of Elmwood: Indianness, Gender and Interference in the Disestablishment of New Germany Indian Reserve 19A.” (This paper is currently unpublished)

inclusive participation within Indian governance, economics and cultural life.”²³ As communities were forced to structure themselves along the provisions of the *Act*, Indigenous women increasingly lost agency.

The original *Indian Act* defined “Indian” as, first and foremost, a male state of being. Section 3 explained that “the term ‘Indian’ means: *first, any Male person of Indian blood reputed to belong to a particular band; Secondly. Any child of such person; Thirdly, Any woman who is or was lawfully married to such person.*”²⁴ A woman’s status was predicated on either her relationship to her father, or to her husband, something the *Act* lays out in Section 3 (c) and (d):

(c) Provided that any Indian woman marrying any other than an Indian or a non-treaty Indian shall cease to be an Indian in any respect within the meaning of this Act, except that she shall be entitled to share equally with the members of the band to which she formerly belonged, in the annual or semi-annual distribution of their annuities, interest moneys and rents; but this income may be commuted to her at any time at ten years’ purchased with the consent of the band: (d) Provided that any Indian woman marrying an Indian of any other band, or a non-treaty Indian shall cease to be a member of the band to which she formerly belonged, and become a member of the band or irregular band of which her husband is a member.²⁵

Status had a lot to do with property ownership; interestingly enough, while later amendments to the *Indian Act* removed status as well as benefits from Indigenous women if they were to marry non-Indigenous people, the earliest *Act* allowed women shares of band annuities. According to Kathleen Jamieson, this was added to an original draft of the *Indian Act* “after one member of parliament had suggested in the House of Commons

²³ Joanne Barker, “Gender, Sovereignty, and the Discourse of Rights in Native Women’s Activism,” *Meridians: Feminism, Race, Transnationalism* 7, no. 1, (2006): 131.

²⁴ Canada. *An Act to Amend and Consolidate the Laws Respecting Indians*, c. 18. Italics in original.

²⁵ *Ibid.*

that it was ‘unwise’ to penalize an Indian woman by depriving her of her rights and annuities ‘since such marriages were beneficial to the country.’”²⁶

Canada’s views on interracial marriage were inconsistent, to say the least. For the most part, intermarriage was viewed as an important way to achieve the gradual assimilation of Indigenous people. According to Robin Jarvis Brownlie,

Indian department officials clearly assumed that much of the acculturation they sought would occur automatically, presumably through a combination of schooling, interaction with Euro-Canadians, and intermarriage. It was particularly the latter step that would finalize assimilation and result in the absorption of First Nations people into mainstream society. This would, of course, require that all First Nations people sooner or later marry non-Aboriginal people and move off the reserve.²⁷

Duncan Campbell Scott, Deputy Superintendent General of Indian Affairs from 1913 to 1932, and father of some of the more infamous assimilation policies in Canada, illustrated Brownlie’s point as he shared his views on inter-racial marriage: “The happiest future for the Indian race is absorption into the general population...the great forces of intermarriage and education will finally overcome the lingering traces of native custom and tradition.”²⁸ The problem with the assumption that intermarriage would help solve the Indian problem was that “the majority of Euro-Canadians”²⁹ saw Indigenous people as an inferior race. Brownlie argues that “racial prejudice nurtured by the public and mirrored by DIA officials”³⁰ often meant that intermarriage was an undesirable thought

²⁶ Kathleen Jamieson, Advisory Council on the Status of Women, *Indian Rights for Indian Women, Indian Women and the Law in Canada: Citizens Minus*, (Ottawa: Advisory Council on the Status of Women, 1978): 44.

²⁷ Brownlie, *A Fatherly Eye*, 131.

²⁸ E. Brian Titley, *A Narrow Vision: Duncan Campbell Scott and the Administration of Indian Affairs in Canada*, (Vancouver: University of British Columbia Press, 1986), 34.

²⁹ Brownlie, 148.

³⁰ *Ibid.*

for much of the non-Indigenous population. Despite the implausibility of relying on intermarriage as an assimilation tool, enfranchising Indigenous women who married non-Indigenous men remained an increasingly important mechanism for Indian Affairs in their attempt to destroy the Indigenous population.

While Euro-Canadians expected the privileges of enfranchisement to be beneficial to Indigenous people,³¹ those who were enfranchised faced insurmountable difficulty.

Brownlie outlines some of the issues enfranchisement brought with it:

Enfranchisees were expected to disappear into mainstream Canadian society through absorption, but virtually no one who was visibly Aboriginal could find the ready acceptance that 'absorption' implied. Those who had already lived off-reserve for many years may have been well enough established that enfranchisement involved little loss, in some cases at least. But an ill-advised enfranchisement may have condemned some enfranchisees to a life in between the two communities, formally separated from the one and barred through exclusionary social practices from the other. Although the DIA spoke about the assumption of rights and responsibilities of Canadian citizenship, enfranchisees lost more rights than they gained. More importantly, no change in legal status could confer a corresponding change in their racial status and the marginalized social position that stemmed from it.³²

³¹ This was a thought held from the very beginning of Indian Affairs in Canada. The Report of the Deputy Superintendent General of Indian Affairs in 1876 argues that "...the true interest of the aborigines and of the State alike require that every effort should be made to aid the Red man in lifting himself out of his condition of tutelage and dependence, and that is clearly our wisdom and our duty, through education and every other means, to prepare him for a higher civilization by encouraging him to assume the privileges and responsibilities of full citizenship" (RCAP, LFLB, 255). It was echoed in the 1969 White Paper which attempted to remove status completely, and would have "enfranchised" Indigenous people in Canada once and for all: "The policies proposed recognize the simple reality that the separate legal status of Indians and the policies which have flowed from it have kept the Indian people apart from and behind other Canadians. The Indian people have not been full citizens of the communities and provinces in which they live and have not enjoyed the equality and benefits that such participation offers...Indian people must be persuaded, must persuade themselves, that this path will lead them to a fuller and richer life." (Canada, *Statement of the Government of Canada on Indian Policy*, 1969, 3)

³² Brownlie, *A Fatherly Eye*, 138.

The struggles that came with enfranchisement impacted women who married non-Indigenous men, in unique ways, as this thesis will demonstrate.

Despite the hope that Indigenous people would eventually all lose status, the importance of community ties and understanding of treaty rights pushed many to hold on to it. Canada's final attempt to remove status with the 1969 White Paper triggered a wave of national, pan-Indigenous activism. In response to the government's attempt to dismantle the *Indian Act*, First Nations groups mobilized to protect it; there was a general consensus that status, despite its racist implications, was a tool to ensure that at least some Indigenous people retained access to rights that the government ignored even with protective measures in place. Removing the *Indian Act* meant that there would be even less to hold Canada accountable in the future. The organizations that came out of this period, namely the National Indian Brotherhood (NIB), and its provincial affiliates, like the Union of Nova Scotia Indians (UNSI), worked hard to represent as many Indigenous people as they could to the federal government. The problem³³ was that these organizations relied a great deal on government funding, and while they did their best to represent as many people as possible, the issues that they could choose to deal with were limited by federal frameworks. Because Indian Affairs would only work with registered Indians and Indigenous people living on reserves, the political lobby groups that thrived during this time were mostly male status Indians. As such, most of the issues that

³³ The *Micmac News* repeatedly discusses issues organizations had relying on government funding; see "Aboriginal rights being given priority by PEI non-Status, Metis," October 1975, 11; "Outreach Program for Status Indian Only," February 1976, 22; "Cutback in funds hits N.B. Non-Status," June 1976, 30; "Nova Scotia Native Women Search for Funding," September 10, 1976, 23; "Native Women's Report," January 1977, 23.

received attention from the media and the government, focused on the needs and of people on reserves and were dominated by male points of view. This phenomenon served to alienate non-status First Nations people,³⁴ a population that consisted of a significant number of Indigenous women who had lost status after marrying non-Indigenous men. The exclusion of non-status women from various Indigenous political spheres contributed to gender-based discrimination within Indigenous organizations themselves. As scholars like Joanne Barker demonstrate, these male-driven organizations also actively stood in opposition to Indigenous women fighting for their rights. In the aftermath of high-profile examples of non-status women pushing to have their status reinstated, like the Jeanntte Corbiere Lavell case, Indigenous lobby groups like the NIB turned against Indigenous women activists, and perpetuated the oppression that colonialism had created. Barker explains that

Demonizing an ideology of rights perceived to be based on selfish individualism and personal entitlement, and damned for being ‘women’s libbers’ out to force bands into compliance with this ideology, the women and their concerns and experiences of discriminatory and violent sexist practices within their communities were dismissed as embodying all things not only non- but anti-Indian. Indian women’s experiences, perspectives, and political agendas for reform were perceived as not only irrelevant but dangerous to Indian sovereignty movements.³⁵

It is within this context that the debates about status began in the *Micmac News*.

There is something about the hesitation to remove all band rights from Indigenous women who married out that alludes to an understanding that Indigenous people would

³⁴ The Metis were also alienated, but they are not the focus of this thesis. That being said it is important to acknowledge that the Metis, along with the Inuit were consistently marginalized, just as First Nations people were. Both of these Indigenous groups organized on their own terms to lobby the government for their needs as well, and were impacted by colonialism in similar and equally oppressive ways.

³⁵ Barker, “Gender, Sovereignty, and the Discourse of Rights,” 137.

not necessarily want to leave their communities; removing their access to treaty rights completely would have been a deterrent to intermarriage, something that, in principle, Indian Affairs wanted to promote. The earliest *Indian Act*, surprisingly, had the laxest provisions for women's status removal. Up until the 1950s, Indigenous women who married non-Indigenous or non-status men, in some cases retained their ability to access reserve rights. For Indigenous women who had held status in a band that received annuity payments as part of a treaty agreement,³⁶ "she had usually retained the right to go on collecting annuities and band monies if she did not choose to accept a lump sum 'commutation', and thus continue to be on the band list," meaning that she could also vote in band elections.³⁷ In a way, unless the Indian Agent disallowed it, Indigenous women who had lost status through marriage, still had "a dual status as an Indian and an ordinary Canadian citizen."³⁸

According to Kathleen Jamieson, for a while, this "dual status" was formalized in some Indian Agencies; for example, women who had married non-Indigenous men got "Red Tickets," which, like status cards, "identified them as Indians for the purposes of sharing in treaty and band monies."³⁹ When prominent non-status Cree activist and notable member of Indian Rights for Indian Women, Nellie Carlson, married an enfranchised Cree man in the late 1940s, her status changed. "At first, after my

³⁶ The Mi'kmaq did not receive annuity payments because of the nature of the Peace and Friendship Treaties in the Maritimes; it is likely that women's experiences here were different than those from bands who received annuity payments, but without solid evidence, we can't be sure. What we do know is that women were able to vote in band elections, and in many cases, continue living on reserve.

³⁷ Jamieson, *Indian Women and the Law in Canada*, 61.

³⁸ *Ibid.*

³⁹ *Ibid.*

marriage,” she says, “I was what they called ‘a red-ticket holder.’ That was what the Department of Indian Affairs called us. It meant I had a treaty number, and I could live on a reserve, but I had no voice.”⁴⁰ Carlson was alluding to the fact that she could retain her treaty rights if she avoided challenging the authority of the Indian Agent, or her band government. Linda Goyette, who helped Carlson and her friend Kathleen Steinhauer tell their stories in the autobiographical *Disinherited Generations: Our Struggle to Reclaim Treaty Rights for First Nations Women and their Descendants*, explains that red-ticket holders “who criticized the rules,” or anything to do with band management or Indian Affairs, for that matter, “stood a risk of being struck from the Band List if the Indian Agent considered them trouble makers.”⁴¹ Despite being given access to treaty rights in the beginning, women who married out still faced heightened levels of coercion.

By 1951, an amendment to the *Indian Act* further tightened enfranchisement regulations on women. The new Section 12 (1)(b) made it so that “the Indian woman who married a non-Indian now was automatically deprived of her Indian status and her band rights from the date of her marriage.”⁴² There would be no more red-tickets; there would be no more living on the reserve. Women were struck from the band lists completely, and all connections that they may have retained to their communities, their families, and their inherent rights, were severed.⁴³ Suddenly, the hold Indian Affairs had on women tightened significantly; it was this clause that Indigenous women, status and non-status

⁴⁰ Nellie Carlson, Kathleen Steinhauer, and Linda Goyette, *Disinherited Generations: Our Struggle to Reclaim Treaty Rights for First Nations Women and their Descendants*, (Edmonton: University of Alberta Press, 2013): 32.

⁴¹ Carlson, *Disinherited Generations*, 32.

⁴² Jamieson, *Indian Women and the Law in Canada* 61.

⁴³ Carlson, 32; Jamieson, 61.

alike, from Indigenous nations across Canada, would fight to repeal so vehemently in the 1970s and 1980s. It is in this context that this thesis will explore how Mi'kmaw women participated in this fight.

Indigenous Women's Activism in Historical Literature

For a while, history ignored the lives of Indigenous women in general, let alone acknowledging the countless hours of work that they put in to challenging colonial patriarchy since the moment of contact. Until 1980, when Sylvia Van Kirk published her groundbreaking book, *Many Tender Ties: Women in Fur Trade Society, 1670-1870* and argued the importance of Indigenous women to the early Canadian fur trade, Indigenous women had not featured much in Canadian historiography at all. In fact, as Adele Perry posits, women in general were relatively absent. Perry argues that “‘*Many Tender Ties*’ is as much a contribution to women’s history as it is to fur-trade or Aboriginal history. It was published, as Catherine Hall notes, ‘when women’s history was in its infancy.’”⁴⁴ That field in particular “was inspired by the revitalization of feminist activism in the late 1960s and more so the early 1970s. It aimed to historicize women’s experiences and identities and to ‘rethink Canada,’ or reinterpret narratives of national development through the optics of women’s experience.”⁴⁵ Like women’s history more broadly, focusing on Indigenous historical experience has also been a way for scholars to “reimagine Canada,” but within this field, there has been a consistent marginalization of

⁴⁴ Adele Perry, “Historiography that Breaks Your Heart: Van Kirk and the Writing of Feminist History,” in *Finding a Way to the Heart: Feminist Writings on Aboriginal and Women’s History in Canada* eds. Robin Jarvis Brownlie, and Valerie Joyce Korinek, (Winnipeg: University of Mantioba Press, 2012): 83.

⁴⁵ Perry, “Historiography that Breaks Your Heart,” 83.

Indigenous women's voices. What was important about Van Kirk's work on Indigenous women in the fur trade was the way in which she used her sources. Working primarily with colonial archival documents, Van Kirk commented on the "paucity of sources, in particular those written by native women," and how it "[presented] a difficult challenge."⁴⁶ Instead of accepting the male lens through which she was viewing the era, Van Kirk's very identification of the ways that the authors of her sources worked to downplay the role of women allowed her, and the generations of scholars that followed, to 'read between the lines,' and analyze women not as "passive victim[s]" but "active agent[s]."⁴⁷ This had an important impact on Indigenous women's history in particular.

While reading for Indigenous presence in colonial sources is a beneficial way to challenge colonial hegemony in historical scholarship, what early academic works like *Many Tender Ties* were missing, however, was a centering of Indigenous voices themselves. For a long time, historians focused on the written record to piece together Indigenous lives and cultures. However, as Indigenous people demanded more meaningful space in the Canadian psyche, they shifted the way scholarship on Indigenous issues was done. Susan Neylan, in her overview of regional Indigenous historiographical trends in British Columbia, explains that questions of "whose identity and whose 'voice' should be authoritative [in scholarship] have been among the most significant and contentious questions for Indigenous-centered scholarship especially since the 2000s."⁴⁸ In order to challenge colonial discourse, one must decenter it, and the best way to do so is

⁴⁶ Sylvia Van Kirk, *Many Tender Ties: Women in Fur-Trade Society 1670-1870*, (Winnipeg: Watson & Dwyer Press, 1980): 6.

⁴⁷ Van Kirk, *Many Tender Ties*, 7.

⁴⁸ Susan Neylan, "Unsettling British Columbia: Canadian Aboriginal Historiography, 1992-2012," *History Compass* 11, no. 10 (2013): 846.

to re-centre Indigenous voices. This has come in many forms; Neylan highlights “collaborative [biographies]” written in partnership with Indigenous people, placing their stories and voices at the forefront of historical analysis. Janet Silman’s *Enough is Enough: Aboriginal Women Speak Out* (1987) is a great example of this style of scholarship; while Silman wrote the book and conducted the interviews within it, the work itself was conceptualized by the Tobique Women’s Group, and all of the book’s content comes from interviews Silman conducted with the Tobique women themselves.⁴⁹

The focus on centering Indigenous voices also brought with it a challenge to the sources that historians traditionally used. Neylan argues that “Western-based understandings of history until very recently have privileged written records, human-centered narratives, and the acceptance of a linear, causal progression of events.”⁵⁰ Indigenous women’s history is no different, but with the shift in scholarship came an increase in the works that featured Indigenous women’s voices, and especially lately, as the academy opens up more to Indigenous scholars, in particular, female Indigenous scholars, we have had more works written specifically from an Indigenous perspective. It is from these works that I draw my own methodology and research practices.

Hand in hand with the rise of Indigenous women’s activism in the 1970s came a rise in Indigenous women’s writing. Necessarily, to compete with mainstream ideas of Indigenous women’s realities, Native women’s groups, and individual women published books and newspaper articles, they interviewed on radio shows and wrote letters to government. As they told their stories, they gave us a realistic glimpse into their

⁴⁹ See: Janet Silman, *Enough is Enough: Aboriginal Women Speak Out*, (Toronto: Women’s Press, 1987).

⁵⁰ Neylan, “Unsettling British Columbia,” 847.

experiences and allow us now to examine, in depth, the various impacts colonial Canada had on Indigenous lives, and the ways that Indigenous people resisted. Some of the most crucial works of Indigenous women's history came from the fight to repeal Section 12 (1)(b), especially as women worked to educate potential allies on their realities. The first work to examine Indigenous women's lives under the *Indian Act* before the 1985 amendment was Kathleen Jamieson's crucial volume *Canadian Women and the Law: Citizens Minus* (1978), published in conjunction with Indian Rights for Indian Women, and The Canadian Advisory Council on the Status of Women. Jamieson captured the legislation that had served to harm Indigenous women, and chronicled the government-imposed barriers women faced, as well as the pushback they received from the organizations that were meant to help them. In 1987, as I have previously mentioned, Janet Silman's *Enough is Enough* captured the lives and work of the famous Tobique women, who walked across Canada to protest the treatment of women on their reserve in Nova Scotia. Member Sandra Lovelace was the first woman in Canada to bring the gender discrimination in the *Indian Act* to the United Nations.

Following the passing of Bill C-31, scholars began to turn their focus away from the issues that had impacted communities before the amendment and toward discussing how Bill C-31 continued to perpetuate colonialism and sexism in Indigenous communities. Very recently, marking a trend of the indigenization of scholarship, and in Canada, following increased attention paid to Indigenous women's issues and stories in the wake of the Missing and Murdered Indigenous Women (MMIW) inquiries, we are seeing more first-hand accounts of women who were enfranchised by the *Indian Act*. In 2012, Nellie Carlson and Kathleen Steinhauer, two crucial activists with Indian Rights for

Indian Women (IRIW) published an account of their experiences losing their status, and of their work with IRIW to gain rights for Indigenous women, challenging the issues they faced at the hands of both the federal government and organizations like the NIB.⁵¹ Catherine Davis' 2017 Master's thesis called *Marie: A Disenfranchised Woman from Kipawa*, recounts her mother's experiences losing her status under the *Indian Act* and features verbatim interviews with her mother, who told her story candidly and contributed a great deal to our understanding of the hardships Section 12(1)(b) caused in individual First Nations' lives.

Mi'kmaw Women in the Literature

While there is an increasing number of studies done on women protesting Section 12 in the years before Bill C-31 was passed, and on the effects of the reinstatement of status itself in central and western Canada,⁵² Mi'kmaw women in the Maritime provinces, and of particular interest to this project, in Nova Scotia, are noticeably absent from the growing pool of scholarship. To address this gap, my thesis will take a regional approach to exploring a national problem. This method has been suggested by many scholars, and is one that not only more effectively gets at the distinct issues diverse Indigenous nations face, but also challenges what Suzanne Miskimmin calls the "essentialist, colonial enforced categories found in the *Indian Act*, categories which discriminate both on the

⁵¹ Nellie Carlson, Kathleen Steinhauer, and Linda Goyette, *Disinherited Generations: Our Struggle to Reclaim Treaty Rights for First Nations Women and their Descendants*, (Edmonton: University of Alberta Press, 2013).

⁵² For example, see Katrina Srigley, "I am a Proud Anishinaabekwe': Issues of Identity and Status in Northern Ontario after Bill C-31," in *Finding a Way to the Heart: Feminist Writings on Aboriginal and Women's History in Canada* eds. Robin Jarvis Brownlie and Valerie J. Korinek, (Winnipeg: University of Manitoba Press, 2014): 241-266.

basis of gender and legal status.”⁵³ Pan-Indigeneity, while certainly rooted in an Indigenous decision to unite against a common oppressor, is also rooted in the idea that all Indigenous people are the same. It is the idea legally entrenched in the *Indian Act*, and it is one that governs the work we do on matters of reconciliation today. The fact of the matter remains that not all Indigenous nations are the same, nor did they all have the same experiences with colonialism. Each nation’s interactions with colonial powers differ based on location and historical context. The reach and impact of Canadian assimilation policies have been demonstrably complex; researchers must consider that different indigenous groups were subjected to the *Indian Act* in unique ways if we are to make progress with reconciliation. Some of the most foundational works of Indigenous history like J.R. Miller’s *Skyscrapers Hide the Heavens* take a more national approach to Indigenous history, focusing on the impacts of federal policy more broadly. While these kinds of works are certainly important to understanding a bigger picture, they paint over the specific experiences of individual Indigenous nations; these experiences can often complicate the wider assumptions that scholarship has made about Indigenous interactions with colonialism. Canada has treated reconciliation in very similar ways; that the government defined Indigenous people as a singular group has influenced not only our scholarship, but the way we move forward in dealing with the impacts of colonial oppression long term. We cannot treat reconciliation with the same one-size-fits all hat that has been pushed onto Indigenous identities. The nuances of locality allow us to compare and contrast different regional experiences; this deepens our understanding of

⁵³ Susanne E. Miskimmin, “‘Nobody Took the Indian Blood Out of Me’: An Analysis of Algonquian and Iroquoian Discourse Surrounding Bill C-31.” (Master’s Thesis, University of Western Ontario, London, 1996), 39.

colonialism's reach, and in turn reminds us that different Indigenous groups had different experiences than what overarching histories can tell us. Susan Neylan, in her two-part historiography of Indigenous history in Canada, demonstrates the utility of a regional lens. Neylan "[concentrates] on histories of Canada's most westerly province of British Columbia to represent some nationwide scholarly trends while also highlighting dissimilarities stemming from the particular place and its unique histories."⁵⁴ This thesis, though it focuses on the opposite coast, works in the same vein: while there will necessarily be similarities to the national trends occurring in Indigenous activism in the 1970s, there are regional specifics in Mi'kma'ki that must not be overlooked as they have been in the past.

Larger studies of Indian assimilation policy in Canada have been crucial to establishing alternative historical narratives that contribute to a broader, and more accurate understanding of a history that has consistently worked to favour Eurocentric ideas and European figures. The Mi'kmaq generally have a role to play in this scholarship; however, Mi'kmaw people feature mostly in histories of the earlier colonial period, and are virtually invisible as scholars turn their focus to the post-Confederation years. For example, the work of J.R. Miller, particularly *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*⁵⁵, raises an interesting point about how Indigenous history is studied in Canada. Miller's works have been indispensable to Canadian understandings of the relationship between Indigenous peoples and the state,

⁵⁴ Susan Neylan, "Colonialism and Resettling British Columbia: Canadian Aboriginal Historiography, 1992-2012," *History Compass* 11, no. 10 (2013): 833-834.

⁵⁵ J.R. Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, (Toronto: University of Toronto Press, 2000).

but like much of historical scholarship on Indigenous groups in Canada, Miller places a great deal of focus on central and western portions of the country. *Skyscrapers* neglects the experiences of the Mi'kmaq, or rather, places them within a certain historical context that downplays their experiences—and even their existence—in post-Confederation Canada. The Mi'kmaq feature in *Skyscrapers*' earliest chapters on early treaty agreements between Indigenous people and colonial powers like France and England. Miller explains the role the Mi'kmaq played as military allies of the French as they “struggled” to claim territory⁵⁶ and economic partners in the fur trade.⁵⁷ Their history is also used to describe the “[decline] in military importance” of Indigenous people in “eastern British North America.”⁵⁸ By the end of this first section on early Indian-European relations in *Skyscrapers*, just as they were no longer useful to British colonial authority, the Mi'kmaq also become irrelevant to the national narrative, as Miller turns to focus on residential schooling, Confederation, and beyond.

These broader histories on Indian policy tend to ignore the Maritimes due to the nature of the policy itself. The historiography has focused on what Ottawa and the Department of Indian Affairs' (DIA) interests were after Confederation; naturally, it has ignored what the DIA deemed of little relevance: Indigenous people in the Maritime provinces. E. Brian Titley's *A Narrow Vision: Duncan Campbell Scott and the Administration of Indian Affairs in Canada* (1986) gives us an idea as to why the Maritimes do not play a large role in the overall collection of Indigenous histories in Canada. Titley explains that “when the War of 1812 “brought the military usefulness of

⁵⁶ Miller, *Skyscrapers Hide the Heavens*, 67.

⁵⁷ Miller, 68.

⁵⁸ *Ibid.*, 84.

the Indians to an end”⁵⁹ the Mi’kmaq, with a population severely diminished by centuries of disease, warfare, and settler colonialism,⁶⁰ became less of an interest to a government focused on expansion into areas in which it did not already have established settlement, in its goal of “[creating] a wealthy, transcontinental country.”⁶¹ As the Dominion of Canada looked westward, so too did Indian policy. Thus, Titley’s book focuses a lot on central and western Indigenous groups. While Indian policy was certainly implemented in the east, it was not as aggressive as what we see in the west, as the common belief about the Mi’kmaq in Ottawa in 1867 was that they were too weak and spread out to be a threat to power.⁶² This is demonstrated in the fact that Nova Scotia did not get a residential school until 1929, forty-six years⁶³ after the system began in Canada.⁶⁴ Indigenous histories have often been defined by colonial interests; due to federal disregard, national histories have in turn seemed uninterested in the Mi’kmaq narrative post-Confederation, and as such there are gaps in the literature that a regional focus on Mi’kmaq experiences could fill. The issue currently is that even regional scholarship on the Mi’kmaq has failed to explore these opportunities.

⁵⁹ Titley, *A Narrow Vision*, 1.

⁶⁰ Daniel N. Paul, *We Were Not the Savages: A Mi’kmaq Perspective of the Collision Between European and Native American Civilizations, New Twenty-First Century Edition* (Halifax: Fernwood Publishing, 2000), 181-201.

⁶¹ Roderick A. MacDonald and Robert Wolfe, “Canada’s Third National Policy: The Epiphenomenal or the Real Constitution?” *University of Toronto Law Journal* 59, no. 4 (2009): 495.

⁶² Paul, *We Were Not the Savages*, 182-183, 200-201.

⁶³ The first residential schools were built in Canada in 1883. (TRC Final Report, Executive Summary, 3).

⁶⁴ Martha Walls, “‘Part of that Whole System’: Maritime Day and Residential Schooling and Federal Culpability,” *The Canadian Journal of Native Studies* 30, no. 2 (2010): 370.

Much of the regional work done to date on Mi'kmaw history tracks them pre-Confederation,⁶⁵ in relation to the peace and friendship treaties of the 1750s and 60s. William Wicken's *Treaties on Trial: History, Land, and Donald Marshall Junior* (2002), roots its argument in the eighteenth-century period that features so heavily in national histories of Indigenous-European relations. *Treaties on Trial* attempts to highlight early eighteenth-century Mi'kmaw agency in Nova Scotia by analyzing oral histories and commenting on the differences between Europeans conceptions and Mi'kmaw conceptions of a 1726 peace and friendship treaty, the preamble to the treaties signed from 1749 to 1761.⁶⁶ These later peace and friendship treaties sat at the centre of the *R v. Marshall*⁶⁷ trial in the 1990s; the book itself was inspired by Wicken's role in the trial as a witness from 1994 to 1996. His analysis is designed to comprehend the role of the treaties in defining and navigating them in a modern context, and is specific to the unique history of the Mi'kmaq. While national scholarship would benefit from moving beyond the period in which the treaties were made, these agreements and the differing understandings of these agreements shaped the position of the Mi'kmaq at Confederation and the Canadian government's view of them, and thus should still be acknowledged.

⁶⁵ That being said, there is certainly work being done on the Mi'kmaq post-Confederation; however, there is definitely an opportunity to expand and a need for it. See: Marie Battiste, *Living Treaties: Narrating Mi'kmaw Treaty Relations*, (Sydney: Cape Breton University Press, 2016); Martha Walls, *No Need for a Chief for this Band*, (Vancouver: UBC Press, 2010), for example.

⁶⁶ William Wicken, *Mi'kmaq Treaties on Trial: History, Land, and Donald Marshall Junior*, (Toronto: University of Toronto Press, 2002): 3.

⁶⁷ See: Supreme Court of Canada, "R v. Marshall," *Judgements of the Supreme Court of Canada*, accessed 10 December 2016, <http://scc-csc.lexum.com/scc-csc/scc-csc/en/item/1739/index.do>.

Research and discussion of treaties have influenced a great deal of the histories done on the Mi'kmaq, and as many of these works rely on colonial-era documents, they are influenced by a bias that leaves little room for women in the historical record. Daniel Paul's *We Were Not the Savages*, the most popular history written on the Mi'kmaq to date, uses a blend of archival records as well as Paul's own experiences as a Mi'kmaq man living in Nova Scotia in the twentieth-century. Though he does mention briefly in a few places the role of Mi'kmaq women in early colonial society,⁶⁸ and that "before 1985 many Band membership provisions in the Act were gender discriminatory and caused a great deal of suffering among Indian women who had married non-Indians"⁶⁹ his reliance on patriarchal European documents and certainly his male personal lens means that women feature very little in his narrative. It has only been recently that Mi'kmaq women's experiences in the twentieth century have been explored in any depth. Martha

⁶⁸ For example, Paul explains that "both genders were involved in setting the agenda and dispersing responsibilities for the orderly conduct of the Nation's livelihood. The men were responsible for providing food for their communities by hunting and fishing and for carrying out chores involving heavy work. The women and older children were responsible for such chores as the limited farming the community indulged in, and for collecting, cleaning and preserving produce, game and fish. No demeaning connotations were associated with the assignment of different community responsibilities to each gender. The division of duties was pragmatically based on which gender was most suitable to the requirements of each job." (19-20) The conception of gender in *We Were Not the Savages* is binary; my own conception of gender is one on a spectrum. There are many genders; "male" and "female" are not exclusive identities. The binary itself is inherently colonial: as Scott Lauria Morgensen argues in "Theorizing Gender, Sexuality and Settler Colonialism: An Introduction," "Any naturalization of Western heteropatriarchy or binary sex/gender also naturalizes settler colonialism." (13, 2012) This thesis does engage with this gender binary, mainly because of the ways the *Indian Act*, and subsequently the Canadian Government defined Indigenous people as either "male" or "female" at the time. The prevalence of this binary is clear in the language of all of the primary sources I use. I recognize the erasure of two-spirit identities during the time period in which I study, as well as today.

⁶⁹ Paul, *We Were Not the Savages*, 226.

Walls' 2015 article entitled "Mi'kmaw Women and St. Francis Xavier University's Micmac Community Development Program, 1958-1970," where she explores how Mi'kmaw women used the St. Francis Xavier University Program (MCDP) to resist colonialism and to promote, fight for, and protect their own interests, has proven beneficial. Walls draws a connection to national Indian policy that places regional Mi'kmaw experiences within the broader narrative that has traditionally ignored them, establishing that the same Eurocentric discourses that shaped assimilation policies existed and had ill-effects on Indigenous people in an area of the country where Indian policy was not as pronounced. As for works specifically on the *Indian Act's* effect on Mi'kmaw women, to date, I have only been able to find Carolyn Taylor's 2012 Masters' thesis. Taylor looks at Aboriginal women's activism in Nova Scotia in the 1970s as they fought against discriminatory federal policies by establishing the Nova Scotia Native Women's Association and the Non-Status and Metis Association of Nova Scotia.⁷⁰ Taylor's work, like this one, uses the *Micmac News* as her primary source of information, but misses an opportunity to analyze the way that Mi'kmaw women made use of the publication as a political tool.

As we contextualize this research within the literature that has been published to date, it is clear that studying Mi'kmaw women's experiences both fills a sizeable gap in the literature, but also changes the way we view colonization, and as such, changes the way we work to stop it. Just because the Mi'kmaq are not present in these more recent works of Indigenous history, and Mi'kmaw women even less so, it does not mean that

⁷⁰ Carolyn Taylor, "United We Stand, Divided We Fall?": Activism Among Aboriginal Women in Nova Scotia, 1970-1985," (Master's Thesis, Saint Mary's University, Halifax, 2012).

they were not active in the seventies, and it does not mean that they did not record their experiences. While works like Silman's and Carlson and Steinhauer's offer an important individualized view of history, the women who wrote about their experiences in real time in the *Micmac News* have done the same.

The *Micmac News* as a Historical Source and Political Tool of its Day

The *Micmac News* was a monthly periodical published by the Union of Nova Scotia Indians (UNSI) out of Sydney, Nova Scotia from 1965 until 1991.⁷¹ The *News* itself actually predated the UNSI, which was established in 1969; Roy Gould, the man who established the paper, later became the Union's communications director when it took over publication four years later. Aside from some of the earliest issues from the mid-sixties, the Beaton Institute, which houses the *Micmac News* in a digitized archive, has every issue, beginning in 1971 until the paper's last run in December 1991.⁷² From the beginning, the *News* had a community feel, capturing local interest stories, tracing the whereabouts of Mi'kmaq who had left the reserve to travel, live, and work away, and advertising reserve-league sports games (See Fig. 1). The contents were typical of a local newspaper; what made them unique was that the stories themselves were distinctly Mi'kmaq, written by Mi'kmaw people, for Mi'kmaw people, featuring Mi'kmaw communities, cultural events and concerns exclusively. It was not uncommon to see entire articles written in Lnui'smk⁷³ Due to the nature of the organization that ran the

⁷¹ The Beaton Institute, "Micmac News," n.d. <https://beatoninstitute.com/micmac-news>.

⁷² *Ibid.*

⁷³ The Mi'kmaw term for the Mi'kmaw language (Smith-Francis Orthography).

paper, though, and the period in which it was established, the *Micmac News* was very clearly a political publication.

This was not unique to Nova Scotia; the UNSI and its kind of political organizing came out of a period fraught with Indigenous political activity on a national level. The NIB, an organization that the Union worked with closely, had developed as a political lobby group designed to represent provincial and territorial Indigenous organization to the federal government,⁷⁴ and to promote “Indian national unity” in order to “[protect] Indian rights.”⁷⁵ Besides working with the federal government to lobby for Indigenous interests, the NIB was first and foremost concerned about educating Indigenous people across Canada. Their ground-breaking 1972 “Indian Control of Indian Education”⁷⁶ policy paper outlined the importance of Indigenous-led education initiatives and demonstrated its dedication to using education as a levelling tool, one that would allow “Indians...to deal with the larger nonIndian [sic] society on equal terms.”⁷⁷ It was

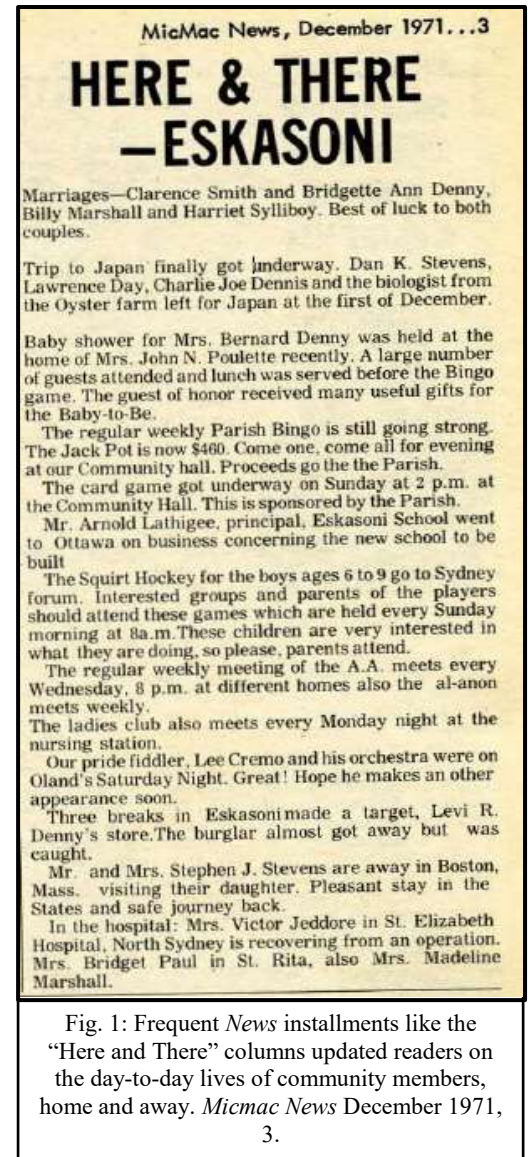


Fig. 1: Frequent *News* installments like the “Here and There” columns updated readers on the day-to-day lives of community members, home and away. *Micmac News* December 1971, 3.

⁷⁴ J Ponting and Rick Gibbons, *Out of Irrelevance: A Socio-Political Introduction to Indian Affairs in Canada*, (Toronto: Butterworths, 1980), 199.

⁷⁵ Ponting, *Out of Irrelevance*, 204.

⁷⁶ National Indian Brotherhood, “Indian Control of Indian Education: Policy Paper,” 1972, <http://www.avenir-future.com/pdf/maitrise%20indienne%20de%201%27%20education%20ang.pdf>

⁷⁷ Ponting, *Out of Irrelevance*, 205

something that many other Indigenous political organizations, both formal and grassroots shared. Newspapers were particularly useful for disseminating information, and many Indigenous-run newspapers serving similar purposes began popping up in Canada in the same period.⁷⁸

What made the UNSI so important at the time was its dedication to educating the Mi'kmaw nation on not only culture and language,⁷⁹ which was in danger after centuries of colonial contact, but on the rights that Mi'kmaq had as Indigenous people under the *Indian Act*, so that they too could gain confidence in themselves, and get comfortable with advocating for their own rights. The *Micmac News* served as a mechanism to disseminate information that helped break down complex legal processes, and to organize a politically literate and active Mi'kmaw grassroots. As such, beside obituaries, church events,⁸⁰ and articles reminding on-reserve parents to sign their children up for baseball leagues,⁸¹ the Union used the paper to advertise its own meetings (See Fig. 2) funding opportunities for reserve groups and Mi'kmaw individuals, and updates on important

⁷⁸ Some of these papers include the *Kainai News* from Standoff, AB (ULethbridge digital archives) and the Indian Brotherhood of the N.W.T's *Native Press*, which began in 1971; you can get it at the University of Wisconsin-Madison, but it is not available online.

⁷⁹ The *News* actually published semi-regular Mi'kmaw language lessons.

⁸⁰ The Catholic Church also has a visible, and often welcome presence in the *Micmac News*, as priests and church officials within Mi'kmaw communities—non-Indigenous—would often receive accolades or congratulations from Mi'kmaw writers in the *News*. Many articles mention Mi'kmaw church events and update readers on planned Catholic ceremonies like St. Anne's Day celebrations (See, for example, *Micmac News*, July 1976, 16-22). While the presence of the Church in the *News* is worth mentioning, the Mi'kmaw relationship with Catholicism and the Catholic Church is a long and complicated one, and deserves more time and analysis than what this thesis can provide. Therefore, it is not discussed in this thesis.

⁸¹ A reminder in the June 1971 issue's "Here and There" column (p.3) reminds readers that "The Ball Clubs around the province are in full swing and your support will be requested. Don't let them down."

government decisions that Mi'kmaq may have missed. These updates include information on tax exemption, something that the UNSI had been negotiating and confirming with the

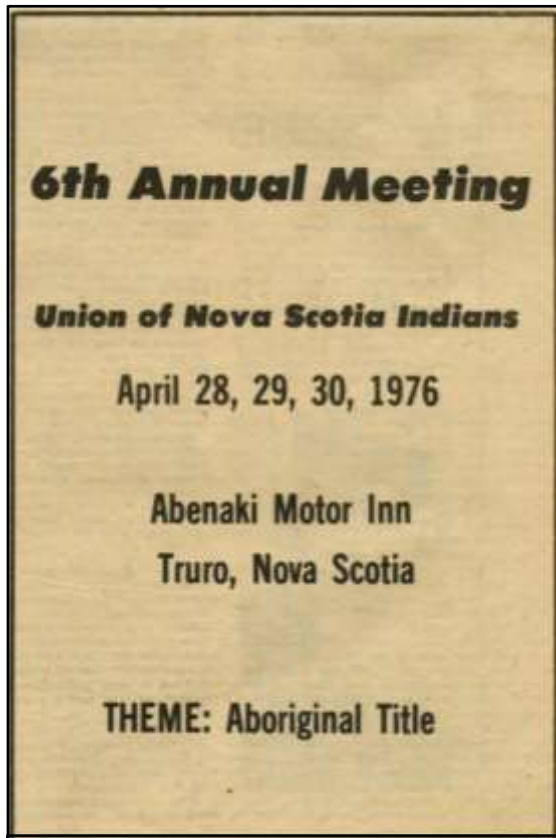


Fig. 2: The UNSI often posted ads such as this one advertising upcoming meetings. *Micmac News* April 1976, p. 21

Province of Nova Scotia in 1973⁸² and would have certainly impacted non-status Mi'kmaq who would not have been eligible. That being said, this thesis does not address issues of tax exemption and their connection to treaty rights for a few reasons. First, to do justice to the complex legal processes involved with Indigenous tax exemption and their portrayal in the *Micmac News*, one would have to write an entire project on its own. Secondly, the misconceptions and racist stereotypes surrounding Indigenous tax exemption, what taxes are exempted and eligibility for those exemptions also deserve proper discussion and critique, all of which are

beyond the scope of this thesis. While non-status people would not have had access to tax exemption, most non-status concerns moved beyond this and surrounded access to

⁸² See: "Taxation Hi-Lites – Director's Meeting," *Micmac News*, February 1973, 3; Linden MacIntyre "Full sales tax exemption likely for Nova Scotia's 4,500 Indians (From *The Halifax Chronicle Herald*)," *Micmac News*, February 1973, 6 (Note that the "Indians" in this case are Status only); "Full exemption from Health Services Tax finally approved," *Micmac News*, April 1973, 1; "Ruling made on Tax Exemption," *Micmac News*, June 1973, 2 (Here, the UNSI states that non-status are ineligible for exemption); "Notice to all membership card holders," *Micmac News*, July 1973, 18; etc.

community and kinship ties, securing safe housing, and combatting very real sexist and racist oppression.⁸³

The UNSI's dedication to helping Mi'kmaw people understand the political climate they lived in is clear in an article published in the *News* in April 1971. The article, published without an author,⁸⁴ discussed the Union's mandate and the context in which it was formed. "The Union," it explains,

... entering its second year, grew out of a distaste for government bureaucracy. During the sixties the government started liberalizing its Department of Indian Affairs and created advisory councils in each province on which Indian representatives sat... 'In effect, anytime the government wanted advice, they asked the people. But we soon found out that the advice they were getting was still not listened to.'⁸⁵

The Union presented itself, with its slogan, "United we Stand, Divided We Fall," as an organization designed to represent Mi'kmaw concerns. It was clear in the beginning, however, that even the UNSI understood that they were limited in their scope, as my thesis will demonstrate.

Given the importance of Indigenous media use, it is evident that there should be more work done on this topic. Much of the literature involving Indigenous people and the press involves exploring how non-Indigenous society portrayed Indigenous people in the

⁸³ For information on Indigenous tax exemption and the complexities and common misconceptions surrounding its connection to treaty rights, see: Chelsea Vowel, *Indigenous Writes: A Guide to First Nations, Métis & Inuit Issues in Canada*. (Winnipeg: Highwater Press, 2016) (See particularly chapter fifteen, "The Myth of Taxation," and chapter sixteen, "The Myth of Free Housing"); Constance MacIntosh, "From Judging Culture to Taxing 'Indians': Tracing the Legal Discourse of the 'Indian Mode of Life,'" *Osgoode Hall Law Journal* 47, 2009.

⁸⁴ This is a common occurrence in the first few years of the *News*' run; it makes it difficult to pinpoint the identities of reporters, and in some cases, whether or not articles were reprinted.

⁸⁵ "Indian Union Work Just Beginning," *Micmac News*, April 1971, 3.

settler media, as in Mark Anderson and Carmen Robertson's *Seeing Red: A History of Natives in Canadian Newspapers*.⁸⁶ In an attempt to centre Indigenous voices, it is crucial that we look at works that focus on how Indigenous people used media to serve their own political and cultural goals over the course of history. To date, Kathleen Buddle's 2001 PhD dissertation, *From Birchbark Talk to Digital Dreamspeaking: A History of Aboriginal Media Activism in Canada*, remains the most comprehensive historical exploration of Indigenous-led media initiatives. Buddle's work was central to contextualizing the *Micmac News* as part of a broader network of Indigenous publications in Canada in the 1970s. Eric Jamieson's *The Native Voice: The History of Canada's First Aboriginal Newspaper and its founder Maisie Hurley* (2016)⁸⁷ provides a case study on the development of the Native Brotherhood of British Columbia's (NBBC) paper, *The Native Voice*. Jamieson's history is important, because it acknowledges the role Indigenous newspapers played in capturing history from an Indigenous point of view, and while *The Native Voice* focuses a great deal on the non-Indigenous woman who helped found the paper in 1946, it does not miss the fact that the NBBC used it explicitly as a political tool, in many of the same ways as the UNSI, who followed in their footsteps by producing the *Micmac News*.

To date, the only work that has used the *Micmac News* in great depth have relied on it to provide information on historical events; these works have been written exclusively at the Master's level. Carolyn Taylor's 2012 MA thesis, *'United We Stand,*

⁸⁶ Mark Anderson and Carmen Robertson, *Seeing Red: A History of Natives in Canadian Newspapers*, (Winnipeg: University of Manitoba Press, 2011).

⁸⁷ Eric Jamieson, *The Native Voice: The History of Canada's First Aboriginal Newspaper and its Founder Maisie Hurley*, (Halfmoon Bay: Caitlin Press, 2016).

*Divided we Fall?": Activism Among Aboriginal Women in Nova Scotia, 1970-1985*⁸⁸

uses the *News* exclusively as its primary source of information, but misses an opportunity to investigate the paper itself. The *News* has yet to receive recognition for the role it played in Mi'kmaw political and social life as a platform for debate, but also as an education tool, and a source that spread easily accessible and digestible information for the grassroots reader. Further analysis of the *News* also demonstrates the remarkable agency Mi'kmaw women exercised during this period. The publication did not simply report on women's activism; in many cases, women wrote their own stories for the paper, controlling the narrative they presented. The very fact that they had to write their own articles in the first place yields an opportunity to analyse the ways Mi'kmaw governance structures and organizations internalized colonial patriarchy. It is in the context of this literature that my thesis grows; drawing on the understanding that Indigenous people used media to challenge the government, we can identify how Mi'kmaw people specifically participated in and interpreted broader national debates about Indigenous issues during a period of amped up Indigenous activism in Canada. This is not just a thesis about Mi'kmaw women; it goes deeper into how Mi'kmaw women mobilized ideas, spread information, and withstood oppression from many sides.

In its earliest years of circulation, the *Micmac News* managed to establish itself as a periodical that not only served as a newspaper, but also as a space where Mi'kmaw people could debate political questions, advertise meetings and event opportunities, and inform its Indigenous readership of political resolutions and debates that occurred at

⁸⁸ Carolyn Taylor, "United We Stand, Divided we Fall?": Activism Among Aboriginal Women in Nova Scotia, 1970-1985," (MA Thesis, St. Mary's University, 2012).

various meetings, conferences and other events that the broader Mi'kmaw population may not have otherwise been able to attend. The paper itself was a multi-faceted political document and served many purposes, but in its early years, especially for Mi'kmaw women organizing against gender discrimination in the *Indian Act*, the *Micmac News* was a crucial tool which they used to help organize and disseminate information, as well as present arguments and supporting evidence about Indigenous women's rights in the face of restraint placed on Indigenous communities that divided Mi'kmaw people and deepened growing factions within communities. The status versus non-status issue sat at the forefront of the earliest conversations women had in the *Micmac News*, and was a rallying point for many Indigenous women in the province, who aside from the oppression they faced by being Mi'kmaq under the *Indian Act*, understood that the *Act's* gender discrimination had been putting women at a disadvantage since its passing in 1876.⁸⁹ These conversations about status, and what it meant to be Indigenous, let alone Mi'kmaq, was something that the *Micmac News* began to explore early on. Mi'kmaw women in particular, and later, the predominantly female vocal members of the non-status population, used the newspaper as a political tool and as a method of navigating colonial boundaries and battles for rights.

This thesis analyses the extensive dialogue surrounding the legitimacy of the provisions of the *Indian Act* which sought to determine Mi'kmaw identity that played out in the *Micmac News* in the 1970s. It argues that the *Micmac News* served as an important forum for Mi'kmaw voices, shifting and changing from prioritizing the experiences of Mi'kmaw people on reserve, to—as non-status Mi'kmaw people, particularly non-status

⁸⁹ Canada, *An Act to Amend and Consolidate the Laws Respecting Indians*, 1876.

women, demanded space in the Mi'kmaw political sphere in the aftermath of the Jeannette Corbiere-Lavell case—a publication that served both status and non-status people, blurring the lines the *Indian Act* had drawn that had been feeding growing factions along identity lines within the Mi'kmaw nation. It uses two frames of reference to analyze this period: first, the *Micmac News* itself as a political tool and record of important debates about status in the seventies, and second, the debates themselves. The status question and its influence on Mi'kmaw people will be placed in the context of broader Indigenous politics during this period, taking into account the rise of national, pan-Indigenous organizations like the National Indian Brotherhood (NIB) and the Native Women of Canada (NWC) on Mi'kmaw political organizing. Finally, due to the nature of the periodical, my analysis will be heavily rooted in chronology, tracing the development of debates surrounding the status question and how these eventually came to shape both Mi'kmaw political action, as well as the structure of the newspaper itself beginning in 1971, and following the unfolding of events in order until the end of 1979.

Chapter Two explores what I have called the years of establishment in the *Micmac News*; in this chapter, though the *News* had been active on-and-off since 1965,⁹⁰ we see the its development as a UNSI publication. It is within this context that we see the forces that made it difficult for Mi'kmaw women to maintain equal publishing space in the *News*. In many ways, as we watch Mi'kmaw women advocate for consistent attention in the paper, we see a reflection of the ways in which Indigenous women had to fight for space in political spheres dominated by status men. Through the reporting in the *News* on high-profile events like the Jeanette Corbiere-Lavell case, we can pinpoint similar

⁹⁰ See: The Beaton Institute, “Micmac News.”

debates that were occurring at the national level as they played out in Nova Scotia, and can more precisely trace shifts in opinion and the regional nuances that helped Mi'kmaw women stand apart from other Indigenous groups. We also see how Indigenous issues on both a national and provincial scale were similar. Despite the centrality of non-status issues to this chapter, non-status voices feature very infrequently in the *News* during this period, and information on non-status people, in particular, non-status women came from people who had status; this in many ways influenced the kinds of information we get on non-status people in Nova Scotia at this time.

Chapter Three focuses on 1974 and 1975, a period that I argue marked necessary transition for all of the major Indigenous political groups in Nova Scotia. While non-status people struggled to help one another as members of the Union of Nova Scotia Indians, it became clear that because the federal government refused to acknowledge non-status needs, connecting to the Union meant less support. We also see significantly less discussion in the *News* about gender discrimination in the *Indian Act* and, similarly, a reduced presence of the Nova Scotia Native Women's Association (NSNWA). An examination on reporting on a housing crisis at Springhill Junction, offers us chance to see non-status people—in particular, non-status women—describing their organizing in their own words. Thanks to issues internal to the UNSI, and tight constraints on federal funding grants, non-status people also prepared for, and eventually executed a split from the Union during this period as well, forming the Native Council of Nova Scotia (NCNS). At the same time, feeling the weight of government funding constraints, the organization that produced the *Micmac News*, the UNSI's Communications Department, also

separated from the Union and became its own entity, ushering in a new era for the *News* just as non-status people formed their own separate association.

Chapter Four, covering the years 1976 to 1979, blends all of these themes together: while the *News*, now free from many previous limitations, expanded and made more room for non-status and women's voices, political discussion in Nova Scotia changed direction as the UNSI began dedicating a great deal of its time and resources to making land claims. At the same time, conversations about gender discrimination in the *Indian Act* began to appear more frequently once again; just as they had come predominantly from women's organizations in the early seventies, the NSNWA primarily championed this issue in Nova Scotia at the end of the decade. Placed between the UNSI and NSNWA, the NCNS navigated both of these worlds; with many issues more pressing than challenging the *Indian Act* like providing housing for non-status people, the NCNS let the NSNWA take charge on issues involving Section 12(1)(b). At the same time, with an increasing understanding of Aboriginal rights and what they meant for non-status access to land rights, the NCNS also began to explore making land claims of their own, actively challenging the arbitrary status system that had governed non-status lives for so long. This chapter allows us to see perhaps more clearly than before, how non-status people were able to exercise agency within a system designed to oppress them. It also looks deeper into the gendered issues inherent in status legislation as some of the most active voices in the *News* during this period, status and non-status, were Mi'kmaw women. Continuing an examination of the impact that government funding structures had on Indigenous organizations Canada-wide, we also see how the privileging of the UNSI for funding and government support over other organizations presented problems. At the

end of the 1970s, *Micmac News* staff actively began to challenge Union power, as they grew vocal about funding cuts that threatened to close it down, leaving Mi'kmaw media with an uncertain future.

Above all, this thesis centres Mi'kmaw voices in a national history that glosses over regional differences. By understanding how Mi'kmaw women were impacted by and, at the same time, how they impacted political movements during a crucial period of robust and diverse Indigenous activism, we can challenge uniform ideas of the Indigenous experience with colonialism, and better understand the impacts of harmful legislation on the women of Indigenous nations. This is an area of Indigenous history that should be explored further, especially as we embark on a journey of reconciliation that may look different to individual nations with their own colonial experiences. I write within the context of many groups of Indigenous scholars working to centre Indigenous voices to change the way we work with understandings of Indigenous lives in the past, and how we interact with Indigenous people in the future. An important takeaway is this: we as Indigenous people, and specifically, we as Mi'kmaw people were not passive victims in a colonial history. By looking at this explicitly Indigenous, explicitly Mi'kmaw source, we see how Mi'kmaw people were active participants in working to shape their future and challenge colonial oppression to better the world for the coming generations. This regional approach could continue to highlight the unique accomplishments of Indigenous nations across Turtle Island.

CHAPTER TWO: Formations: The Rise of the NSNWA and Burgeoning Non-Status Activism in the *News* 1971-1973

Introduction

The earliest years of the regular publication of the *Micmac News* under the Union of Nova Scotia Indians (UNSI) line up with the formation of many different Indigenous movements in Canada. As the paper evolved from a small-staffed communications venture, it matched the rise of both national, and more importantly, regional Indigenous lobby groups that worked tirelessly to draw attention to the injustices that people faced living within a colonial settler state. With the rise of Indigenous organizations like the National Indian Brotherhood (NIB) and the Union of BC Indian Chiefs, came Native communications societies intimately linked to the organizations themselves. According to Kathleen Buddle, Indigenous people had recognized the political importance of an Indigenous-run media for a long time;¹ controlling their own communications methods was imperative to sustaining a structured resistance movement. The rise of Indigenous politics would inspire the cultivation of a robust Indigenous print culture where the *Micmac News* was but one example, running alongside papers like “*The Indian Voice* (1969), published by the British Columbia Indian Homemakers’ Association”² and the Federation of Saskatchewan Indians’ *Saskatchewan Indian* (1970).³

Buddle explains that to the organizations they served, newspapers were “instruments of cultural mediation, [providing] Native peoples with vehicles to assert the

¹ Kathleen Buddle, “From Birchbark Talk to Digital Dreamspeaking: A History of Aboriginal Media Activism in Canada.” (PhD diss., McMaster University, Hamilton, 2001), 205-206.

² Buddle, “A History of Aboriginal Media Activism in Canada,” 216.

³ *Ibid.*

idea that they were quite capable of innovating lifestyles without exclusive recourse to white values.”⁴ As such, what they published and how they operated were determined, for the most part, by the cultures and the communities from which they came. The *Micmac News* was no different, and came into its own as a reputable publication just as non-Union organizations like the Nova Scotia Native Women’s Association (NSNWA) began to demand space in its pages. When formal articles did not meet the NSNWA’s needs, women began writing for the *News* themselves, and therefore actively changed the structure of the newspaper and drove it in a direction that its earliest years as a tool of the UNSI could not predict. Along the way, the *News* impacted Mi’kmaw communities in Nova Scotia, vividly capturing debates internal to the Mi’kmaw nation as national, and local stories forced many Mi’kmaq to engage with complex issues that they may not have dealt with in depth before the *White Paper* triggered waves of Indigenous activism nation-wide. The political climate in the province shaped the *Micmac News*, while in turn, the *News* supported rapidly politicizing groups by providing space for debate and disseminating information.

From 1971 to 1973, *News* readers watched first the UNSI work to grow its influence, and then, as Mi’kmaw women, unsatisfied with their lack of representation in the Union and inspired by a national push for Native women to organize, formed their own association and started publishing their own news in the UNSI paper. In letters, articles, advertisements, and eventually a monthly column called “Women’s Corner,” Mi’kmaw women—and after it formed, representatives of the NSNWA—recorded their stories, providing us with a specifically Mi’kmaw perspective on some crucial moments

⁴ Buddle, “A History of Aboriginal Media Activism in Canada,” 213.

of Indigenous women's activism in Canadian history. And while Indigenous women in many cases felt alienated in the pan-Indigenous push for self-government,⁵ their own organizing revealed yet another layer of oppression: as victims of gender discrimination in the *Indian Act* rallied status and non-status women together to put an end to Section 12(1)(b) and allow women who had lost their status through marriage to regain access to treaty rights, Canada was forced to examine how its colonial policies unfairly targeted women. This movement influenced Indigenous women's organizing in Nova Scotia; it is what brought demands of support for non-status people to the *Micmac News* in the first place.

Despite there being little mention of direct engagements with issues of status and gender discrimination in the *News* before women began writing in about their experiences, status still played a definitive role in Union politics. The very bureaucratic mechanisms that barred status Indians from reserves and claiming treaty rights also influenced what Indigenous organizations in the 1970s could and could not do. As Michelle Coffin argues,⁶ and the *Micmac News* demonstrates,⁷ new federal initiatives to fund Indigenous associations and working groups offered opportunities on a double-

⁵ Karine R. Duhamel, "'Rise Up – make haste – our people need us!': Pan-Indigenous Activism in Canada and the United States, 1950 to 1975, (PhD. diss., University of Manitoba, Winnipeg, 2013), 356-359, 361.

⁶ Michelle Coffin, "United They Stood, Divided They Didn't Fall: Culture and Politics in Mi'kmaq Nova Scotia, 1969-1988," (Master's Thesis, Saint Mary's University, Halifax 2003), 57-58.

⁷ There are many articles in the *Micmac News* that allude to the constraints on Native organizations and communities reliant on federal funding. For examples, see articles: "Native Women's Association: Group Formed to 'Protect Heritage,'" October 1973, 17; "Minister of I.A.B. Meets Chief and Councillors," April, 1971, 1; "Indian Union Work Just Beginning," April, 1971, 3; "Pictou Landing May Take Legal Action," May 1971 2; "Steering Committee Formed: Native Women of Canada," September 1971, 1.

edged sword. Though funding allowed Indigenous nations to advocate openly for self-determination and acknowledgement of treaties, it came with strings attached. Coffin mentions that the UNSI “was more ‘Canadianized’ in its practices,” and while “the federal government...provided funding for several lobbying initiatives including community development, education, self-government and health,” the UNSI had to ensure it “utilized a blueprint familiar to its dominant society” and was “strategic in its criticism of government.”⁸ The systems that the UNSI both modeled itself after, and was governed by, left meagre resources, and little room for Indigenous people without status and those who lived off reserve.

Even though the Union strove to be a “people’s organization,”⁹ it was unable to represent all Mi’kmaq; for example, the absence of non-status voices in the Union’s newspaper is noticeable. Because the UNSI’s membership mirrored the gendered exclusions set up by the *Indian Act*’s patriarchal structure, Mi’kmaw women were placed in a marginalized position. It is only through their attempts to make space for themselves as important players in Mi’kmaw politics, and within the *Micmac News*, that we first hear about non-status issues in the paper at all. While removing gender discrimination in the *Indian Act* was certainly an issue Indigenous women championed at the national level, and something the NSNWA would eventually tackle as well, some of the more prominent organizers and voices in the *News* struggled initially to rally around the issue.

This chapter traces the rise of Mi’kmaw women’s activism as it was reported in the *Micmac News* from 1971 to 1973, and the debates that brought the NSNWA from

⁸ Coffin, “United They Stood, Divided They Didn’t Fall,” 58-61.

⁹ “Indian Union Work Just Beginning,” *Micmac News*, April 1971, 3.

standing against non-status women to ultimately supporting them, and then advocating on their behalf within the broader Mi'kmaw community. It will also establish some of the main contentions to amending the *Indian Act* to halt gender discrimination. In particular, it will examine how backlash directed at Mi'kmaw women more broadly on issues of status removal led to non-status people organizing—and eventually writing—for themselves, separate from broader Indigenous women's organizations in the province and in Canada. As the *Micmac News* began as a UNSI publication, this chapter will necessarily discuss the Union structures that made it difficult for Mi'kmaw women to participate; because the Union could not represent all Mi'kmaq, as women began to push for Union recognition, they also made space for themselves within the *News*, shifting both its structure, and the way in which it determined what the most pressing political issues for Mi'kmaq in Nova Scotia were. While the *News* discussed national trends that shaped the conversations at home, it necessarily portrays them through the eyes of Mi'kmaw people; in this way, the chapter takes a regional look at national Indigenous issues. In particular, it will examine Mi'kmaw reactions to Jeannette Corbiere-Lavell's fight in the Supreme Court to regain her status, and how Mi'kmaw involvement in national political organizations shaped activism at home. Finally, it is important to note that while the focus is on non-status people, during this period, non-status voices in Mi'kmaw media were virtually non-existent; non-status issues were reported through the words of status-women working to organize on the provincial level. Of course, enfranchisement impacted all genders. But the fact that enfranchisement questions were often raised by Native women and that many in the province regarded non-status concerns as a women's issue draws attention to the disproportionate harms of

assimilation policy for Indigenous women. Examining its impacts on the provincial level allow us to identify historical colonial traumas in a specifically Nova Scotia Mi'kmaw context; when we understand how assimilation policies hurt individual nations, we can inform reconciliation efforts that will support each nation's precise needs.

Mi'kmaw Women in the *Micmac News*: Status as a Gendered Issue

Mi'kmaw women entered the political narrative presented in the *Micmac News* at a national conference designed to organize Indigenous women across Canada to draw attention to concerns that impacted them specifically. Pan-Indigenous, male-driven unions that focused on self-government, like the NIB, often disengaged from matters involving gender. As a result, in the early 1970s, parallel to the NIB, and regional lobby groups like the UNSI, Mi'kmaw women took part in a movement of their own, meant for Indigenous women alone to discuss and combat the unique, multi-level barriers that they faced.¹⁰ Despite having an organization to represent them as Mi'kmaw people, Mi'kmaw women felt increasingly side-lined as the predominantly male Union left little space for problems that impacted women directly. As they worked to organize for themselves, Mi'kmaw women would also come to use the *Micmac News* to inform the readership of

¹⁰ Scholars have acknowledged that the reasons many Indigenous women separated themselves from women's movements of the era were connected to their experiences with colonialism, which presented unique challenges that second wave feminism ignored. See: Grace Josephine Mildred Wuttunee Ouellette, *The Fourth World: An Indigenous Perspective on Feminism and Aboriginal Women's Activism*, 2002; Nellie Carlson and Kathleen Steinhauer with Linda Goyette, *Disinherited Generations: Our Struggle to Reclaim Treaty Rights for First Nations Women and their Descendants*; Karine R. Duhamel, "“Rise Up – make haste – our people need us!”: Pan-Indigenous Activism in Canada and the United States, 1950 to 1975," (PhD. diss., University of Manitoba, Winnipeg, 2013).

the work they were doing, advertise meetings, and discuss and debate issues that affected them. This was done first in the form of letters to the editor, and then eventually, as women began to gain more space in the *News*, they chronicled their actions and ideas in a regular column called “Women’s Corner.”

Contrary to the image of pan-Indigenous organizing championed by the national Indigenous lobby groups of the era, Mi’kmaw women writing into the *News* about their experiences organizing nationally placed regional concerns first. In fact, in many cases, especially involving questions of status, these regional concerns did not always line up with national goals. Any reporting that Mi’kmaw women did on their experiences at national conferences usually centered on what parts of broader discussions mattered to the Mi’kmaq specifically. In particular, they often wrote about how they felt Mi’kmaw concerns differed from rallying points on a national stage. That is not to say national organizing had no effect on the way Mi’kmaw women structured their work in Nova Scotia; in fact, national meeting spaces shaped the formation of the NSNWA, and would certainly influence how women’s groups organized to fight for non-status issues in the province, and evidently, that they did it at all.

Though “extensive networking and organizing of women regionally and in communities, had already been underway in Canada since the late 1960s,”¹¹ the formation of an organization that brought Indigenous women together from all over Canada did not happen formally until the 1970s. The inspiration for this organization particularly came from international examples already gaining momentum at the start of

¹¹ Cited in Oulette: Mary Ellen Turpel, “The Women of many Nations in Canada.” *Document 66—Indigenous Women on the Move IWGIA*: Copenhagen, 95.

the decade. According to Grace Oulette, the Indigenous women's movement that rapidly expanded in the late sixties and early seventies was fundamentally different from "the broader feminist movement."¹² While the latter movement relied on a "concept of liberation" that pushed the idea of "a genderless society, which [would] supposedly bring equality and liberation for all women,"¹³ the Indigenous women's movement upheld the notion that "racism and national oppression were the greatest barriers to their 'liberation,' a term which implied self-determination for their people and not simply liberation for themselves as women."¹⁴ This rings true in the Canadian context, where women championed equal access to treaty rights; the federal government's sexist, colonial assimilation policies divided Indigenous nations internally along gender lines, and made it difficult to resist land desecration and oppression as a united front.

Indeed, Indigenous women in Canada were organizing in their own communities, and were certainly active in the international Indigenous women's movement before they considered establishing a national association. Oulette cites Mary Ellen Turpel, who argues that "the impetus for a national indigenous women's organization in Canada was generated at an International Conference held in Albuquerque, New Mexico, in 1971."¹⁵ Since there had already been a loose groundwork in place in Canada thanks to local women's organizing, and no shortage of inspiration from Indigenous women around the world, a national association was a logical next step. At the same time, a new federal commitment to supporting Indigenous women's initiatives following the publication of

¹² Grace Josephine Mildred Wuttunee Ouellette, *The Fourth World: An Indigenous Perspective on Feminism and Aboriginal Women's Activism*, 2002, 29.

¹³ Oulette, *The Fourth World*, 42.

¹⁴ *Ibid.*

¹⁵ Cited in Oulette: Turpel, "The Women of many Nations in Canada," 95.

the Report of Royal Commission on the Status of Women,¹⁶ a document which had acknowledged and expressed concern about the gender discrimination apparent in the Indian Act,¹⁷ also aided organizing efforts.¹⁸

In March of 1971, four Mi'kmaw women travelled to Edmonton, Alberta to attend the first conference designed to bring together Indigenous women from across Canada to discuss the merits of forming a national organization. The conference, "sponsored by the Native Women's Society of Alberta," also introduced Mi'kmaw women's plans of organizing provincially to the *Micmac News*.¹⁹ Interestingly enough, the *News* did not print anything about the conference until May 1971, two months after it occurred, and instead of reporting on it in an article, Helen Sylliboy, one of the Mi'kmaw conference delegates, broke the news herself in a letter to the editor. This style of reporting on Mi'kmaw women's activities and concerns was common in the *Micmac News* in early 1971; Mi'kmaw women wrote about what they were doing on their own, signing their names at the end of their work—at the time, these were some of the only 'articles' with credit attached; in the early period, many *News* articles were published without the

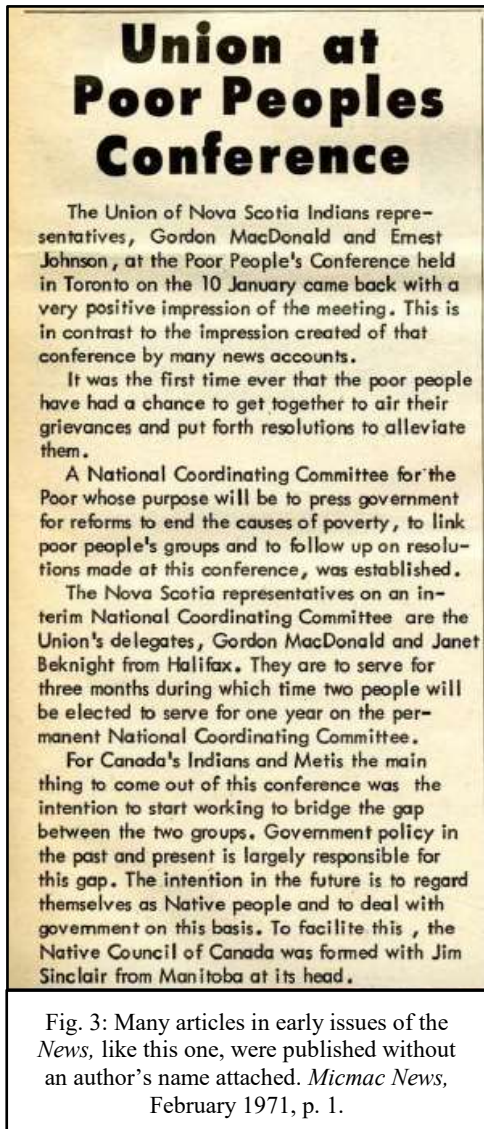
¹⁶ Canada. Privy Council. Royal Commission on the Status of Women in Canada. *Report of the Royal Commission on the Status of Women in Canada*. [Ottawa] 1970. P 388-392. <http://publications.gc.ca/site/eng/9.699583/publication.html>.

¹⁷ The report stated: "We were surprised by the opening sentence of the Statement of the Government of Canada on Indian Policy in 1969, that 'To be an Indian is to be a man, with all a man's needs and abilities.' Legislation should be enacted to repeal the sections of the [Indian] Act which discriminate on the basis of sex. Indian women and men should enjoy the same rights and privileges in matters of marriage and property as other Canadians... Therefore, **we recommend that the Indian Act be amended to allow an Indian woman upon marriage to a non-Indian to (a) retain her Indian status and (b) transmit her Indian status to her children.**" (Bold in original) (RCSW p. 238 (58 & 59))

¹⁸ Duhamel, "Rise Up – make haste – our people need us!," 376.

¹⁹ "National Native Women's Conference," *Micmac News*, May 1971, 3.

author's name (See Fig. 3). In many cases, like in Sylliboy's letter—though this may have a great deal to do with the infancy of the publication and its monthly print schedule—women would only publish weeks or months following the decisions or events they were reporting on. Here, the announcement that Mi'kmaw women had been



attending national conferences only came attached to the declaration of the intention to form a Mi'kmaw Women's provincial group that modeled after some of the organizations that had already been established in Western Canada. Even still, the letter's focus was not on the importance of a national association; Sylliboy's purpose was to convince readers of the ways Mi'kmaw women would benefit from standing together in Nova Scotia.

Sylliboy, along with Helen Martin, Sandy Julian, and a "Mrs. Steve Marshall,"²⁰ travelled to Alberta for the conference with the intention of learning from other Indigenous women's groups about how to operate their own association. "We all agreed that the women of Nova Scotia had the

right to speak for themselves when it comes to a national organization, and they could do this by the formation of a provincial organization," Sylliboy wrote, "which we hope will

²⁰ "National Native Women's Conference," *Micmac News*, May 1971, 3.

happen in the near future.”²¹ With the concerns of their people in mind, Sylliboy and Martin—who would later become one of the most recognizable faces of Mi’kmaw women’s activism in the 1970s—remained in Edmonton after the national gathering to attend the Alberta Native Women’s Association’s provincial meeting. Sylliboy explained that while “some of the meeting was conducted in Cree, so this part was at a loss to [she and Martin]...[they] found out enough of [Alberta’s] problems in the organization and how they coped with them.”²² Later, she would comment on how the organization itself raised funds for operating costs, and what Alberta had been doing for First Nations women across the province. The letter concluded with the relevance of the Alberta meeting to the Mi’kmaq: “there are more problems [presented at the meeting] but [they] are too irrelevant to us as Nova Scotia native women that I hope we really will do something to unite ourselves so as the problems we have in communication will be overcome.”²³ With their voices muffled by the UNSI’s business-as-usual, Mi’kmaw women were left without a dedicated political platform; nor could they use the Union as a tool to garner enough support to rally around a common cause. That Sylliboy’s letter was the first time the *Micmac News* had even mentioned that Indigenous women were interested in organizing demonstrates that Indigenous women’s issues were not always on UNSI radar. That first letter marked an important shift in the *Micmac News*; in the coming months, the publication moved beyond its connections to the UNSI and became an increasingly important medium for Mi’kmaw women, which in turn, exposed its readership to more diverse experiences.

²¹ “National Native Women’s Conference,” *Micmac News*, May 1971, 3.

²² *Ibid.*

²³ *Ibid.*

Just as Indigenous women brought the non-status issue to Canada's attention, it was the work of Mi'kmaw women that initially made space for debates about non-status access to Indigenous rights in the *Micmac News*. Conversations about status and the discriminatory nature of the *Indian Act* toward women shaped the direction that national Indigenous women's organizing, and thus provincial women's organizing, would take during this period. The first national women's conference resulted in the establishment of a steering committee designed to represent Indigenous women across Canada. Initially, the committee's scope was limited. Committee members were asked to return to their territories and gauge interest from women at home about forming a Canadian Indigenous women's association; however, there was no guarantee that non-status women would be reached for comment.²⁴ The Nova Scotia committee representative, Helen Martin,²⁵ for example, began her term solely focused on women living on reserve. She told *News* readers in a September 1971 article that after her selection

I visited the reserves in Nova Scotia, with the exception of one. At these reserves I found the native women of Nova Scotia were in favour of organizing in one body. One of the big stumbling blocks we face is lack of funds needed for this organization to work. I do hope we can get some assistance from the secretary of state department in our area.²⁶

Martin's emphasis on reserve women yet again demonstrates how those with status living on reserve were viewed as the default representatives of Indigeneity. The UNSI had admitted in the *Micmac News* months earlier that registered Indians were their main

²⁴ The *News* article does not specify whether or not women were asked to focus just on reserves, or if they wanted a broader representation from non-status, or off reserve women.

²⁵ Helen Martin, "Steering Committee Formed: Native Women of Canada," *Micmac News*, September 1971, 4.

²⁶ Martin, "Steering Committee Formed: Native Women of Canada," 4.

concern,²⁷ and in their footsteps, Mi'kmaw women were working to set up a provincial organization similarly focused on status populations. Interestingly enough, the diverse opinions expressed at national Native women's conferences were centering on non-status people. Duhamel describes how non-status women had become the focal point of many of the structural decisions the budding national association would have to make:

Participants at the national conference demonstrated, almost uniformly, a deep concern with [the status] issue. At this event, there were many non-status women in attendance who had played key organizing roles either in the conference or even within organizations that represented status women, and all of these expressed a concern that any national organization encompass the concerns of non-status women, too.²⁸

Nova Scotian women, despite their active involvement on the national stage, were taking an active step in a different direction than where national trends were headed; despite their determination, they would not shy away from non-status rights for long.

Like the developing Indigenous rights groups in Nova Scotia, the *Micmac News* similarly demonstrated a prioritization of status issues. The *News*' earliest descriptions of itself took the existence of non-status people for granted, stating: "The MicMac News is a publication devoted to news about Indians and Indian communities in Nova Scotia and the New Brunswick Area and is a vehicle for the free expression of viewpoints and opinions held by Indian people."²⁹ We can certainly speculate that the term "Indian" encompassed all Indigenous people within the province, with or without status; the problem was that the kind of content published in the *News* focused almost explicitly on

²⁷ In April 1971, Noel Doucette explained in a profile on the UNSI that "At this point as a Union, we don't represent all the Indians and we are concentrating on the reserve Indians, although the membership is open to treaty and non-treaty Indians." "Indian Union Work Just Beginning," April, 1971, 3.

²⁸ Duhamel, "Rise Up – make haste – our people need us!," 372.

²⁹ *Micmac News*, May 1973, 2.

reserve populations. While this oft-printed description would change over the course of the seventies to reflect the increase of non-status voices on the platform, in its earliest years, the non-status voice was practically non-existent. This is not to say that non-status concerns had not been voiced in other places in Canada. By 1971, Indian Rights for Indian Women, a lobby group a Mohawk woman named Mary Two-Axe Earley established in Quebec in 1967,³⁰ had already been active west of the Maritimes. The IRIW would not receive much press in the *Micmac News*, though it did appear in an early story on how the *Indian Act* was affecting women in Kahnawake, a Mohawk reserve in Quebec.

In October 1971, an article reprinted from an unnamed Montreal publication entitled “Marrying White Man Means Losing Status for Indian Women,” gave a slight explanation to readers about just how the *Indian Act* put Indigenous women at a disadvantage. “Under the Indian Act,” it explained, “an Indian woman who marries a non-Indian loses her status, her name is stricken from the band list, she loses the right to inherit property, cannot participate in the affairs of the band or pass on Indian status to her children.”³¹ For readers with status—or non-Indigenous readers—unable to comprehend what that meant for themselves, the article drew a vivid, real-life image of the reality of the situation: at that moment, 800 people in Kahnawake were “living there illegally.” The article went on to say that the Indian Act had “not been strictly enforced...

³⁰ Earley, another prominent non-status activist of the 1970s and 80s founded Indian Rights for Indian Women under the name Equal Rights for Indian Women in Quebec. As the Jeanette Corbiere-Lavell case caught media attention, the organization went national, and took on the name it is known for today. (Carlson, 57.)

³¹ “Marrying White Man Means Losing Status for Indian Women,” *Micmac News*, October 1971, 19.

and many non-status Indian women [had] remained for many years on the reserve property they inherited.”³²

According to the article, “Mrs. Gerard Dore, [sic]”³³ who lost her status in her marriage in 1947, was not counted among the eight hundred able to live on reserve. Her marriage resulted in the loss of title to her land on the reserve: twenty-four years later, the one hundred and thirty acres of land that she “shared with her Indian cousins” was “to be auctioned off.”³⁴ Though the article implied that Doré was Mohawk, that it separated her from her “Indian cousins” is telling. The *Indian Act* had taken away her status, and in some cases, it seemed, her right to be called an “Indian” at all. Doré had gotten involved with IRIW, and the article concluded with the only mention of the organization up to that point in the *News*: “Mrs. Dore [sic] is present [sic] of Equal Rights for Indian Women, an organization formed four years ago and designed to get the Indian Act amended so that Indian women would have the same rights as Indian men when marrying non-Indians.”³⁵ The mention was small enough to miss, and the article itself, taking up only a fraction of space on a page crowded with other articles, was lost in a sea of more pressing issues. What it tells us is that non-status organizing was alive and well in Canada before it reached the Maritimes, though it would take another event with more extensive coverage to bring the non-status issue to life in the *News*. In fact, as Mi’kmaw women travelled to Edmonton to continue developing a national organization, an enfranchised woman took

³² “Marrying White Man Means Losing Status for Indian Women,” 19.

³³ As this took place in Quebec, it is very probable that this name is spelled “Mrs. Gérard Doré,” and the *News* was unable to typeset the accents. I am unable to find any sources to cross-reference, but for the sake of accuracy, I will refer to this person as “Mrs. Doré.”

³⁴ “Marrying White Man Means Losing Status for Indian Women,” 19.

³⁵ *Ibid.*

gender discrimination in the *Indian Act* to federal court and brought significant mention of non-status women's issues to the *News* for the first time.

Writing in 1978, Kathleen Jamieson described Jeannette Corbiere-Lavell's stand against the *Indian Act* as "a manifestation of the resurgence of pride in Indian identity. It was an affirmation by an Indian woman of belief in the concept of 'citizen plus' and the desirability of retaining Indian status."³⁶ While these sentiments were echoed in the backlash against the *White Paper*, mainstream Indigenous activism continued to favour men. Corbiere-Lavell's case was crucial to fuelling conversations about gender discrimination in the *Indian Act*; what it also did was draw attention to the impacts of colonial patriarchal beliefs on Indigenous groups, and how these groups perpetuated these beliefs themselves. Corbiere-Lavell, an Anishinaabe woman from Wikewemikong on Manitoulin Island, discovered that her status had been removed after her marriage to David Lavell, a non-Indigenous man, in 1970.³⁷ In response, she "filed a legal suit against the federal government on the basis that [Section 12 (1)(b)] was in violation of the 1960 *Canadian Bill of Rights* because it discriminated against women on the basis of sex." Having lost the initial case, Corbiere-Lavell brought her claim to the Federal Court of Appeal in 1971. This time, she was victorious; the Court recommended "that the *Indian Act* be repealed for failing to adhere to the laws established in the *Bill of Rights*."³⁸

³⁶ Jamieson, *Indian Women and the Law in Canada*, 79.

³⁷ Library and Archives Canada, "Jeannette Vivian Corbiere Lavell (1942-) Native Women's Rights Activist," *ARCHIVED: Celebrating Women's Achievements*, October 2, 2000, last modified, September 16, 2010, <https://www.collectionscanada.gc.ca/women/030001-1108-e.html>

³⁸ The Canadian Encyclopedia. Jeannette Corbiere Lavell, Amanda Robinson, Feb. 4, 2008, last ed. April 10, 2017 <http://www.thecanadianencyclopedia.ca/en/article/jeannette-vivian-lavell/>.

There would eventually be an amendment to *Indian Act*, but it would not come until 1985; the battle was far from over. Corbiere-Lavell had opened up a massive debate nation-wide about the nature of Indian status, and the ways in which colonial patriarchy had infiltrated Indigenous nations. Soon, these debates would ignite in the pages of the *Micmac News*.

While the ramifications of this case were certainly significant, the space the *News* dedicated to it initially was not. Corbiere-Lavell was first mentioned in the *News* in October 1971—the month after Martin discussed gauging the need for political organizing on reserves. and in the same issue that the *News* reported on Dore’s experiences at Kahnawake. The story ran as a re-printed article from a Toronto newspaper³⁹ that took up very little space on the page:

TORONTO- the Federal Court of Canada ruled Friday an Indian woman cannot be deprived of her rights as an Indian because she married a non-Indian. The court ruled the Indian Act, under which Jeannette Corbiere Lavelle [sic], 28, lost her status as a member of the Wikwemikong band, ‘offends the right of such an Indian woman to equality before the law.’ It was the first time a Canadian Court has applied the 11-year-old Bill of Rights to the issue of sexual equality. Mrs. Lavell, an Ojibwa, appealed her case after Judge Ben Grossberg refused in June to order the federal government to reinstate her as a member of the band.⁴⁰

The article itself, along with the story about Kahnawake, speaks to the fact that non-status women had been organizing to fix the *Indian Act* long before the *Micmac News* caught on. As the Corbiere-Lavell case gained traction, however, gender discrimination in the

³⁹ The author in this case is not mentioned. This is the case for many of the articles, both written in Nova Scotia specifically for the *Micmac News*, and in re-printed articles. This is common in the early stages of the *Micmac News*, and would change as the paper became more established, getting advice from more season publications, journalists, and communications organizations.

⁴⁰ “Wife’s Treaty Rights Upheld,” *Micmac News*, October 1971, 17.

Indian Act and the struggles non-status people faced would remain a steady, albeit sometimes quiet, thread in the paper over the course of its publication history.

The issue that Corbiere-Lavell had raised became central to continued conversations about Indigenous women's organizing at the national level, and would in many ways shape the direction that the steering committee would take as it worked to form a solid association. Concerns about whether or not to support women who had lost their status through marriage, and if the national organization would allow non-status women membership rights came through in *Micmac News*' updates on national women's steering committee conferences. Despite authoring the articles themselves, and including these discussions in their portrayal of these formative moments, Mi'kmaw women concerned about establishing a provincial association seemed determined to avoid engaging in the debates at home.

Initial Reservations

While non-status Indigenous women trying to challenge gender discrimination in the Indian Act had not been discussed at great length in the pages of the *Micmac News* by 1972, Mi'kmaw writers engaging with the challenges Corbiere-Lavell had presented, centred their concerns less on whether or not enfranchised people were "Indian," than they did on how plausible it was to allow non-status women and their non-Indigenous family members⁴¹ access to reserve lands and band resources. A January 1972 article highlighted a Mi'kmaw chief's concern with the Corbiere-Lavell ruling, and what that meant for the future of Indigenous communities:

⁴¹ In this case, I am referring to white spouses.

Chief Gloade said that he agrees to allowing an Indian woman who has married a non-Indian and left the reserve to return with a status of registered Indian if she is a widow or her husband has left her. He said that before the court decision, an Indian woman would be rejected by white society after the husband was gone and considered a trespasser if she returned to her reserve. But he said that he did not support a move permitting a non-Indian husband on the reserve, and believes an appeal will reverse the court ruling.⁴²

Gloade's comments are in line with many of the criticisms Indigenous people who stood against repealing Section 12(1)(b) mounted. A significant number of the arguments against removing the section could be boiled down to the fear that the government would force status Indians to divide even already scarce resources further among an exponentially growing population. For example, as Indian Rights for Indian Women became a more noticeable force in Indigenous activist circles, "male and female opponents...would point to overcrowded reserves with poor housing where far too many families lived in poverty...They said they feared an influx of non-status relatives would put an impossible strain on First Nations' limited financial resources."⁴³

These fears of safeguarding reserves against assimilation and protecting meagre resources were certainly widespread throughout Canada, especially among "male-dominated"⁴⁴ organizations like the NIB and "treaty organizations in most provinces."⁴⁵ But so were the points Rachel Marshall raised in the same article, demonstrating that to some extent, the non-status debate was alive in the Mi'kmaw community. Four of Marshall's daughters had married white men, and her personal experiences watching her

⁴² Tony Rogers, "Court Decision 'Poses Threat' to Country's Indian reserves," *Micmac News*, January 1972, 7.

⁴³ Carlson, *Disinherited Generations*, XXXVII

⁴⁴ Carlson, XXXVI

⁴⁵ *Ibid.*

child deal with status loss led her to support status reinstatement. “When her oldest daughter married,” the article explained,

some papers had to be signed by the bride following the ceremony. A few months later the daughter received a cheque for the ‘fantastic’ sum of \$36. That was the payment for giving up her Indian rights, Mrs. Marshall said. ‘Since then, three other daughters married out of the reserve, but I would not hand out their addresses so that they would lose the band rights. ‘There is no difference between an Indian and a non-Indian,’ Mrs. Marshall said.⁴⁶

While the *Micmac News* had not offered a substantial amount of space to the problems *Indian Act* gender discrimination was causing at the time, this article, combined with the archived Indian Agent letters to women like Mary Barlow,⁴⁷ allows us to discern that Mi’kmaq were discussing the fact that the *Act* had been taking status away from women who had “married out.” We know for certain that status loss was a major concern nationally, and Mi’kmaq women working with the steering committee had encountered opinions on the matter from all sides. Yet, the budding group that would become the Nova Scotia Native Women’s Association remained firm in their decision to avoid the topic in favour of concerns more closely connected to the reserves.

Updates on the progress of the women’s steering committee came to readers of the *Micmac News* in 1972. Anticipating a second national conference, Martin published a bulletin in February, informing readers that she would be taking a second Mi’kmaq delegation, this time to Saskatoon, the following month. With news swirling about the Corbiere-Lavell ruling, and with Corbiere-Lavell slated to attend as an honoured guest, Martin would naturally address the backlash she was facing, and how it would “be one of

⁴⁶ Tony Rogers, “Court Decision ‘Poses Threat’ to Country’s Indian reserves,” *Micmac News*, January 1972, 7.

⁴⁷ See the preface to this thesis.

the main issues at the conference.”⁴⁸ However, after paying brief attention to this matter, Martin was quick to move away from discussions of status altogether to direct her focus to provincial matters:

...we need to put on our thinking caps and start talking to women on your reserves in matters concerning our own problems on our reserve in Nova Scotia such as health, education, and our Indian culture, and betterment of our communities in which we live and we must think about the future of our children, and what is best for them in coming years, and Indian women in the western provinces are well organized and have many successful undertakings being organized and getting funds from the state department at Ottawa, where we do not.⁴⁹

Martin alludes to the idea that while western Indigenous organizations could potentially afford to focus on status issues, Nova Scotia women could not. More pressing concerns impacted women on Nova Scotia reserves, and if a provincial organization were to form, it had to deal with these first. Regardless of the push to pull the focus from non-status issues in Nova Scotia, non-status activism would continue to shape the way Indigenous women organized in the province, and eventually, the very structure of the *Micmac News* itself.

Status, as a legal state of being that the federal government controlled, had to be an important factor considered on both national and provincial organizing stages; newly forming groups had to determine whether or not they would represent only status people, or all Indigenous people regardless of legal standing. Despite federal commitments to fund Indigenous organizations, the financial resources they provided to Indigenous bands remained minimal, and regulating the makeup of an association’s membership would also

⁴⁸ Helen Martin, “National Native Women’s Conference in Saskatoon March 24-26,” *Micmac News*, February 1971, 3.

⁴⁹ *Ibid.*

determine the issues that executives could allot funding to first. As Duhamel says of the first National Women's Conference, "Like those male-led organizations who were receiving government funding, women fought to get their share but had to do so by accepting financial and logistical support from the very colonizers who had oppressed them in the first place."⁵⁰ Many status Indians, including Helen Martin, felt that funds should go to reserve populations above all else. If the sentiment had not been clear in earlier updates on women's organizing in the *Micmac News*, it was unmistakable in the *News*' April 1972 report on the second National Women's Conference. There, the report read, "the identity of Indian women, legal status of Indian women married to non-Indians and possible disintegration of reserves emerged as vital issues."⁵¹ The debate was robust.

Conference delegates on both sides of the argument acknowledged the fear that Chief Gloade and many other Indigenous people held: that allowing status reinstatement, and potentially non-Indigenous spouses onto reserve would endanger reserve integrity. Those unwilling to express support for non-status women, like "Mrs. Agnes Bull of an Alberta reserve" argued that "reserves were at stake. 'If the white man is given the chance to step on our reserves, he will go all the way,' she said. 'Our reserves would go down the drain...If reserves are broken up, Indian people will be 'shipped all over the country.'" Bull was worried that the potential for an influx of white people on reserves would harm "people living in remote areas who did not speak a word of English."⁵²

⁵⁰ Duhamel, "Rise Up – make haste – our people need us!," 371.

⁵¹ "Native Women's Conference: Marital Status Crucial Issue," *Micmac News*, April 1972, 8.

⁵² *Ibid.*

The problem with this reasoning, and one that women who supported status reinstatement were often quick to raise, was that the *Indian Act* had already made provisions to allow non-Indigenous people to live on reserve: while it took status away from Indigenous women who married non-status people, the *Act* granted status to white women who married Indigenous men.⁵³ The double-standard that the *Act* upheld was blatant. And yet, women in attendance who supported status reinstatement, like Corbiere-Lavell, acknowledged that “much of the concern [about women regaining status after marriage] revolve[d] around right to the land” and whether or not settlers should have access to Indigenous territory any more than they already had. Mary- Anne Lavallee of Saskatchewan agreed: “As a distinct cultural people, unique in physical appearance, cultural values and traditions, we want the reserve to remain Indian in context.”⁵⁴ The fear of the tides of assimilation and protecting band resources had seeped into women’s organizations as well.

Martin would also weigh in on the status issue at the national conference as she presented her provincial report, which was published in the *Micmac News* alongside the main conference update. On behalf of the Native women of Nova Scotia, Martin explained that while the women she spoke with on reserve were certainly ready to form a provincial organization by the end of 1972, they felt more comfortable remaining separate from a national entity, at least until debates about status reinstatement had faded, leaving room for other conversation. This was a departure from the stance they had taken at the first conference, that Nova Scotia “would be more suited with the other provincial

⁵³ Canada. *An Act to Amend and Consolidate the Laws Respecting Indians*. 1876. Section 3 (3).

⁵⁴ “Native Women’s Conferences: Marital Status Crucial Issue,” 8.

delegations through a national organization.”⁵⁵ Martin acknowledged that non-status women certainly faced problems, but wanted to prioritize the struggles of status women:

The women who hold status or Indian rights across Canada still suffer from poor housing, some are still without bathrooms in their homes, or no running water. Reserves are in deplorable condition. Children are deprived of good educational opportunities. The women of Nova Scotia know only too well that their children are discriminated in the eyes of the Canadian society in general. The Indian woman who has married outside her Reserve, holds a status as a Canadian woman, but a woman holding Indian rights does not have a status as a Canadian woman. Do you think it would be better if we gave status Indian women their human rights first, because these women have not left their own communities in the first place and they are trying to help their own sisters who are in dark behind their reserve community, in their won native Land. If the dicisions [sic] are to be made at this conference, then please make them on a grassroot level.⁵⁶

Martin’s fear was that focusing on the issues of non-status women would take away from the reason many on-reserve women in Nova Scotia had organized in the first place: to have their voices heard, their unique perspectives acknowledged, and to remedy the issues women had been facing in their own reserve communities. As the reporting on the March 1972 conference demonstrates, the women who opposed having women’s status reinstated still recognized the Indigeneity of women who had been enfranchised. Their concerns rested on matters of who was better or worse off in terms of access to the already meagre resources that the federal government had been providing First Nations people. Martin’s mention of non-status women having “Canadian” rights captures both the feeling of desperation in reserve communities, but also misconceptions about what

⁵⁵ “Native Women of Canada: What it is and their Recommendations,” *Micmac News*, September 1971, 7.

⁵⁶ “Second Annual National Native Women’s Conference: Bessbrough Hotel, Saskatoon, Sask., March 22,23,24, 1972,” *Micmac News*, April 1972, 9.

enfranchisement did to Indigenous women who married out, especially if their marriages ended.

The *Micmac News* would not offer much insight into the specific experiences of non-status women in the early seventies. In 1972, discussions of non-status issues in many cases came from the mouths of status Indians or non-Indigenous people. Much of what we know about non-status people's experiences, and the experiences of non-status women in particular in the *Micmac News*, would appear later in the decade as groups of non-status people began making use of the *News* as a political tool. However, the struggles women who lost status faced in the Maritimes during this time in particular is captured well in Janet Silman's *Enough is Enough: Aboriginal Women Speak Out*,⁵⁷ which chronicles the lives of the Tobique Women's Political Action Group, a grassroots organization of Wolastoqiyik⁵⁸ women who began organizing after their attempts to return to the Tobique reserve after separating from their white husbands met denial from the band council.

Silman explained that "with greater numbers of marriage breakups in the 1960s and '70s, and women returning to the reserve, women who had 'married out' were shocked that they were considered to be no longer Indian by band administration."⁵⁹ Lilly Harris was one of the women who discovered that her status had been taken when she was told she could not move back to her community from the United States. "When we were growing up," she told Silman, "nobody talked about status and non-status...When I

⁵⁷ Janet Silman, *Enough is Enough: Aboriginal Women Speak Out*, (Toronto: Women's Press 1987).

⁵⁸ Also known as Maliseet.

⁵⁹ Silman, *Enough is Enough*, 96.

married I lost my status but I didn't know it at the time. I didn't find out until I moved back in the mid-1970s.”⁶⁰ When Harris' husband died, she attempted to return to Tobique to be close to family, where she was informed of her enfranchisement:

When I came back I thought I could build a little house if I had land. I went to the chief and he said, “I can't give you land. You're not an Indian anymore.” I said, “What do you mean? You know I'm an Indian, you know I was born and brought up here.”...He said, “No, when you married that guy, it made you white.” I said, “I just need a little piece of land so I can build a house.” With all the land here! He said, “I can't do that. You can't own anything here, any land.”⁶¹

Harris was left with nowhere to go; thankfully, a family friend allowed her to keep a trailer she had bought in his yard on the reserve, telling anyone who asked that he owned it and was letting her stay.⁶²

Sandra Lovelace, another one of the Tobique Women, had married a white man, moved to the United States, and had gotten divorced while living in California.⁶³ It was not until she returned to Tobique with her young son that she discovered that her status had been taken from her. “They'd told me I had no rights; that I was non-status,” she said; “At the time I'd never heard of ‘non-status’—the Indian agent had always hid it from the women”⁶⁴ With no place to stay, and no help from her band, Lovelace had taken to living in a tent with her son, which proved difficult, especially as the weather grew cold.⁶⁵ Lovelace would end up taking her case to the United Nations in 1977,⁶⁶ something

⁶⁰ Silman, *Enough is Enough*, 96.

⁶¹ Silman, 97.

⁶² *Ibid.*

⁶³ *Ibid.*, 75.

⁶⁴ *Ibid.*, 134.

⁶⁵ *Ibid.*

⁶⁶ *Ibid.*, 250.

that would also be discussed in the *Micmac News*, and something the NSNWA would come to support.

In 1972, however, as the Nova Scotia Native Women's Association made their debut, they made it clear that their main concern was helping women on reserve. Despite the active attempt to remain focused on status women, the status issue remained attached to the NSNWA in unexpected ways. The Association's formation made the front page of the *News*' March 1972 issue (See Fig. 4); and ironically considering the founding

members' wish to avoid non-status issues, drew further attention to the non-status cause. Like many other Indigenous organizations born in this era, the NSNWA



Fig. 4: The formation of the Nova Scotia Native Women's Association made the front page of the *Micmac News* in March 1972. p.1

relied on federal funding,⁶⁷ which would draw national interest to their inaugural meeting in the form of Dan Simcoff, a representative from the Office of the Secretary of State Department.⁶⁸ At the same time, Helen Martin, the elected president with national

⁶⁷ "Native Women's Association: Group Formed to 'Protect Heritage,'" *Micmac News*, October 1973, 17.

⁶⁸ "Nova Scotia Women's Association Born," *Micmac News*, March 1972, 10.

connections herself, welcomed Jean Goodwill, Chair of the National Steering Committee to speak to those in attendance. As such, national concerns about status reinstatement and supporting non-status women appeared in meeting reports published in the *News*. In fact, the *Micmac News* dedicated a full-page spread to discussions about the new association, which offered a great deal of space to the status issue:

An important question emerging from the session was whether status and non-status Indian [women could join the NSNWA]. The issue of non-status Indian 'is a very touchy issue,' said Mrs. Jean Goodwill, a guest speaker from Saskatoon. They could be our own children or relatives, she said.⁶⁹

Interestingly enough, Simcoff also spoke in support of non-status and status people working together in his presentation on how funding would be administered to the NSNWA. He suggested that "it would be a good thing if status and non-status Indians got together on related problems, for example on health and culture"⁷⁰

Nova Scotia women themselves continued this discussion when question of the new association's constitution came up in the *News*; the constitution itself "was drafted at a gathering of delegates from eleven Nova Scotia Reserves."⁷¹ While there is no mention of non-status women in attendance, and the positions of reserve women were certainly privileged, as we can see here, the non-status issue managed to remain front and centre in reporting on conference talk, especially when it came to determining membership:

Membership in the association will be open 'to women of native ancestry of any degree,' the group decided. Long discussion was spent on whether membership should consist of both 'status' and 'non-status' Indian women, who have either married non-Indians or who have lived off a Reserve most of their lives.⁷²

⁶⁹ "Nova Scotia Women's Association Born," *Micmac News*, March 1972, 10.

⁷⁰ *Ibid.*

⁷¹ *Ibid.*

⁷² *Ibid.*

That the NSNWA chose to grant membership to non-status women is unsurprising; after lengthy conversations at the national level, and likely influence from the national representatives in attendance, it made sense for the association to make a place for non-status women in their organization. Even while gender discrimination in the *Indian Act* and status reinstatement were second to what the association's executive felt were more pressing concerns of cultural preservation, and the role of the Mi'kmaw woman as the "backbone"⁷³ of her community,⁷⁴ reporting in the *Micmac News* still reminded readers that conversations about the role of status in the colonial distribution of support and recognition of Aboriginal and Treaty rights was inherently connected to women's organizing.

Following the Association's establishment, news on Mi'kmaw women died down as the executive worked hard to prepare for their first general membership meeting, which was set to happen in June 1972.⁷⁵ In July, however, news of an incident in

⁷³ In our culture, women are recognized as holders of culture and protectors of our nation. Mi'kmaw scholar Patricia Doyle-Bedwell explains, "Women are the glue that holds the community together, there is no question about that. Canadian law has tried to take over that role. They saw how powerful Mi'kmaq women's roles were, all Aboriginal women across Canada... They always say you know who your mother is. There was always that feeling that women were the backbone, the heart and soul of the nation—even in terms of picking leaders. There is still the traditional Mi'kmaq Grand Council and only men serve on it now but in traditional times it was the women who chose the men to sit on that. They watched the men from the time they were born. They would say, 'Now, when I was carrying him, he was really jumpy.' Everything from pre-natal experience, this child's reactions, what they do, how to install good values, that was the women's responsibilities. And the men listened to the women." See: Patricia Doyle-Bedwell, "Address- Mi'kmaq Women and Our Political Voice," *Atlantis* 27, no. 2 (2003): 124

⁷⁴ "Nova Scotia Women's Association Born," *Micmac News*, March 1972, 10.

⁷⁵ "Women's Corner: The President of Nova Scotia Native Women's Association Elaborates," *Micmac News* June 1972, 9.

Membertou, a Cape Breton reserve, revealed that the status debates had yet again impacted the functioning of the NSNWA. According to an article entitled “Indian Status Aired at Special Meeting,” the Membertou band council called a meeting to deal with a wave of community backlash against Helen Martin, who had allegedly written a letter to the UNSI enquiring about the status of a family that had been living on the reserve. The meeting was, at the time, “believed to be the first such meeting to discuss Indian status of Band members,” and drew forty people from the community to address Martin’s actions. “Although the contents of the letter [were] not disclosed to the people at the special meeting,” the article read, “it was assumed that Mrs. Martin’s letter indicated that she intended to write to the Registrar of Indian Affairs regarding the registration of some Indians to the Band.”⁷⁶

The community response to Martin’s actions was remarkably negative, and it was the first time that the *News* had published anything that provided insight into the makeup of Mi’kmaw reserve populations, as well as how broader, more diverse Mi’kmaw groups felt about status and identity in general:

Opposing her were the majority of the members of the Band who claim that although a lot of them were half-breeds, they still had band numbers under the Indian Act...One member of the Community told officials that they have been residing at Membertou for the past 58 years and still do not have a band number. Several attempts apparently have been made to the Branch for band membership.⁷⁷

⁷⁶ “Indian Status Aired at Special Meeting,” *Micmac News*, July 1972, 3.

⁷⁷ *Ibid.*

While Martha Walls' work on the New Germany reserve discussed in the previous chapter⁷⁸ shows how Mi'kmaq reserves differed from other, more western reserve systems, so too the Kahnawake case demonstrates that enforcement of band removal was not necessarily strict at all times, and depended on the reserve, or the Indian Agency assigned to an area. The history of Mi'kmaq relations with the Department of Indian Affairs may also shed some light on the allowance and protection of non-status families on reserve. In contrast to examples of intense reserve boundary regulation in the Canadian west such as those Keith D. Smith presents of the reserve pass system in the West in *Liberalism, Surveillance, and Resistance: Indigenous Communities in Western Canada, 1877-1927*,⁷⁹ the Mi'kmaq remained both relatively mobile and connected to traditional cultural practices in great depth until at least the mid-1950s, when, as Daniel Paul explains, "the bands in the Maritimes were organized under the Indian Act by departmental bureaucrats."⁸⁰ Centralization policy and forced dislocations in the 1930s and 40s also contributed to the disruption of Mi'kmaq movement.⁸¹ Before this, Paul argues that "the Mi'kmaq enjoyed free movement to any Mi'kmaq First Nation community they selected...Because of this, there was a sense of community among our people; they considered themselves members of one big family."⁸² Lax enforcement of

⁷⁸ Martha Walls, "The History of Elmwood: Indianness, Gender and Interference in the Disestablishment of New Germany Indian Reserve 19A." (This paper is unpublished)

⁷⁹ Keith D. Smith, *Liberalism, Surveillance, and Resistance: Indigenous Communities in Western Canada, 1877-1927*, (Edmonton: AU Press, 2009): 60-73.

⁸⁰ Paul, *We Were Not the Savages*, 224.

⁸¹ See: Anita Maria Tobin, *The Effect of Centralization on the Social and Political Systems of the Mainland Nova Scotia Mi'kmaq: (Case Studies: Millbrook – 1916 & Indian Brook – 1941)* (MA Thesis, Saint Mary's University, 1999); Paul, *We Were Not the Savages*, 2006.

⁸² Paul, *We Were Not the Savages*, 224.

mobility policy meant that status was not monitored with any great focus either, even after status surveillance intensified following the 1951 *Act* amendment. The Mi'kmaq understanding of family would have meant that until at least political organizations started up in the sixties and seventies,⁸³ community members did not monitor status with any level of intensity. That Indian Agents in Nova Scotia were only part-time until 1942 may also have had an impact on reserve make-up.⁸⁴ Without full-time eyes on the ground, the Department of Indian Affairs could not enforce the policies it had created.

Because the *News* only came out monthly, it is difficult to pinpoint exactly what had happened in the aftermath of the Membertou meeting; the NSNWA's general assembly was postponed, and without discussion of resolution of the Membertou incident, Martin informed readers that the meeting instead happened in August. There was no reporting on how the NSNWA executive had come to that decision, and no evidence in the *News* that issues raised at the Membertou meeting had even been resolved. In fact, reporting on the Association's meeting when it did occur was minimal: "The first provincial Native women's conference..." Martin wrote in the August 1972 issue, "was a success... and we did enter into a discussion, and this is a success in itself, [in spite of] all our differences in our [ideas] and opinion, we were able to come together

⁸³ Kathleen Steinhauer of Edmonton explains that status in her urban Indigenous circles was not taken too seriously until the advent of federally funded Indigenous organizations in the area. She says, "Political organizations emerged and within a few years it was like something shattered. Community activities did not stop, but the politics created difference and then when government funding came in, the community was fractured. All of a sudden it was important that we were treaty or Métis. Non-status Indians could join forces with Métis or be left out in the cold." (XIV)

⁸⁴ According to the Historical Overview of the Canadian National Archives Red Series (FA 10-145, p 2), "It was not until the reorganization [Centralization] of 1942 that full-time Indian Agents appear in Nova Scotia." Up until that point, surveillance of Indigenous communities in Nova Scotia was lacking.

on many issues.”⁸⁵ Martin does not mention status in her update. However, piecing together what we can from *News* reporting that year, we can glean a few things. First, we see that the NSNWA remained focused on reserve populations. Martin assured her audience that, “as I said before we are [a] newly formed group of women, and it will take time before all Native women could be reached on N.S. Reserves.”⁸⁶ There was no mention of a plan to reach out to off-reserve or non-status women in the *News*; at this point, the NSNWA remained dedicated to the immediate problems women on reserve were experiencing.

The second conclusion we can draw comes not from the NSNWA executive at all, but from the Association’s general membership. The *Micmac News* encouraged its readers to write letters to the editor; the paper’s “Letters” section was often packed with publication praises, community concerns and reader poetry and artwork (See Fig. 5). Often, readers, both Indigenous and non-Indigenous, would write letters in response to *News* articles, and in other cases, would

respond to events in their daily lives as Mi’kmaw people. Irene Peart, a non-status woman, sent a letter to the *News* detailing her experiences at the August conference; she



⁸⁵ Helen Martin, “Native Women’s Report,” *Micmac News*, August 1972, 4.

⁸⁶ *Ibid.*

addressed it directly to Helen Martin. Peart, whose letter was not published until November 1972, criticized Martin for what she felt was Martin's stance against non-status women, and how the provincial conference had only served to alienate them. "Dear Mrs. Martin," she began:

I've read and heard a lot about the non-status Indian, of what he is, how he lost his rights but I never heard anyone ask, 'Why are there non-status Indians'? Most of these people, myself included, are either 50 percent or 100 per cent born Indians. We speak and keep our Indian culture and language but can't call ourselves Indian. Do you think it is fair to keep us on the outside looking in? I sat in on a couple of your meetings held in Sydney and was truly amazed because when I looked around, maybe one seated at your table looked Indian, the rest, the Indian part of them must have got lost along the way before it got to them. I also over heard a couple of women trying to make it clear to everyone that they were Indians. In their hands they were waving little cards which were supposed to prove just that. I sat quietly and took it all in. All I had to show for was my deeply tanned skin, my straight black hair, and my Indian mind. Yet these are the people that call themselves Indians and call me a white woman. It's no wonder some say the Indian culture is fading. You might say you're pulling out the plan instead of the weeds. All in all, I believe more should be done to help the non-status Indians get some recognition. Who knows, he may turn out to be the only Indian on your Reserve and may do more for his fellow Indian in the run. So to you who think we are trying to take something away from you, think again, we only want what is really ours! Our right is to be called Indian.⁸⁷

Peart challenged the idea that providing resources to non-status people threatened reserves by highlighting that even as a non-status person, she had a deep cultural understanding, had retained her language, and still walked as a Mi'kmaw woman. Status could not determine indigeneity any more than losing it could guarantee an end to experiences with racism and poverty.

Prominent non-status activists during this period expressed feelings similar to those Peart outlined in her letter. Nellie Carlson, a Cree woman from Saskatchewan and prominent member of Indian Rights for Indian Women, also felt that losing status did not

⁸⁷ Micmac News, Letter from Irene Peart, November 1972, 2.

destroy her Cree identity, nor did it protect her from discrimination; assimilation did not ensure freedom, or stability, despite what those in favour of enfranchisement had advertised. A red ticket holder before the 1951 *Indian Act* amendment, Carlson found that her status served to silence her concerns as Indian Agents threatened to remove it if she were ever critical of colonial structure. After choosing to enfranchise herself so she “could speak against the *Indian Act*,”⁸⁸ in a clever act of resistance, Carlson went to say goodbye to her Indian Agent. Her presence was met with disdain: the Agent hurled an angry “Get this damn Indian woman out of here!” at an amused Carlson, who replied “See! You called me an Indian woman! That is what I am!”⁸⁹ There was an understanding among many enfranchised women that Canadian citizenship was not a shield against oppression. The issues that concerned status women also impacted non-status women; the debates about status remained a matter of scarce, settler state-controlled resources and access to inherent rights rooted in treaty agreements. As for Peart’s letter, Martin did not respond formally in print.

“On the record”: The NSNWA Shifts its Stance on Status

Just as concerns about non-status women and *Indian Act* gender discrimination caused a delay in Indigenous women’s organizing in Nova Scotia, it had completely halted national Indigenous women’s organizing by the end of 1972, and continued to sustain the presence of the issue in the *Micmac News*:

Jean Goodwill, Chairman for the Native Women of Canada, told *Micmac News* that native women of Canada are not organized nationally due to misunderstandings and the issue of status and non-status women of Canada. Mrs.

⁸⁸ Carlson, *Disinherited Generations*, 39.

⁸⁹ *Ibid.*, 40.

Goodwill attending [sic] the National Women's evaluation meeting at the Isle Royal Hotel said that it was the first time women were given the opportunity to discuss the issue on their own and it was bound to all kinds of difficulties and obviously it wasn't the time to form a national organization.⁹⁰

Despite the hiccup for the Native Women of Canada, non-status activism continued relentlessly. Indian Rights for Indian Women planned a conference in early 1973 to further discussion around non-status women and to challenge false assumptions about what amending the *Indian Act* would mean, airing the full-extent of the non-status debate. Reports on the conference made the *Micmac News*. Margaret Purdy's January 1973 story, "Indian Women's Conference: Task Force to Study Rights" recounted that "Delegates to the three-day conference which ended Friday were unable to reach agreement on the question of status for Indian women who marry non-Indians." As such, the conference concluded with the establishment of a task force to see just how far-reaching the impacts of the Indian Act could be. At the moment, anxieties continued to fuel both sides of the debate. Purdy wrote:

One segment of the meeting expressed fears that overcrowded reserves would be flooded with newcomers should the way be opened for the 500,000 non-status Indians in Canada. This group also warned that such a granted of rights would encourage inter-marriage with the white population and would lead to assimilation of the Indian race.⁹¹

Fears of accelerating the already relentless attempts at assimilation the federal government had been imposing on First Nations people since Confederation drove much of the resistance to non-status activism.

⁹⁰ "National Organization for Native Women Misunderstanding and Status Issue Main Case," *Micmac News*, November 1972, 1.

⁹¹ Margaret Purdy, "Indian Women's Conference: Task Force to Study Rights," *Micmac News*, January 1973, 1.

Those in favour of helping non-status women felt that banding together beyond status lines that Canadian bureaucrats had drawn and pushing to allow non-status people to regain their status would only strengthen the Indigenous rights movement in Canada, now in full-swing by 1973. Commenters on the task force determined that there was “strength to be gained by increasing the registered Indian population. They said that, with larger numbers, Indians would be able to demand better service from the government.”⁹² That status-holding delegates from the NSNWA attended this conference in the company of a pair of non-status women was important. Martin, perhaps more outspoken on the status issue than she had even been in the *News*, attempted to describe Indian Act discrimination in her monthly “Women’s Corner” column:

Today both registered and Treaty Indians are demanding that their rights be recognized and why not Indian women, because Indian women meet a special kind of discrimination in marriage, under the Indian Act, an Indian who marries a non-Indian woman keeps his Indian status and gives it to his wife and children. But an Indian woman who marries a non-Indian or non-registered Indian loses all the rights and privileges of being an Indian. She can’t give her husband or her children Indian status and her name is removed from the Indian registry. Between 1958 and 1968 nearly 5,000 Indian women had their name removed from the registry after marrying non-Indians. A non-registered Indian is not recognized as an Indian, yet both parents were Indians by birth, but their parents failed to register according to the rules in the Indian Act. Together both the non-status and non-registered Indians feel that no man and no government has the right to take away their birthright in their native homeland. ‘True once an Indian always an Indian.’⁹³

Martin’s column marks a shift in the way any member of the NSNWA executive had spoken about non-status people in the *Micmac News* before. While she had yet to state an

⁹² Purdy, “Indian Women’s Conference: Task Force to Study Rights,” 1.

⁹³ Helen Martin, “Women’s Corner: Native Women’s Meeting Report,” *Micmac News*, January 1973, 3.

opinion aside from the negative ones attributed to her in previous articles, the column's publication was timely, as Jeanette Corbiere-Lavell's case was returning to print.

In 1973, the Supreme Court of Canada (SCC) began reviewing the Court of Appeal's decision on the *Indian Act*'s breach of the *Bill of Rights*.⁹⁴ As Corbiere-Lavell battled the Canadian government yet again, this time alongside another woman who had challenged Section 12(1)(b) in the courts, Yvonne Bédard,⁹⁵ debates about status reinstatement raged on. The *News*' coverage of Corbiere-Lavell's case this time around was much more involved, and presented a broad range of opinions on the matter, like the one offered February 1973's "Present Threat to the Indian Act," which argued that despite the discriminatory nature of the *Indian Act*, the Court's decision on Bedard and Corbiere-Lavell's claims, would impact status Indians negatively:

The implications of the Bedard and Lavelle case are such that the Government of Canada can by creating a new act override sections of the Indian Act. In fact through this means that Federal Government can whenever it desires to implement a policy such as it was advanced in 1969. It can quite easily bring forth new legislation and new acts which would override sections of the Indian Act.⁹⁶

With the concerted national effort to protect treaty rights and stop the federal government from abolishing the *Indian Act* that had been on-going since 1969,⁹⁷ any attempt to dismantle parts of the *Act* now could reverse recent progress.

⁹⁴ The Canadian Encyclopedia. Jeannette Corbiere Lavell, Amanda Robinson, Feb. 4, 2008, last ed. April 10, 2017 <http://www.thecanadianencyclopedia.ca/en/article/jeannette-vivian-lavell/>

⁹⁵ See: Supreme Court of Canada. *Attorney General of Canada v. Lavell*, 1973 – 08-27, S.C.R. 1349.

⁹⁶ "Comment: Present Threat to the Indian Act," *Micmac News*, February 1973, 3.

⁹⁷ Duhamel, "Rise Up – make haste – our people need us!," 80.

The following month the *News* printed an article that countered this sentiment, one that argued that fear-driven misconceptions had caused many “male-dominated”⁹⁸ Indigenous organizations to stand against non-status women. Corbiere-Lavell, in the middle of a media firestorm, explained that her “biggest problem” was standing against a rumour that the federal government had been perpetuating. Quoted in a March 1973 *News* article by Rudy Platiel, Corbiere-Lavell said, “I saw press statements by the federal Government saying that 5,000 Indian women would be going back to the reserves with their husbands [if the Supreme Court overrides the *Indian Act*]. This is just not true.”⁹⁹ Ultimately, in August 1973, while Indigenous women in Canada found victory in at last successfully establishing the Native Women of Canada,¹⁰⁰ the SCC ruled in favour of the state, and Corbiere-Lavell lost.¹⁰¹ It was clear that there was more work to do.

Knowing the initial unwillingness of the NSNWA to stand actively with non-status women, their reaction to the ruling was surprising; the Association used the *News* to announce their unwavering support for Corbiere-Lavell and her cause.¹⁰² In September 1973, the NSNWA sent two briefs to the UNSI’s Board of Directors,¹⁰³ publishing them

⁹⁸ The National Indian Brotherhood famously stood against women attempting to amend the Indian Act. According to the Canadian Encyclopedia, the NIB “argued that women who challenged section 12(1)(b) were selfish and ‘anti-Indian’ because they fought against the very law (the *Indian Act*) they viewed as guaranteeing the right of Indigenous self-determination”

⁹⁹ Rudy Platiel, “To Mrs. Lavell, it’s a “Question of Human Rights,” *Micmac News*, March 1973, 10.

¹⁰⁰ Pamela Bottomley, “Native Women Successful this Time,” *Micmac News*, August 1973, 8.

¹⁰¹ Supreme Court of Canada. *Attorney General of Canada v. Lavell*, 1973 – 08-27, S.C.R. 1349.

¹⁰² Gordon Murray, “Native Women’s Association: Group formed to ‘protect heritage,” *Micmac News*, October 1973, 17.

¹⁰³ This was particularly important, as the Board of Directors consisted entirely of Chiefs from each of the reserves in the province. According to Michelle Coffin, this was done in

concurrently in the *News*. The first brief, titled “How Present Legislation Should be Changed to Guarantee Certain Rights to Indian Women,” explained section 12(1)(b) to readers:

Indian people who are not registered and who are not entitled to be registered and who, therefore are not Indians as defined in the Act are commonly known as non-status Indians. That is, they are included with those Indian people who have certain privileges, protection and obligations mentioned in the Act. A woman who is Indian by blood and married to a non-Indian is a non-status Indian. She may not legally move [into] and live on a reserve. This is so even when the non-Indian husband dies or when the couple are divorced or separated. The result is that a woman of Indian blood living alone or with her children may be liable to legal penalty if she lives on a reserve which may be her own reserve.

The NSNWA would then pressure the UNSI to support amending the *Indian Act* by offering two suggestions:

(1) We urge the Board of Directors of the Union of Nova Scotia Indians to support the Nova Scotia Native Women’s Association’s recommendation that a woman who is born an Indian and who is entitled to be registered as an Indian under the Act not be denied her Indian Status if she marries a non-Indian. (2) A child who is found to have been born of an Indian mother and a non-Indian father is not entitled to be registered upon protest of the addition of his name to the Band list. Thus the child of an Indian mother may not be an Indian for purposes of the Act. He or she is a non-status Indian. This is so even when the non-Indian father dies or when the parents are divorced or separated. We also urge the Board of Directors to support our recommendation that such a child be entitled to be Registered as an Indian under the Act even if there is protest against his or her Registration.¹⁰⁴

The Association’s recommendations reminded the Union that Canada’s assimilation policies had continued to target women disproportionately. To combat assimilation, they suggested, women’s rights needed to be upheld.

order to have more leverage in negotiations with the federal government. (Coffin, 2003, 57-58)

¹⁰⁴ “Nova Scotia Native Women’s Association presents briefs to Board of Directors, Union of Nova Scotia Indians,” *Micmac News*, September 1973, 22.

The shift in the tone of the NSNWA's discussions of non-status issues continued into October 1973, when they told *Micmac News* reporter Gordon Murray that they had "gone on record as supporting Jeanette Lavell."¹⁰⁵ The UNSI also expressed their support "unanimously" by condemning the Supreme Court's decision,¹⁰⁶ and acknowledging that individual band councils in the province had passed resolutions "permitting Indian women, who marry non-Indians to live on reservations."¹⁰⁷ It is important to note that this support seemed to be conditional on the state of an Indigenous woman's marriage; however, as the article also explained that "Mrs. Martin said Indian women want to be recognized after divorce, loss of a husband by death or separation. An unmarried native mother whose child is from a non-Indian also loses her status as an Indian under the present legislation"¹⁰⁸ It is unclear if Martin and the NSNWA would have supported women currently married to non-status men wanting to live on reserve. Despite such questions about the kind of support the NSNWA advertised raises, they had still made a remarkable shift. We cannot know exactly what led to the choice to actively support non-status women; we can certainly speculate that it had a lot to do with a combination of influence from national connections, the Jeannette Corbiere-Lavell case, and voices from within the Mi'kmaw community. What we do know is that even as reporting on the Corbiere-Lavell case slowed, and the *Micmac News* moved on, the non-status issue maintained, to some extent, a visible presence in the paper, with the Association's help. At this point, however, especially with the NSNWA voicing its support, non-status issues

¹⁰⁵ Murray, "Native Women's Association: Group Formed to 'Protect Heritage,'" 17.

¹⁰⁶ "Board Sends Telegram on Supreme Court Status Decision and Land Issue," *Micmac News*, October 1973, 1.

¹⁰⁷ Dulcie Conrad, "Indian women denied Rights," *Micmac News*, October 1973, 2.

¹⁰⁸ Murray, "Native Women's Association: Group Formed to 'Protect Heritage,'" 17.

were never separate from Mi'kmaw women's issues. At the same time, discussions about non-status people in the *News* were still mostly coming from a group that was disproportionately composed of status Indians; this impacted the way these stories were portrayed.

United We Stand: Non-Status People in the *Micmac News*

Up until late 1973, though rarely mentioned outside of the context of Indigenous women's organizing and activism in the *Micmac News*, non-status people had been part of the UNSI's general membership.¹⁰⁹ Across Canada, non-status people in many cases had opted to organize separately to deal with the problems they faced on their own;¹¹⁰ Nova Scotia's decision had been described as "almost unique" in comparison.¹¹¹ Interestingly enough, despite apparent disagreements within the NSNWA, and the lack of support for non-status people in reserve communities that had been revealed in *News* articles, in November 1973, non-status delegates voted to remain within the UNSI to fight against injustice as a united front.¹¹²

The non-status decision to remain within the UNSI was not inevitable. Leading up to the November decision, there were members of the Union that were not certain that it could support non-status members completely. In an October 1973 article, Ivan Phillips, who had been a non-status Union employee, told a reporter "that the present Union hasn't

¹⁰⁹ "Non-Status and Status to hold Conference," *Micmac News*, October 1973, 4.

¹¹⁰ For example, the Native Council of Canada, formed in 1970, served as a non-status and Metis counterpart to the status-focused National Indian Brotherhood. See Duhamel, p 117-127, Ponting and Gibbons, 271.

¹¹¹ Jim Gourlay, "Non-Status Indian and Metis reject proposal to form own association," *Micmac News*, November 1973, 13.

¹¹² *Ibid.*

really given that much attention to the non-status group...the Union is a status organization and all their programs are geared mostly for Indians living on the reserves.” Others, the article said “[felt] that the aims of the already organized Union ‘[sounded] good to them.”¹¹³ In the end, as non-status Mi’kmaq voted to remain, the idea was that status or no status, enfranchised Indigenous people were still Indigenous people. The Mi’kmaw Nation could mount a stronger resistance to colonial oppression if the Mi’kmaq stood together. Indigenous women organizing—nationally and provincially— promoted the same view. At one point, at a national women’s conference in 1971, Jeannette Corbiere-Lavell suggested that “there are thousands of Indian people right now not recognized as being Indians...this is a dividing type thing. We must recognize that we are born Indian peoples and we will die Indian persons.”¹¹⁴

The decision to remain within the UNSI was lauded as a demonstration of Mi’kmaw unity:

In agreeing to attempt to form a more solid union with the status group in the union, the non-status people were following the advice given in an address by Gloria Gabert of British Columbia, national secretary-treasurer of the Native Council of Canada. She said Indians were categorized by the bureaucracy in Ottawa as Metis, half-breed and so on, ‘...but I am an Indian person and no government will tell me anything else. No one has the right to say differently...’ ‘Non-status,’ she said, was merely a ‘political term.’ Indian problems were the same regardless of whether the people involved were status or non-status. Mrs. Gabert said the only way to improve housing, health care or justice for the Indian was on an organized, united basis...She said she was very much in favour of the Nova Scotia idea of a single body representing all Indian people regardless of status ‘...none of this other garbage—that’s a government definition...’ The main problem with separate organizations for the two groups, she said, was that when they approached government they each only represented a portion of the native people...There was some suggestion from speakers from the floor that it was the intent of the federal government, but its status and non-status policy, to gradually

¹¹³ “Non-Status and Status to hold Conference,” *Micmac News*, October 1973, 4.

¹¹⁴ “Native Women’s Conferences: Marital Status Crucial Issue,” *Micmac News*, March 1971, 8.

diminish the numbers of officially recognized Indians as they gradually lost their aboriginal rights through inter-marriages.¹¹⁵

Remarkably, the NSNWA, and Helen Martin in particular, continued to take an active role in supporting non-status rights by supporting the non-status decision to remain in the Union as well. “No government has the right to tell an Indian woman who she is,” Martin exclaimed. “We are all Indians, and no government document will change that fact.”¹¹⁶

The move was portrayed in both Mi’kmaq and settler media as a step toward a better future for non-status people; after the apparent exclusionary atmosphere present in the *Micmac News* in its portrayal of non-status stories up until at least 1973, the mood in the November issue was hopeful. Jim Gourlay, a reporter for the Halifax *Chronicle Herald*, wrote that the decision “re-affirmed the Union’s stand that, despite the views of the federal Department of Indian Affairs, all Indians, status and non-status were equal in all respects.”¹¹⁷ He went on to say that “The two statuses of Indians—as defined under the Indian Affairs Act—were starting to move closer together in other parts of the country, although this province had assumed the lead.”¹¹⁸ At this point, it seemed as though the Mi’kmaq were preparing to move beyond questions of reserve integrity, and acknowledging that Indigenous people without status faced the same issues those with status did. Fighting together, as one, not only challenged the government’s control over Indigenous identity, but also provided a stronger base from which to make claims on Aboriginal rights. In this sense, 1973, at least as the *News* portrayed it, ended on a high

¹¹⁵ Jim Gourlay, “Non-Status Indian and Metis reject proposal to form own association,” *Micmac News*, November 1973, 13.

¹¹⁶ *Ibid.*

¹¹⁷ Jim Gourlay, “Non-status Indians granted provisional representation in Union of N.S. Indians,” *Micmac News*, November 1973, 13.

¹¹⁸ *Ibid.*

note for non-status Mi'kmaq in Nova Scotia. Looking closely at the publication, however, there are a few conclusions we can draw that hint toward the future of non-status politics in the province in the following years.

From 1971 to 1973, non-status voices rarely featured in the *Micmac News* on their own. Despite reporting done on high-profile battles for status reinstatement, much of the discussion on non-status people came through the same lens that reported on Indigenous women's organizing that prioritized status, on-reserve populations. After the Corbiere-Lavell verdict, the NSNWA shifted their stance on non-status rights. While the Association had first attempted to move away from non-status rights completely, by the end of 1973, the NSNWA had become their biggest advocate in Nova Scotia. It is important to note, however, that in the process, they continued to speak on behalf of non-status people as they promoted the non-status role within the UNSI and Mi'kmaw political life in general. By the end of 1973, The *Micmac News* had shifted its structure to include regular updates from Mi'kmaw women, demonstrated in their monthly publication of "Women's Corner" and the frequency with which they mentioned Mi'kmaw women in their articles. Indeed, this was a hopeful shift; however, there had yet to be a set space for non-status news. Because non-status concerns were so tightly connected to what people felt were Indigenous women's issues, non-status news remained a sub-category of women's news, with the occasional branch-out into Union political updates. The fact that non-status people's rights remained insignificant compared to reserve issues in the political and media spheres, caused problems for non-status Mi'kmaq in Nova Scotia, and would lead to an eventual split from the UNSI. This,

in turn, would create more space for non-status voices in the *Micmac News*, shifting the structure of the paper yet again as they organized to support themselves alone.

CHAPTER THREE: Transitions: The Growing Non-Status Voice in the *Micmac News* 1974-1975

Introduction

The first headline to appear in the *Micmac News* in 1974 blared a resolute “Land Claims Officially Launched,” announcing the Union of Nova Scotia Indians’ decision to pursue legal recognition of their Aboriginal title in the province. It was hopeful news for the Mi’kmaq of Nova Scotia, and certainly a victory in progress for the Union, who, along with many other provincial Indigenous rights organizations at the time, was capitalizing on the momentum of the backlash over the 1969 White Paper. Karine Duhamel maintains that the White Paper was “a galvanizing experience for Canada’s own First Nations and one that reaffirmed the need to act within a national arena to address specific legislative polities.”¹ As we have seen, local context and Mi’kmaq experiences certainly impacted the way people reported on national issues in the *Micmac News*, but it is important to take into account the national trends that shaped much of what the Union, and its various branches, worked to do in 1974 and 1975. These broader political goals, and the funding decisions that the federal government made in response to these goals, had far-reaching impacts on Mi’kmaq organizing in Nova Scotia, ones that would determine the future of both the *Micmac News* and non-status activism in the province.

The 1970s saw Native leaders across Canada mobilizing to claim long-ignored Aboriginal and treaty rights. In particular, the ground-breaking decision in 1973’s appeal to the Supreme Court of Canada in *Calder v. Attorney General of British Columbia*,

¹ Duhamel, “Rise Up – make haste – our people need us!,” 80.

though unsuccessful in settling Nisga'a claims to their unceded territory, officially recognized the existence of Aboriginal title in Canada² and provided Indigenous groups with a basis from which to assert their claims.³ In particular, the Mi'kmaw Peace and Friendship Treaties⁴ placed Mi'kmaw people in a similar position to many Indigenous groups on the west coast. As the treaties made in Mi'kma'ki were not land cession treaties, Mi'kmaw title to land had also never been extinguished.

In response to the *Calder* decision, Indian Affairs opened up a legal channel to deal with the movement of Indigenous groups asserting land rights and established the Office of Native Claims (ONC) in 1974.⁵ The UNSI, on behalf of the Mi'kmaq in Nova Scotia, would use these channels to advocate for formal recognition of their title; the *Micmac News* had an important role to play in the process. Before the Union could take their claims to Ottawa, Mi'kmaw people had to approve of them. The Chiefs drafted a series of claims on their own at a UNSI Board meeting with the goal of bringing what they had come up with back to their reserves so that community members could offer their input. At the same time, to ensure the claims reached as many as they possibly could beyond the reserve, the resolution was also printed on the front page of the January 1974 issue of the *Micmac News*.⁶ The eleven claims areas covered each of the recognized

² See: Supreme Court of Canada. *Calder et. Al. v. Attorney-General of British Columbia*, [1973] S.C.R. January 31, 1973. <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/5113/index.do>.

³ See: Hamar Foster et. al. *Let Right be Done: Aboriginal Title, the Calder Case, and the Future of Indigenous Rights*. (Vancouver: University of British Columbia Press, 2007).

⁴ Indigenous and Northern Affairs Canada. "Peace and Friendship Treaties." Last Modified 10 December 2015. <https://www.aadnc-aandc.gc.ca/eng/1100100028589/1100100028591>

⁵ Duhamel, "Rise Up – make haste – our people need us!," 402-403.

⁶ "Land Claims Officially Launched," *Micmac News*, January 1974, 1.

reserves in the province and a few places in which the Mi'kmaq had historically settled, but the claims themselves were not designed to apply to every Mi'kmaw person living in Nova Scotia. While non-status people had access to the *Micmac News* and would have been able to read the resolution, the document treated "the Micmacs of Nova Scotia" as though they were a population of registered Indians. The resolution document explained that areas around the province without reserves close by, like "Milton, LeQuille [sic], Berwick, Middleton and Springhill,"⁷ had always been areas where the Mi'kmaq had settled. However, instead of making a claim to the land as it was, the Chiefs suggested that "these communities should have been passed to the Federal Government as Indian Reserves by the province of Nova Scotia on July 1, 1867."⁸ If the land claims were to be successful, non-status Mi'kmaq would not receive recognition as beneficiaries, nor would they be able to move on to the new reserves, should they be created in the areas mentioned.

The *Micmac News* would chronicle the fight for these claims over the course of the next few years, but in 1974, the financial and structural struggles that the Union faced as they navigated federal channels put a damper on land claims plans. Despite grandiose dreams of Mi'kmaw self-determination, the Union's continued reliance on federal grants made them susceptible to programming cuts, forcing them to structure themselves in ways that would ensure the relationship with Indian Affairs continued.⁹ Their connection to the government severely hindered their ability to pursue land claims, as they were

⁷ "Land Claims Officially Launched," 1.

⁸ *Ibid.*

⁹ Michelle Coffin, *United They Stood, Divided They Didn't Fall: Culture and Politics in Mi'kmaq Nova Scotia, 1969-1988*, 2003, 58-61.

pressed to remedy issues with leadership and figure out new ways to support non-status members and their Communications Department—which published the *Micmac News* every month—instead. Despite choosing to remain within the Union in 1973 with the hope that they could achieve political unity, non-status Mi'kmaq were not guaranteed equal support within the Union or similar space within its media outputs.

Previously, other Indigenous organizations in Canada that had attempted to represent both status and non-status needs had been unable to do so. The UNSI's parent organization, the National Indian Brotherhood, had developed out of a failed organization called the National Indian Council (NIC), which had initially attempted to serve both status and non-status Indians in the 1960s. Though the NIC's goals were similar to those of the NIB and its provincial affiliates—seeking recognition of Indigenous land rights with a dedication to pan-Indigenous identity—“most of its efforts focused on Aboriginal versus treaty rights, as the Metis and nonstatus [sic] people who participated in its activities had no stake in the treaties, not ever having signed one.”¹⁰ The organization, also reliant on federal funding,¹¹ ran into problems supporting all of its members. Duhamel references an interview with former leader Walter Dieter in 1977, explaining that “the Metis [and non-status] realized that as long as Indigenous people advocated as one large group, no one would receive funding from the federal government.”¹² Indeed, Dieter went as far as to argue that “the federal government used funding as a wedge to divide the people;” he said, “the government made it plain that they weren't going to give

¹⁰ Duhamel, “Rise Up – make haste – our people need us!,” 117.

¹¹ Duhamel, 121-122.

¹² *Ibid.*, 126.

us money as long as we were with the Metis [and non-status].”¹³ The difficulties in obtaining funding played the most significant role in the organization’s decision to separate in 1968, with status people establishing the National Indian Brotherhood, and non-status and Metis forming the Canadian Metis Society, which was renamed the Native Council of Canada (NCC) in 1970.¹⁴ As it stood, non-status people in Nova Scotia had made a decision that other organizations across the country had avoided when they chose to remain Union members. Though there had been optimism in 1973, the issues that the NIC had run into soon plagued the UNSI, placing its relationship with its non-status members in jeopardy.

Because the Union could not offer much funding or aid to non-status members, its initiatives continued to prioritize status Indians; the way *Micmac News* reported events around the province in the mid-seventies reflected this well. Within the UNSI, non-status people remained a footnote in the *News*, overshadowed by the push for land claims, and the Union’s internal financial struggles and leadership issues. Like they did in the *News*’ earliest years, non-status people bridged the information gap by publishing their own news in letters and briefs; it is through these small snapshots that we get a sense of non-status social and political struggles in the year following their choice to remain in the Union. Despite the positive reception that followed the decision to stay, it soon became clear that the Union was unable to support non-status interests.

As non-status people began to more openly demand equal treatment within the UNSI, the executive began toying with the idea of working only with status Indians, just

¹³ Duhamel, “Rise Up – make haste – our people need us!” 127.

¹⁴ *Ibid.*

as the NIB had. With rumours of an ouster circulating into 1975, Kathy Brown began using the *News* to recruit a team of non-status volunteers to organize into groups. The goal was to prepare to eventually leave the Union and form an association that would prioritize non-status interests, and aid struggling non-status people in ways that Indian Affairs would not. It is through the work that Brown did, and specifically how the *News* reported on her work, that we also get a sense of what non-status issues in Nova Scotia were beyond what the high-profile reports on protests of the *Indian Act's* Section 12(1)(b) revealed. In particular, *News* reports on a housing crisis involving off-reserve and non-status Mi'kmaq living in Springhill Junction, Nova Scotia, demonstrated that despite being granted what some thought was "Canadian" status,¹⁵ non-status Indigenous people faced many of the same housing problems on-reserve Mi'kmaq did. As non-status people organized, first in 1974 within the parameters of the UNSI to ensure they had their needs met, and then, in 1975 as the Non-Status Indian and Metis Association of Nova Scotia (NSIMANS),¹⁶ readers of the *Micmac News* got an in-depth view of what life was like for enfranchised Mi'kmaq.

Non-status struggles for media and political space, aid, and community support coincide with the *Micmac News's* struggles with keeping the publication afloat. Its connection to the UNSI and further reliance on federal funding programs subject to change resulted in an inability to cover stories Mi'kmaw people deemed important. As such, *News* staff received repeated criticisms from political groups around the province

¹⁵ "Second Annual National Native Women's Conference: Bessbrough Hotel, Saskatoon, Sask., March 22,23,24, 1972," *Micmac News*, March 1971, 9.

¹⁶ The name would eventually shift to the Native Council of Nova Scotia in 1976; it will be referred to by this name in Chapter Three.

like the Nova Scotia Native Women's Association, who consistently charged them with neglect. The Union's issues with limited funding meant that it could not support the Communications Society and in turn, the newspaper suffered. To save the *News* and other communications ventures from complete shutdown, Roy Gould, Director of Communications at the time, approved a split from the UNSI. While the departures of two Union auspices in one year could have at one point been viewed as detrimental to its unity goals, by the end of 1975, the opposite was true. It seemed that perhaps there was a greater sense of harmony in Mi'kmaw politics when multiple groups worked as a team of distinct parts, as opposed to a fragmented whole.

This chapter explores Union operations, non-status politics and the *Micmac News* in 1974 and 1975, treating the period as one of transition. These two years present most clearly the issues that Indigenous organizations reliant on government funding often faced as they found their footing riding the momentum of post *White Paper* activism. The strong feeling of political flux that defined the middle of the decade, combined with the uncertainty present in many areas of Mi'kmaq organizing comes out strongly in *Micmac News*, making this the perfect moment to identify how the publication both shaped Mi'kmaw political discussion, and was in turn shaped by provincial and national political trends. For example, the push for more non-status autonomy and the UNSI Communications Department's decision to separate from the Union to ensure its survival changed the way the paper operated. At the same time, non-status people used the *News* as an outreach tool to mobilize aid when community members were in need. Reporting on the housing crisis at the Mi'kmaw settlement in Springhill Junction, and in turn the calls for aid in 1975, informed readers of the unique hardships off-reserve status Indians

and non-status people often confronted; the *News*' response to the story features as a case study here. While it is important to keep in mind national influences on local politics, this chapter takes a step back from the broader political issues that each of the groups in Nova Scotia were engaging with and examines instead matters internal to these groups that changed the way they operated on a regional level.

Non-Status Frustration Under the UNSI

Even though the *Micmac News* had done little reporting on non-status matters beyond the context of Native women's associations, readers in March 1974 would get the sense that not all was well with the UNSI's non-status members. James R. Smith, a Social Counsellor in the South Shore, argued in an opinion piece that the Union was doing nothing to help struggling Mi'kmaq without status in the area. He explained that while the Union was supposed to provide support, aid for struggling non-status people came from local volunteers not associated with the UNSI. "I think at this time the Union motto should be carefully looked at and be applied to all Indians (status and non-status)," said Smith; "when are we going to stop distinguishing between status and non-status and give equal aid, help, housing repairs, etc. to everyone?"¹⁷ Smith suggested that the work the Union had been doing was merely symbolic as he questioned why they had been 'locating' non-status people in the area, collecting their names, dates of birth and even their school grades, if they were not going to do anything to help them. He wrote:

Does this guarantee them aid of any kind? Does this mean that the children will get schools supplied? Or is election time coming when the political ballgame starts? Housing repair seems to be the number one question [of non-status people right now]. (1) are all non-status eligible for housing repair? (2) who has priority

¹⁷ James R. Smith, "United We Stand, Divided We Fall," *Micmac News*, March 1974, 2.

on housing repair? (3) who makes the decisions? (4) how much does one family get? (5) when are you going to help everyone? (6) everyone should be on the same level and get equal attention (7) **WHAT is the UNION OF NOVA SCOTIA INDIANS doing for YOU today???**¹⁸

Smith explained that non-status people on the South Shore felt alienated from the Union. While it had taken on supporting non-status issues, and acknowledged non-status people in their membership, contacting the UNSI without access to a band council or Cape Breton Union offices proved difficult. “The non-status people in the South Shore area are asking many questions and getting no answers,” Smith said, “They want to meet the Union representatives. They want their appointed non-status representative to answer questions. If you are going to help us, they ask, do so. If you can’t at this time, say so. But don’t make promises you can’t keep.”¹⁹

Smith also hinted that even status people were having problems getting help from the Union at the time,²⁰ suggesting issues internal to the Union were inhibiting its ability to provide its usual services. While funding that the UNSI received from the federal government certainly allowed it to manage programming that benefitted Mi’kmaq people, the grant systems it relied on determined what it could prioritize; necessarily, then, the Union set up a hierarchy of importance that placed non-status needs at the bottom. The problem was that this reliance on Ottawa also made the Union vulnerable to funding cuts and structural issues that impacted all Mi’kmaq—status or not. In 1974, it became increasingly clear that the UNSI was struggling not just to support non-status

¹⁸ Smith, “United We Stand, Divided We Fall,” 2. Bold in original.

¹⁹ *Ibid.*

²⁰ *Ibid.*

people, but status Mi'kmaq too, as issues with Union organization threatened to harm the internal and external "unity" it stressed.

The Union's problems were aired for all to see in reporting on its annual meeting in the May 1974 issue of the *Micmac News*. Despite an apparent victory in its move to seek out land claims, the Union's new executive, elected in 1973, had been under fire for months. John Knockwood, who had taken over from Noel Doucette as the new president, faced impeachment, and a series of emergency meetings had been planned for the gathering to design a restructuring of the Union's governance models, pay-grades, and to address the areas in which the Union had admitted it had failed in serving Nova Scotia Mi'kmaq. The dramatic weekend made the front page that month and placed Knockwood's alleged incompetency at the centre of the day's concerns, with broader dissatisfaction with the legitimacy of the Union's executive following behind.²¹ According to the *News*, "Right from the start of the Conference, it was apparent to observers that this [year's] gathering was not to be one of a complacent nature but of one that will confine itself to the gut issues and problems of the [province's] Indian population."²²

Representatives from reserves around the province took to standing and expressing their concerns, specifically about "the competency of Mr. Knockwood."²³ Knockwood had won his position over Joe B. Marshall with "a small majority of 3 votes. Because there had not been a recount, people were still questioning the legality in the

²¹ "Non-Confidence Motion to Unseat President Fails," *Micmac News*, May 1974, 1 & 9.

²² *Ibid.*, 1.

²³ *Ibid.*

way Mr. Knockwood had gone in.”²⁴ As more and more delegates stood to voice their concerns, “emotions ran high...and the climax occurred when Gordon MacDonald, an employee of the Union and a former Chief of the Membertou Reserve made a motion of non-confidence against the president.”²⁵ The motion was seconded, and passed by a distinct margin: “the count went 47 for the non-confidence motion while 24 remained in favour of Mr. Knockwood.”²⁶ Despite the clear negative vote, however, those in attendance understood that their actions were purely symbolic. Knockwood was not going to resign. The article explained that “the motion would show that the Indian people of Nova Scotia were very displeased with the way the Union was being run.”²⁷ Knockwood and the executive had heard from both status and non-status Mi’kmaq; none were pleased. The clear message from the membership gave the Union a chance to change things before the end of their term. To ensure that the Union would continue to improve, the Board of Directors ended up appointing Doucette, who at the time was the Potlotek Band Chief, as a “Special Native Consultant...in charge of public relations.” Doucette would also serve to help “Knockwood in the administration of the Union.”²⁸

Debates about Knockwood’s ability to govern absorbed much of the media’s attention that weekend, but non-status concerns did manage to garner some discussion. It was the Union’s non-status representative, Clarence Gould, who made the first motion to challenge Union leadership. Gould challenged the legitimacy of the UNSI’s executive by questioning the legality of its most recent election, which had happened before the

²⁴ “Non-Confidence Motion to Unseat President Fails,” 1.

²⁵ *Ibid.*

²⁶ *Ibid.*

²⁷ *Ibid.*

²⁸ *Ibid.*, 9.

Union's updated constitution had been completely ratified. Technically, he argued, the election, having occurred under these circumstances, rendered the executive illegitimate; if the rest of the Union agreed, the election would have been "mollified,"²⁹ and all Union activity would halt until the executive could call a new vote. Gould's motion did not pass, but as he told the *News*, he was more concerned with using the motion to demand more space for the non-status membership. Attempting to trigger another election meant that there was a chance to give non-status members more of a voice at a higher level. Gould explained that "he felt that the executive now understood that the non-status people of Nova Scotia wanted improvements and in particular, better representation within the Union's executive."³⁰

The small mention of non-status concerns faded into the background as the *News* moved on to other issues, something that certainly reflected the lack of power non-status people had within the Union itself. Representatives from Indian Affairs in attendance also steered the discussions to focus on a status, on-reserve population, making the symbolic presence of federal influence on the Union's decision-making processes a momentary reality. As Coffin argued, the Union's "Canadianized" processes—or at least their reliance on federal funding—made appearances from Indian Affairs officials at their meetings a common occurrence.³¹ Rob Brown, INAC's Regional Director was given a spot on the agenda to address the delegates about their struggling leadership, and set the bar immediately for which groups the Union had to prioritize: "In the name of time," he said, "what is happening within the Union of Nova Scotia Indians and to the

²⁹ "Non-Confidence Motion to Unseat President Fails," 9.

³⁰ *Ibid.*, 1.

³¹ Coffin, "United They Stood, Divided They Didn't Fall," 58-61.

responsibility you, the delegates have to the people on the reserves.”³² Brown referenced his own tours around reserve communities as he relayed his own interpretation of what “he [had] heard the Micmac people say when they spoke of what they wanted,” and argued that “the people on the reserves are looking for...a chance to run their own affairs...for economic development opportunities...a better education system...[and] an Indian cultural revival.”³³ Brown seemed ignorant of the power his position held, stating that he could not “speak on behalf of the Band-Councils or the provincial organizations,” while at the same time influencing the Union’s direction by suggesting that in order to ensure Mi’kmaw people had their needs met, the UNSI had to work “through the Band Councils, [other] Indian associations and...the federal government.”³⁴ Despite the fact that non-status delegates involved with the Union made their position clear early on, the organization continued to head in a direction that favoured status concerns; as such, the *Micmac News* continued to prioritize status voices in the matter.

By this point, non-status dissatisfaction was coming through loud and clear in the *News*, but it remained lost among the waves of status concerns about the Union reported at the same time. The tone of these publications concerning the UNSI, and the mood documented in reports on Union activity, suggested that as long as it struggled to meet status needs, non-status matters came second. These feelings were not confined to Nova Scotia. After all, the UNSI was the only provincial organization in Canada at that point

³² “What is Happening to the Union of Nova Scotia Indians?” *Micmac News*, May 1974, 9.

³³ “What is Happening to the Union of Nova Scotia Indians?” 9.

³⁴ *Ibid.*

that had decided to represent status and non-status people at the same time;³⁵ others, like the NIB and NCC, had agreed that working separately better served everyone, especially because of Indian Affairs' refusal to support non-status people. Though separating non-status, Metis and status groups may have remedied some of the issues that Duhamel mentions earlier national organizations faced,³⁶ even stand-alone non-status organizations were feeling alienated from the Indigenous rights movement. In the same issue that covered the Union's annual meeting, the *News* also reported on responses to the New Brunswick Provincial Government exempting status Indians from sales tax that year. Melvin Nash, president of the non-status organization representing both New Brunswick and Prince Edward Island made the following statement:

We are not really surprised by this piece of legislation because from our past experience with government, we have always been the last to be recognized... We are still the forgotten people... I feel it is just [to exempt Indigenous people from sales tax], but I feel it would be nice if the government would consider recognizing the non-Status Indians. But first we have to be recognized by the Federal government.³⁷

Without federal recognition, non-status voices were suppressed at all levels. This reality was nothing new to non-status activists in the province, but in 1974, after attempting to work within the Union to support their needs to no avail, and with the Union's broader struggles taking precedence over their own, out of necessity, non-status activism began to take on a new tone in Nova Scotia, one that can be traced through the *Micmac News*.

³⁵ "Yarmouth Conferences Establish Closer Unity Among N.S. Indians," *Micmac News*, March 1975, 1.

³⁶ Duhamel, "Rise Up – make haste – our people need us!," 117-127

³⁷ "Non-Status Still Forgotten," *Micmac News*, May 1974, 8.

Saving Springhill Junction: Kathy Brown and Non-Status UNSI Activism in the *News*

“At a meeting held recently with Indian and government agencies [in Amherst],” read the front page of the *News*’ August 1974 issue, “a committee was formed to investigate ways of improving living conditions of 19 Micmac Indians at nearby Springhill Junction.” A small Indigenous community in its own right, Springhill Junction was not recognized as a reserve. Of the nineteen Mi’kmaq that lived there, ten had status and were registered with a band.³⁸ The problem was, without access to a band council, and without physically living on reserve lands, the federal government had written off support and would have treated them all as though they were non-status.³⁹ Despite a proven history in the area, and the government’s still-recent crackdown on Indigenous populations in Nova Scotia⁴⁰ making the focus on reserve populations a relatively new phenomenon, because they were not living on a defined reserve, the Springhill Junction Mi’kmaq fell off of the government’s radar. A combination of deeply rooted racism and refusal to allow Mi’kmaq participation in local economies that perpetuated systemic impoverishment⁴¹ had left the group at Springhill Junction living in abysmal conditions without access to aid. In fact, they were deemed pariahs—squatters in their own territory.⁴²

³⁸ “Springhill to get Assistance,” *Micmac News*, August 1974, 1.

³⁹ Later, the Native Council of Nova Scotia, the organization designed to serve non-status people in Nova Scotia, would give aid to people with status living off-reserve. See Chapter Four.

⁴⁰ Paul mentions that despite the existence of reserves, formal reserve band structures were not enforced in Nova Scotia until the 1950s. (Paul, *We Were Not the Savages*, 224.)

⁴¹ See Paul, *We Were Not the Savages*, 257-290.

⁴² “Springhill to get Assistance,” 1.

When the trouble at Springhill Junction was first reported in the *Micmac News*, the situation there had grown dire. According to the article, “The Indians were reported living in rat infested tarpaper shanties,”⁴³ and people in the community, both Indigenous and non-Indigenous had organized “to find temporary relief for the people before another winter [set] in.”⁴⁴ According to Rev. Robert Lauder, the Mi’kmaq residents of Springhill Junction had been forced to withstand the elements in previous years; “he [did not] want the Indians to go through the winter under conditions in which men had frozen feet because adequate heat was not available in the shanties. In other cases,” he said, “mothers had to stay up all night to protect their children from the rats.”⁴⁵ While members of the community had been working to get aid to all of the Mi’kmaq residents there, Indian Affairs could only “[assure] the registered Indians of social assistance from the province.” Despite the claim that the government could provide financial aid, up until that point in the year, volunteers had been unable to get proper housing to any Mi’kmaq person living there. The problem, according to the article, was that the Springhill Junction Mi’kmaq there were “squatters on someone else’s land. The Department of Indian Affairs [could not] build houses on [private land.]”⁴⁶

Considering the history of Mi’kmaq relations with settler populations, it was unsurprising that the government had deemed the Mi’kmaq struggling in Springhill Junction “squatters.” Daniel Paul discusses the fact Mi’kmaq people travelled around seasonally,⁴⁷ something that continued long after Indian Affairs implemented a formal

⁴³ “Springhill to get Assistance,” 1.

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*

⁴⁷ Paul, *We Were Not the Savages*, 23, 224.

reserve system in Nova Scotia, and a fact that often proved frustrating for Indian Agents attempting to bring the Mi'kmaq under control. It also caused issues for settlers, who could not keep Mi'kmaq from their traditional hunting grounds and often grew frustrated with Mi'kmaq they mistakenly believed were trespassing on private property. However, as the Peace and Friendship Treaties that govern Mi'kma'ki had never formally ceded land to any government, the Mi'kmaq had rights to areas that allowed them to sustain their culture and ways of life.⁴⁸ For example, the famed Turtle Grove Mi'kmaw settlement that had been destroyed during the Halifax explosion in 1917, had not been recognized as "an official reserve," despite a consistent Mi'kmaw presence in the area and the existence of a federally-funded school there.⁴⁹ According to Jacob Remes, "the families who lived in the settlement were otherwise deemed 'squatters' on land owned by [a] white...family."⁵⁰ While Mi'kmaw efforts to be allowed "to remain on land they considered theirs by right" invoked often fierce white resistance, Mi'kmaw presence in the area continued beyond the settlement's destruction.⁵¹ Even the infamous Indian Affairs Centralization policy⁵² implemented in Nova Scotia in the 1930s and 40s had been designed to "get these transient and squatting Mi'kmaq to settle on reserves, where they could be controlled."⁵³ Indigenous people all over Canada were critical of this rhetoric; for example, in response to the lack of government aid, Leonard Brooks of Toronto wrote in to the *News* in September 1974, saying, "It's too bad, the Dept. of

⁴⁸ Paul, *We Were Not the Savages*, 160.

⁴⁹ Jacob Remes, "Mi'kmaq in the Halifax Explosion of 1917: Leadership, Transience, and the Struggle for Land Rights," *Ethnohistory* 61, no. 3, 2014: 453.

⁵⁰ Remes, "Mi'kmaq in the Halifax Explosion of 1917," 453.

⁵¹ Remes, 458.

⁵² Paul, 269-290.

⁵³ Remes, 459.

Indian Affairs are so fast to call us squatters, **next they will be calling us refugees in our own land.** I feel that where the land belongs to the Indian people, The Dept. of [Indian] Affairs has no right to call Indians squatters. The Indian people are having a hard time as it is, fighting for **their land** to be called names.”⁵⁴

What was clear was that Indigenous people were suffering, beyond where the reserve governments could reach them and beyond where Indian Affairs would try. Much of the work in this area then, would fall on Kathy Brown, the new non-status representative on the UNSI’s Board of Directors. Elected to her position in May 1974, following the heated discussions at the Union’s annual meeting, and replacing Clarence Gould who had left the post after regaining status,⁵⁵ Brown’s role was important for a few reasons: first, that Brown was a woman certainly indicated that the *Indian Act*’s enfranchisement criteria disproportionately affected Indigenous women. Perhaps most importantly, though, Brown’s election marked a shift in the way non-status activism was done in Nova Scotia and written about in the *Micmac News*. What had been near-complete silence from non-status voices in the paper before her appointment, turned into semi-regular updates on non-status life in the province, and an active non-status use of the *News* as a tool for political organization.

At the moment the crisis in Springhill Junction made the *Micmac News*, Brown was the only person the Union employed to focus on the province’s non-status needs, which meant she spent most of her time attempting to meet demands that proved much

⁵⁴ Letter from Mr. Leonard Brooks, *Micmac News*, September 1974, 7. Emphasis in original.

⁵⁵ How this happened is unclear.

larger and more complex than one person could manage. In her first formal address to non-status *News* readers in August 1974, Brown described her struggle:

I realize that many of you are dissatisfied with the kind of service you are expecting or getting [from the Union]...I have met some of you personally and yet I feel the time I spent with you is not enough. I wish I came in 20 different pieces so I could be in 20 different [places] at one time, and be able to cover as much of the province that I have to cover.⁵⁶

While Brown worked diligently, her inability to cover enough ground to successfully support non-status people translated into misguided criticism of her work. For example, in September 1974, Phyllis Croucher wrote an angry letter to the editor that questioned Brown's strength in her role:

I was very upset when I read this in the August issue of the *MicMac News*: "Katherine Brown still fighting for non-status." When did Katherine Brown start fighting for non-status. Many of the non-status people don't even know who Cathy [sic] Brown is. She could be the man in the moon for all they know. If Katherine Brown is so busy fighting for the non-status, where is she doing it in. Nicosia or Belfast? It sure as hell isn't in the Metro area where it is needed most.⁵⁷

Brown had been spending the greater part of the summer of 1974 visiting communities with large non-status populations to get a sense of what their needs were,⁵⁸ and it became all too clear that the magnitude of the problems they faced was greater than what the Union's budget could support. Brown often advertised core federal funding programs that could be used to finance non-status housing and community development in the *News*⁵⁹ and attempted to paint a realistic image of what the Union could do to help. She wrote in August 1974: "I will again make a plea to the Board of Directors to have someone help

⁵⁶ "Katherine Brown Still Fighting for Non-Status," *Micmac News*, August 1974, 21.

⁵⁷ Letter from Phyllis Croucher, *Micmac News*, September 1974, 3

⁵⁸ "Katherine Brown Still Fighting for Non-Status," 21.

⁵⁹ *Ibid.*

me in this field. But unfortunately, the budget within the union is limited. I will tell you now that the source of funding is not by any means easy to obtain.”⁶⁰ Brown then went into detail, using federal First Nations community development programs as an example to outline the discrepancies between aid given to status Indians, and the aid non-status people had access to. “If we [the Union] get money from Indian Affairs [then] naturally Indian Affairs rules state that we spend it at reserve level; which doesn’t say much for non-status Indians,” she wrote, explaining that non-status groups lost out on funding after status organizations, and even non-Indigenous people had been awarded what their proposals had asked for.⁶¹ Attempting to navigate the complicated bureaucratic processes that the Union was bound to, Brown made it clear that the UNSI was jumping through hoops that made it difficult to service status populations, let alone help non-status groups in need. Though she never explicitly stated it, Brown was on her own in her role, and it was uncertain whether or not the Union was going to be able to fund another position to support her.

The responsibility of dealing with the situation at Springhill Junction, then, which by September 1974 had grown dire, was placed on Brown’s shoulders. This work would have taken up a significant chunk of the time she wanted to spend travelling around to non-status communities in Nova Scotia. Partnering with Indigenous and non-Indigenous volunteers in Springhill Junction, Brown began to organize a grassroots committee to solve the problem. She thanked that committee in a letter to the editor that month, explaining that they “were instrumental in bringing to the public the existing problems on

⁶⁰ “Katherine Brown Still Fighting for Non-Status,” 21.

⁶¹ *Ibid.*

housing and Social Welfare”⁶² at Springhill Junction, and helped her garner government and corporate support to provide aid for the community members. By October, Brown had helped gain title to the land by purchasing property “in two blocks from the MacLellan Lumber Co., and Emmerson Smith” in the area.⁶³ How she managed this, the *News* did not report. While the news was certainly hopeful, the lack of funds to support new housing had Brown and those helping from within the Union relying on unpaid prison labour and volunteers to help build the new homes.⁶⁴ It was also not certain that construction could start immediately. The article suggested that though “the Committee members [had] done a tremendous job in clearing away all obstacles so the UNSI and government officials [could] get together and provide the housing,”⁶⁵ the Committee would remain vigilant, keeping “a full surveillance on the situation, even after the houses [were] completed, and if the government [faltered] in any respect, [they would] be there to pick up the cry again.”⁶⁶

Brown’s role in the organization was understated in formal reporting on the issue, but readers got a glimpse of just how important she was to the project in a letter to the editor from Rosemary Chaisson, the corresponding secretary of the Springhill Junction Action Committee. Chaisson wrote into the *News* in February 1975, responding to frustrated comments on Brown’s perceived absence in non-status affairs in the province.

⁶² Letter from Phyllis Croucher, 3.

⁶³ “Indians of Springhill get new homes,” *Micmac News*, October 1974, 13.

⁶⁴ Ernie S. Lightman in his 1982 article, titled “The Private Employer and the Prison Industry,” discusses the history of prison labour in Canada and the United States, and how since at least the nineteenth century “prisoners...were viewed primarily as a cheap and readily exploitable source of labour” (37). Clearly, not much had changed.

⁶⁵ “Indians of Springhill get new homes,” *Micmac News*, October 1974, p. 13

⁶⁶ *Ibid.*

“Please permit me to answer a letter you published in the ‘MicMac News’ from a non-status Indian lady [in September 1974],” Chaisson wrote,

It asked the question “Where is Cathy [sic] Brown?” I can well understand the reason for her question. I asked it several times myself, rather impatiently, during our mutual efforts to solve the housing problems of the Springhill Junction Indian people. Now I know what its [sic] like to have more people than possible to handle asking for help. You want to do your best for each, but it takes so much time and work just to help one family. What must it be like to try and help all the non-status [sic] requiring her services? No person can do more than is humanly possible. It was Cathy [sic] Brown who suggested the first meeting of the Springhill Junction Committee. It was Cathy [sic] Brown who helped arrange it. That meeting and the ones that followed were instrumental in getting Government action to solve the housing crisis of the Springhill Junction Indian people. Cathy [sic] helped in many other ways, but I will always remember one incident. My husband and I were travelling behind Cathy’s [sic] car as we drove away from the Springhill Junction Indian settlement. Cathy [sic] stopped her car suddenly. She jumped out and ran over to a little non-status [sic] Indian boy and handed him five dollars. She pointed to the grocery store that formed part of the service station across the road. Cathy asked the little boy to take back bread, butter, milk, eggs and cereal to his mother. Cathy was not very well off herself at the time as she had just started to work for the Union. But the family was hungry... a family she had met for the first time about an hour before. So, maybe the fairest answer we can all give to the question ‘Where is Cathy [sic] Brown?’ is... somewhere in Nova Scotia Still doing her best.⁶⁷

The issues at Springhill Junction continued for another year as the UNSI, along with Kathy Brown and the Action Committee she had helped gather waited for government funding to come through. Though 1974 reports were optimistic, in July 1975, the *News* reprinted an article from the Halifax *Chronicle Herald* that said “the project... bogged down during the winter months and [had] never been completed” due to financial problems; as it turned out, the Union, “[owing] too many people too much money,” put a

⁶⁷ Letter from Rosemary Chiasson, Corresponding Secretary of the Springhill Junction Action Committee, “Non-Status Corner,” *Micmac News*, February 1975, 5.

stop to the project altogether in January 1975.⁶⁸ It is important that we consider the frustrating financial situation that impacted the outcome of the Springhill Junction housing relief effort, as it reflects what was happening with non-status organizing and Union politics in the province at the same time. The financial problems that hurt the relief efforts at Springhill Junction would also effectively lead to the non-status split from the UNSI that year.

UNSI Financial Problems and the Impact on Non-Status People

While balancing her involvement with Springhill Junction, Brown was also dealing with the potential that the UNSI would choose to no longer support non-status members. Signs that the Union had been struggling financially were blatant in the *Micmac News* throughout 1974, and certainly over the course of reporting on Springhill Junction, but the full extent of the problems was not revealed until October when headlines announced that the executive had to cancel an important meeting because they could not afford to host it.⁶⁹ In light of concerns raised about the Union's governance structure and executive election, the Board of Directors had been working to organize another member gathering with the intention to review the constitution, amend parts that did not work, and then circulate it to "the various communities so that they may be presented to the people,"⁷⁰ in very much the same way that the land claims resolution had been shared. In the development stage, the *News* explained, "the plan [to meet and

⁶⁸ "Indian Housing Project Proceeding," *Micmac News* (From the Chronicle-Herald), July 1975, 9.

⁶⁹ "Financial Problems Cause Cancellation of Semi-Annual Meeting," *Micmac News*, October 1974, 1.

⁷⁰ *Ibid.*

deal with UNSI issues] seemed possible... but as time passed it became evident that because of the complicated nature of the constitution and how it [affected] the different people who [made] up the Union, more time would be needed to discuss each section, so the plan was abandoned.”⁷¹ Without the financial means to mobilize that kind of community involvement, the Board of Directors instead met on their own, attempting to take into account as many of the diverse voices that made up Union membership as they drafted a new constitution themselves. The idea was that they would publish their draft in the *Micmac News* for community approval.⁷²

Behind closed doors, the Union executive drafted a constitution that reflected the constraints that came from connections to the federal government; there was no room for non-status affairs in the new Union vision. The article explained that

the Chiefs who are the Board of Directors feel that the Union should become the Union of Nova Scotia Indian Chiefs so that more power and participation would come from the Band Council Level... this would discharge the General Membership of the Union from voting for their Executive, which they feel is too costly and time consuming. The large population of some Bands they feel could swing too many votes and up-set elections leaving the same people in positions year around.⁷³

Removing voting power from a general electorate and placing it on the Chiefs themselves would have certainly hindered what small voice non-status members had on Union actions; this was something that the UNSI Board was acutely aware of. “There’s mixed feelings about non-status membership,” the article said; “some feel that [non-status people] should go on their own and form their own association.”⁷⁴ The *News* did not

⁷¹ “Financial Problems Cause Cancellation of Semi-Annual Meeting,” 1.

⁷² *Ibid.*

⁷³ *Ibid.*

⁷⁴ *Ibid.*

report on any of the specifics concerning conversations about non-status members' futures, but they publish an article in the same issue discussing rumours that the UNSI would "no longer represent" non-status people that "leaked out" from the constitution meetings.⁷⁵

While the non-status decision to remain part of the UNSI in 1973 had been lauded across Canada as one that encouraged Indigenous unity, the strain that the choice ultimately put on the Union slashed the organization's operating power. According to the *News* in October 1974,

Ever since the Union changed its constitution to allow non-status Indians for members, the Association has spent [a] considerable amount of its funding and have constantly been under criticism by non-status Indians for their lack of attention to their needs. Feedback received from various people is mixed.⁷⁶

The article reported that an unidentified "spokesman" argued that non-status Mi'kmaq would have been better off in their own Union, because they could apply for base funding unrelated to Indian Affairs, and would "get priority on jobs."⁷⁷ The *News* was clear that these discussions were only rumours, but Brown's reaction to the rumours confirmed more than the reports were letting on. Brown told the *News* that if non-status people were to separate at all, they would have to have a year to prepare to stand alone. As it was then, "non-status Indians [were] relying on the Union to assist them in Housing, Welfare and in general any way that they could assist."⁷⁸ Springhill Junction had just gotten the go-ahead to build new houses for the Mi'kmaq there; if the Union were to cut its services off

⁷⁵ "Nova Scotia's Non-Status Indians May Form Their Own Union," *Micmac News*, October 1974, 1.

⁷⁶ "Nova Scotia's Non-Status Indians May Form Their Own Union," 1.

⁷⁷ *Ibid.*

⁷⁸ *Ibid.*, 1, 11.

completely, the project would be put in danger. Brown appealed to readers' emotions, arguing that "there [were] Indians out there outside of the reserves, living in deplorable housing conditions and nobody [was] listening to them."⁷⁹ Regardless of the financial strain that non-status people were placing on the Union, what Brown felt she needed was not separation, but "at least another fieldworker...I can't be everywhere and they all need help," she said.⁸⁰

In spite of her concerns about being forced out of the Union, Brown got to work; in the same issue that published the rumour of a non-status ouster, a letter from Dennis J. Stark informed readers that non-status people were already mobilizing to stand alone. At Brown's request, Stark had been working "to establish contact with other non-status and status Indians in [the Truro] area."⁸¹ The point of gathering people into what Stark was calling "Local IX" was to bring enough non-status people together to represent their needs at the next UNSI meeting to address constitution decisions. The establishment of these *ad hoc* non-status locals built the foundation for the organizational structure of a new non-status association in Nova Scotia.

While Stark, and likely others, were helping Brown organize in their individual communities to have more of a voice within the Union, Brown used the *News* that month to appeal to non-status people around the province to organize to help with housing issues specifically. Knowing funds were lacking, Brown attempted to encourage non-status people to get involved in their own communities, easing the application process for federal funding opportunities designed to provide resources to "people living in remote

⁷⁹ "Nova Scotia's Non-Status Indians May Form Their Own Union," 11.

⁸⁰ *Ibid.*

⁸¹ Letter from Dennis J. Stark, *Micmac News*, October 1974, 3.

areas,” which “[included] the Metis and Non-status Indians.”⁸² She planned to have each area elect “representatives on housing”⁸³ who could help her locate and direct funding to individuals or families in need of new homes. At the same time, these grassroots organizations would also encourage “people who receive emergency repair [to] repair their own house, if...at all possible.”⁸⁴ That would allow the non-status section of the Union to dedicate what funds they did have to the purchase of building materials while “keeping the labour cost down.”⁸⁵ Like the Springhill Junction project having to rely on volunteers and prison labour, other non-status housing projects around the province would have to be creative in their approach. Brown’s article focused a great deal on obtaining funds and demonstrating to the government that the funds were being put to good use. With rumours swirling about the uncertainty of the non-status members’ future in the Union, mobilizing a group of people to help continue accessing government funds was crucial. “If we make good use of these programs and show progress going up,” Brown explained to non-status readers, “[then] it will be easier for us next year to obtain more funds, once we have proven to funding agencies that the money was not wasted in any way.”⁸⁶ As it stood, non-status people had to cover their bases; if they were looking at being forced out of the Union as early as February, they would have to be ready.

⁸² “Information on Housing,” *Micmac News*, October 1974, 18.

⁸³ *Ibid.*

⁸⁴ *Ibid.*

⁸⁵ *Ibid.*

⁸⁶ *Ibid.* Bold in original.

The Non-Status Split

Brown's efforts to organize non-status people in Nova Scotia continued into 1975, and by then, though no formal statement from the Union had been made, the rumours about a non-status split had been confirmed, and stories about non-status people organizing their own committees on the ground had been making their rounds. In January, Brown published the first installment of her monthly column "Non-Status Corner," raising concerns about the future of non-status politics in the province. "Wondering where I've been?" she began, "Timbactee [sic] or Nicosia maybe? No way; I've been right around here within the province." Brown's article read with a hint of urgency as she attempted to convince non-status readers to get involved in their own communities before she directly addressed the rumours that had been swirling about the UNSI: it seemed that the Union was indeed looking to only support status Indians in the near future:

There is a big issue on hand that concerns each and every one of you. I have been to a Board of Directors of the UNSI meeting held in Halifax on October 25, 1974. A motion was put on the floor that concerned me very much. The answer to that motion can only be responded by you folks out there, at the next general assembly. The motion reads as follows: "That section dealing with memberships in the UNSI constitution be changed to include only Status Indians." Note that **Status Indians mentioned in the above motion concerns registered Indians as recognized in the Indian Act.** The Chiefs of Nova Scotia feel that the non-status should form their own association. As you recall, an association to that effect was formed by one Ivan Phillips last year, and **at the November 1973 General Assembly you non-status out there threw out such an association, because it was made up under false pretenses and therefore undemocratic!** If you folks out there feel that we separate from the Union, I would appreciate honest opinions from each of you, either by mail or by phone.⁸⁷

⁸⁷ Kathy Brown, "Non-Status Corner," *Micmac News*, January 1975, 6. Bold in original.

Brown then demonstrated yet again the *News*' potential as a tool of political mobilization, and certainly its reach with her final appeal: "Since I feel this letter will get to you a lot quicker than I can, I'll be sitting right here by the phone and the mailbox, hoping **again** to get a response from you."⁸⁸ Feeling that her own individual efforts to reach out were not enough, Brown's final plea in the *Micmac News* proved her faith in the paper's advertising power, just as Dennis J. Stark's advertisement to non-status people did in Truro months before.

Non-status people had also been outspoken in other media about their organizational efforts in preparation for the Union's decision. In February, the same month that the Union would push non-status members into starting their own organization or face complete removal, the *News* reprinted an article from the *Scotian Journalist* where Irene Fillmore, a reporter, had interviewed a small group of non-status women—"three women and two beautiful little girls"⁸⁹ about their immediate concerns, and efforts to develop enough of an organization to hit the ground running without the Union behind them. While Fillmore used language that actively othered Indigenous and other racialized people⁹⁰ to set up her interview, the issues that she highlighted were not unlike what reporting on Springhill Junction had revealed, and took a specifically

⁸⁸ Brown, "Non-Status Corner," 6. Bold in original.

⁸⁹ Irene Fillmore, "Non-Status Indians and Metis: Moving to Gain Rights and Recognition; Women lead the way (From the Scotian Journalist)," *Micmac News*, February 1975, 10.

⁹⁰ Fillmore opened her article with "They are referred to as half-breeds and are in much the same boat as the blacks, [and] the mullato [are] not generally accepted by blacks and accepted by even fewer whites." While sympathy for marginalized populations from white people certainly existed in mainstream media at the time, it is hard to ignore the prejudice inherent in even well-meaning publications.

gendered approach. “The United Nations has declared 1975 International Women’s Year,” she wrote:

The theme? Equality, development and peace. [These non-status women] have been carrying their own struggle both for themselves and their children who are caught up in a frustrating tangle of bureaucracy and neglect. Many [non-status people] living below the poverty level, find themselves caught between the white society and the Union of Nova Scotia Indians. Frustration and desperation have driven these women to organize and they have the services of a lawyer who is willing to represent them, and a seven-member steering committee has been formed to over-see development and seek ways of solving their problems. A list of Non-Status and Metis Indians is being compiled and they are attempting to get in touch with as many as possible. To date they’ve been unable to obtain a list of Non-Status and Metis. As well, earlier attempts to organize have been discouraged by apathy and political decisions over which they have no control...The Union of Nova Scotia Indians may undergo some major changes and may even disband the Union because of such conflicts...Priorities [of] the Committee of Non-Status and Metis Indians will be going after are the same priorities I enjoy, equality in education, law and civil rights, housing, economic development, health and welfare, and the right to pride in their culture, heritage and tradition.⁹¹

Fillmore also linked the women taking charge of non-status organizing to the already well-known Jeanette Corbiere-Lavell case and the ongoing nation-wide battle to remove gender discrimination from the *Indian Act*. Though “[the women were] not sure how to approach civil rights [as] they mostly [lacked] the education to fully understand the ways and means of getting required change,” Fillmore concluded, “They will no longer quietly accept their fate. They won’t be so easily discouraged this time, but will fight in their own way the best way they know how.”⁹²

While Brown’s criticism of the Union she worked for was muted as she focused on garnering enough support to prepare for the coming months, other groups with status

⁹¹ Fillmore, “Non-Status Indians and Metis: Moving to Gain Rights and Recognition; Women lead the way (From the Scotian Journalist),” 10.

⁹² *Ibid.*

representation were more blatant as they expressed their discontent over the Union's treatment of non-status people. Helen Martin, who had been outspoken in the *News* in 1974 over the lack of coverage of NSNWA meetings and community involvement, brought a delegate "on behalf of the non-status women"⁹³ in Nova Scotia to the UNSI Board of Directors meeting in January 1975 to interrogate them about how they were distributing their budget. In particular, Martin "wanted some definite answers on how the money allocated to the Union for the non-status people was being spent."⁹⁴ She referenced a \$104,000 grant from the Secretary of State made to the UNSI that was, she believed, "specifically for the non-Status people."⁹⁵ She also demanded answers on the decision to push non-status people out of the Union. In response to Martin's challenge, Union Vice-President Alex Denny clarified that the grant had been a general one from the Secretary of State's "core" budget, and had been spent on executives' salaries. Denny agreed that despite being able to prove that they had not been co-opting non-status designated funds, "the UNSI was [still] not adequately representing [them]," and that he felt it would be better for everyone involved if they attempted to start their own organization, regardless of whether or not it was a choice non-status people wanted to make."⁹⁶

Non-status Mi'kmaq decided to formally separate from the Union of Nova Scotia Indians at a special meeting that the UNSI Board scheduled on February 15th and 16th, 1975, a week before the Union's official annual general meeting. It had been a little over

⁹³ "Native Women confront U.N.S.I. Board," *Micmac News*, January 1975, 8.

⁹⁴ *Ibid.*

⁹⁵ *Ibid.*

⁹⁶ *Ibid.*

a year since non-status people had voted to remain within the Union in the first place. Due to its publication schedule,⁹⁷ the *News* would not report on the matter until the March issue, where it made headlines (See Fig. 6). Despite the uncertainty surrounding the future of the new association, and the tense atmosphere of the months before, the *Micmac News* called the decision a potential “step forward for the Indian people of Nova Scotia and for the Micmac people of eastern Canada.”⁹⁸

The interesting thing about the reporting at this moment is that it mirrored a great deal of what had been said about the decision to remain in the Union in the first place. The mood was not fearful on either side of the divide; in fact, the *News*’ reports were optimistic, especially because the split had relieved mounting pressure from both the

Union’s Board of Directors and the non-status Union members. Just as the decision to remain had inspired applause for Mi’kmaw unity, so too did the decision to split. The predominant worry



⁹⁷ “News Briefs,” *Micmac News*, January 1975, 3.

⁹⁸ “Yarmouth Conferences Establish Closer Unity Among N.S. Indians,” *Micmac News*, March 1975, 1.

that had come out of the meetings was that any sense of fracturing among Mi'kmaw political bodies would only make it easier for the Canadian government to avoid their treaty obligations, and stand in the way of rights recognition for the Mi'kmaq.⁹⁹ However, now that there were separate organizations designed to deal specifically with non-status and status issues respectively, paradoxically perhaps, separation would encourage unity rather than destroy it, and strengthen the political structures already in existence. According to the *News*, "The fear that the Union would not survive was dispelled and a new sense of purpose [had] been found."¹⁰⁰ The UNSI was left to deal explicitly with on-reserve status Indians, while the new Nova Scotia Non-Status Indian and Metis Association (NSIMANS) would focus on establishing themselves and building up a strong support system for non-status people across the province. The new association also received support from the NCC; national president, Kermit Moore was in attendance. He explained to the *News* that "Nova Scotia was the only province in Canada which did not have a separate body responsible for directing projects among the non-status Indians,"¹⁰¹ and implied that by standing on their own and making a connection with the NCC, NSMANS would have a stronger voice in Ottawa, and a direct link to the federal government to lobby for non-status issues alone.¹⁰²

The physical make-up of the new association and the work done in the months leading up to its establishment deserve analysis. There are two things that become clear when we look at the development of the association in the *News* in the months preceding

⁹⁹ "Yarmouth Conferences Establish Closer Unity Among N.S. Indians," *Micmac News*, March 1975, 1.

¹⁰⁰ "Yarmouth Conferences Establish Closer Unity Among N.S. Indians," 1.

¹⁰¹ *Ibid.*

¹⁰² *Ibid.*

its birth: first, is that non-status people, despite their uncertainty, had been prepared for the split, and in the face of apathy and other bureaucratic roadblocks, had been working tirelessly to ensure that they had something in place when the time came to stand alone. While there were likely other factors that supported its success, *News* reports reveal that the organizational efforts of non-status people on the ground in Nova Scotia played an important role. The second thing we see is that Indigenous women often led these movements, just as they broke the news of non-status issues to media in the province in the first place. At the core of both movements was an outright opposition to the gender discrimination legislated in Canadian Indian policy.

This was perhaps most clearly demonstrated in the fact that when it came time to elect a provisional executive to see the association through its first few months, the delegation decided on an all-woman executive. The gender discrimination in the *Indian Act* was present all throughout the exciting occasion. With Kathy Brown acting as president, along with Viola Robinson, Gertrude Coleman, and Jeannette Peterson serving as vice presidents, the all-woman executive made history. “International Woman’s Year may not have had too much to do with the outcome of an all-woman executive and Board for the newly-formed Non-Status Indian and Metis organization in Nova Scotia,” the *News* reported, “the odds are that all of these ladies have lost their band membership through marriage to non-Indians or Indians not registered with the Department of Indian Affairs.”¹⁰³ Included on the executive were representatives of the nine new locals in the province, Nora MacLeod [Bernard] and Shirley Clarke, who would later become chief of

¹⁰³ “Form Non-Status Indian & Metis Association: All-Woman Executive,” *Micmac News*, March 1975, 5.

Glooscap First Nation, were notable members. Immediately the new Board got to work, hammering out logistics of new hires, and getting out applications for funding to the Secretary of State.¹⁰⁴ Understanding the need for field workers, especially after the struggle to mobilize non-status people when they were part of the UNSI, the “provisional board also revealed a decision to employ four field officers to work with the people at the grassroots level. “As Ms. Brown explained,” the paper wrote, “this sort of communicating is essential if we are to fully reach the majority of our people.”¹⁰⁵ The concerted efforts of the women on the executive, and around the province would certainly bring more attention to the non-status cause in Nova Scotia’s Indigenous media. NSMANS, like the UNSI and NSNWA before it, utilized the *Micmac News* as a tool to spread awareness of their work and to garner support; despite a brief hiatus in 1975 as the *Micmac News* struggled with its own problems, non-status people would remain a steady fixture in Mi’kmaw media in the following years.

Strain on the *Micmac News* and the formation of the Nova Scotia Native Communications Society

Things were looking up for non-status organizing in the province in March 1975, but the financial issues that contributed to the restructuring of the Union continued to plague its other arms, namely its Communications Department. Around the same time that news broke that the Union was having trouble supporting non-status people, as well as its own programming, hints that the *Micmac News* was struggling began to leak into the stories it published. In December 1974, Helen Martin took to a local C.B.C. Radio

¹⁰⁴ “Form Non-Status Indian & Metis Association: All-Woman Executive,” 5.

¹⁰⁵ *Ibid.*

show to criticize the Union and the *Micmac News* for their inability to support and make space for Mi'kmaw women. The *News* reported on the interview, saying that Martin argued that the *News* as an arm of the Union also “discriminate[d] against Native women by not covering [NSNWA] meetings and the printing of minutes.”¹⁰⁶ She mentioned her frustration with the *News* again in January, pairing her criticisms of the UNSI executive with those of the *Micmac News*. Martin again indicted the Union for “ignoring the Native Women’s Association and...not co-operating with them.”¹⁰⁷ Acknowledging again the *News*’ role in advertising meetings and reporting on action items to a broader audience than the meetings could reach, Martin remained concerned about “putting the minutes of meetings in the paper.” She argued that “such acts...were discriminatory and should not be left unchecked.”¹⁰⁸ Martin recognized how important the paper was for political organizing; if groups could not get their information into the *News*, they felt that they were not reaching the people that they needed to reach. Martin’s concerns were valid; since reporting on the Jeannette Corbiere-Lavell case and Indian Rights for Indian

¹⁰⁶ “Says Native Women Discriminated Against,” *Micmac News*, December 1974, 2. The printing of meeting minutes in Indigenous and non-Indigenous newspapers is a practice that Indigenous organizations had upheld since the nineteenth century, and have remained a valued political tool. Kathleen Buddle (2001) explains that in the nineteenth century, “As legislation was the primary mechanism by which the government deprived Native leaders of their authority and Native peoples of their lands, languages and other resources, English literacy and print propagating capacities were crucial survival strategies in what had become a war wage with printed words...(63)” Indigenous groups utilized the English language and white newspapers in many cases to add their voices to public discussions that would have often excluded them. For example, Buddle writes that in protest of the 1876 *Indian Act*, the Grand General Council of the Southern Ontario Ojibwe Chiefs “published [its] council minutes in five consecutive issues of the weekly *Warton Echo* newspaper in June 1879, and in numerous issues of the *Pipe of Peace* journal” in order to “disseminate its views.” (66)

¹⁰⁷ “Native Women confront U.N.S.I. Board,” *Micmac News*, January 1975, 8.

¹⁰⁸ *Ibid.*

Women had died down earlier in 1974, there had been minimal coverage of the NSNWA's work around the province. The *News* team did not deny that the financial and leadership issues that plagued the Union were impacting their ability to run a successful publication. In fact, the staff started publishing articles appealing to their readership for help.

The first direct acknowledgement that the *News* was struggling came in January 1975 in a small news brief. "Micmac News staff are limited in number," it read, "and request the cooperation of any organization that may be coming up with special events, [and] meetings for coverage purposes. In order to best coordinate these events, notify the office at 539-4107 for possible coverage by our limited staff."¹⁰⁹ As the *News* was running low on staff, the paper's inability to meet non-Union organizations' needs could certainly be explained. It also makes sense that non-status people and status women from the NSNWA would have resorted to authoring their own articles and briefs in the past. While that contributed to making the *News* a truly community-run venture, and explains one of the many ways it became a political tool, the announcement also reveals the paper's vulnerability as a Union-funded initiative.

Until 1975, the *Micmac News* did charge subscription fees, but only to non-Indigenous readers, something that set it apart from publications like BC's *The Native Voice* that charged all readers.¹¹⁰ *News* subscriptions, as of March of that year, ran at \$3.00 a month for non-Native readers,¹¹¹ while Indigenous people could subscribe for

¹⁰⁹ "News Briefs," *Micmac News*, January 1975, 3.

¹¹⁰ The Native Brotherhood of British Columbia included a subscription fee to *The Native Voice* in its union dues. (Buddle, 2001).

¹¹¹ *Micmac News*, March 1975, 2.

free. This practice contributes to our understanding of the *Micmac News* as a political tool; in this case, we see the Union using it to ensure that Indigenous people, particularly Mi'kmaw people, did not have to pay for material that concerned them. In order to disseminate information to as many Mi'kmaq as possible, it made sense to make the paper free. With the cost of printing and publishing covered in the UNSI's budget, the *News* had been able to run without charging universal fees for years.¹¹² Staff addressed growing criticism in April of 1975 with an upsetting announcement. In a brief titled "Cut-backs in Communications," the *News* informed readers that the lack of representation they had been frustrated with was about to get worse. With the UNSI cutting funds to the Communications Department, the team took matters into their own hands and began a work-to-rule demonstration.

"Already, some Native communities in Nova Scotia feel that they are being neglected by the staff of the MicMac News...for coverage,"¹¹³ the article read.

The same applies to: Native Women, Native youth, the Non-Status organization, the Friendship Center and numerous other people on the various Indian communities. During these next few months, this neglect will increase as the Communications department will be effected by cut backs in staff and travel. There will only be two persons working to produce the publication... The staff itself will restrict any unnecessary travel to Indian communities or to any less important meetings and will refrain by working evenings and week-ends. It will depend on the general public to write up their own news items, organize their own meetings and prepare their own advance press releases. This is not the intention of members of the Communications staff and we apologize for this inconvenience.¹¹⁴

¹¹² This is remarkable, considering the fact that Buddle identifies "a lack of funding" as one of the main factors that "impeded newspaper development" (206). The *News* would certainly experience issues with federal funding in the future, but the fact that the Union was willing to shoulder costs to make the *News* accessible to readers truly speaks to their intention of using it to circulate information, and to remove barriers to getting a hold of that information.

¹¹³ "Cut-Backs in Communications," *Micmac News*, April 1975, 2.

¹¹⁴ *Ibid.*

Many of the communities that the *News* staff had mentioned had already been writing their own news since the early seventies—especially members of the non-status community, and the Native Women’s Association. The acknowledgment of the crisis about to deepen, however, served as an opportunity for further exposure; if the *News* was increasingly going to actively rely on community members, communities feeling slighted could ensure that their words were published. For the *Micmac News* staff, though, the cut-backs put jobs, and even the paper itself, in jeopardy. “Unless the executive sees fit to find additional funds for increasing staff, this work to rule will remain in effect,” they wrote, “The remainder is up to the ‘grass roots’ to supply us with news, information bits and pieces without abusing the paper.”¹¹⁵ This shift would not change the reality for many groups within the province who had already been writing in their own news, but the admission of the problem only confirms that the *Micmac News*, in more ways than one, would continue to rely on community efforts into the second half of the 1970s.

In response to the UNSI’s communications cuts in funding and staffing, Gould pushed to have the Union hire at least one reporter to cover mainland Nova Scotia news, and while he was given the means to do so, the communications department’s frustration with the Union continued throughout 1975. In April 1975, the *News* published an essay from Doug Cuthand, the Director of Communications for the Federation of Saskatchewan Indians on the importance of Indigenous publication and media production. Cuthand’s work both validated the existence of the *Micmac News*, and gave readers a glimpse into just how much Indigenous communications societies mattered to organization efforts in

¹¹⁵ “Cut-Backs in Communications,” 2.

Canada. The issue was, he suggested, that taking Indigenous media for granted only served to hurt the organizations they helped. “Communications is a valuable tool for Indian development that has never been fully utilized by Indian organizations or the government agencies concerned,” he wrote.

Government publications have been spineless, clubby efforts designed to uphold the particular department and little else. It is only natural to expect that the most meaningful projects will come from outside the government. A couple of years ago there was a brief surge in the development of communications but government red tape and unyielding funding formulas have left the programs stagnating or functioning at a minimal level.¹¹⁶

Buddle’s thesis describes a lot of what Cuthand was discussing; over the course of Canadian history, the federal government had consistently impacted the success of Indigenous media publications and often did so by controlling the way Indigenous organizations accessed funding. In 1927, Buddle explains, Indian Affairs, under the reign of Duncan Campbell Scott, amended the *Indian Act* to make “it illegal to solicit funds from Native bands or individuals or from outside sources without the express permission of the Indian department...the effect of this legislation was to effectively prohibit the use of subscriber funding not only for the pursuit of land claims and for Native political organizing, but also for Native media development.”¹¹⁷

While these restraints were eventually lifted, federal funding programs often determined the success of Indigenous ventures in the seventies. In 1971, Buddle explains, “the Secretary of State established its ‘core and communications’ funding program for ethnic minorities,” which contributed to a surge in Indigenous newspaper development—

¹¹⁶ Doug Cuthand, “Indian Communications in Canada,” *Micmac News*, April 1975, 9.

¹¹⁷ Buddle, “A History of Aboriginal Media Activism in Canada,” 173.

the *Micmac News* actually came out of the class of publications established at the time.¹¹⁸

However, the decline of Indigenous newspapers that would occur over the next two decades was directly related to a federal funding cutback. Buddle says,

Although great advances were made in broadcasting across Canada, there was a concomitant decline in Native newspaper production. By 1972, there were 37 Native publications in existence throughout Canada. The number was reduced to 27, however, by 1984. In Ontario, Native newspapers diminished from 11 to only 3. By 1990, half of all Native publications in Canada had been discontinued. While government funding was certainly not the impetus for their creation, the withdrawal of such funding facilitated their untimely demise.¹¹⁹

Buddle identifies clearly the government influence on Indigenous organizations, and it is obvious that the organizations themselves at the time were very aware of their situation. If they could prove the worth of their venture to powerful institutions that could provide support, they could increase their chances of survival long term.

While justifying the existence of Indigenous communications societies, the *Micmac News* also attempted to promote its own merit—in July 1975, it published a small note mentioning that it had been “rated number two across Canada among Native newspapers.”¹²⁰ The author of the brief did not cite where and by whom the *News* received the recognition, but the intent of the note was clear: staff were frustrated that Mi’kmaw communities and political bodies had not recognized the *News*’ role in Mi’kmaw politics. Despite asking communities to work with them, they had received little aid. Even the staff were running low on morale, “not [cooperating] and...even [knocking] the publication.”¹²¹ The *News* was clearly growing; the staff understood that it

¹¹⁸ Buddle, 216-217.

¹¹⁹ *Ibid.*, 266.

¹²⁰ *Micmac News*, July 1975, 18.

¹²¹ *Ibid.*

needed to continue improving outputs in order to keep up with the rapid changes occurring in the province, and arguably across Canada. With the struggles non-status people endured while part of the Union, and with funds tight, optimism wavering, and a dwindling staff, the future of the *Micmac News*, just like non-status politics in the province, seemed uncertain.

By September 1975, communications cutbacks forced the paper into charging all subscribers, Indigenous or not, to get the *News*, “because of the rising cost of living and increasing cost of the printing,” deeming the decision “necessary.”¹²² By October, “with most of the staff unemployed and the *Micmac News* [going] out with only twelve (12) pages,”¹²³ it was clear that the strained relationship with the Union was coming to a head. That month, the UNSI’s communications society made the decision to separate from the Union altogether and form their own association; it was a choice that the Union itself agreed was best. The split, like the non-status separation, made front-page news and documented the support the new society had garnered from political and community groups around the province like the UNSI, NSMANS, the NSNWA, and the *Micmac Native Friendship Centre* in Halifax. The announcement explained that until the new society got on its feet, regular services would slow, and previous structures would change:

The **Micmac News** and its program staff will soon be part of the new Nova Scotia Native Communications Society... It is proposed that this will be a separate society, with its own board of directors and constitution. Part of the agreement will be for the supporting groups to provide free office space for field staff and for each group to appoint a member to serve on the board of directors. The program will be under the directorship of Roy Gould who will be acting in that capacity in order to get the entire program off the ground. Mr. Gould is presently

¹²² “Attention Readers of *Micmac News*,” *Micmac News*, September 1975, 3.

¹²³ “Year-End Review,” *Micmac News*, November-December 1975, 10.

communications coordinator for UNSI. The society in its first stage of operation will be relying on both the Union of Nova Scotia Indians and the Non-Status Association along with the Friendship Center to provide office space and the necessary clerical help. The Union of Nova Scotia Indians have indicated that all equipment and available files in their communications office will be turned over to the new society on a loan basis. The program will have five persons on staff to cover the entire province of Nova Scotia, two to work out of Sydney where the head office will be located while the remainder will be spread out in Mainland Nova Scotia. The new society will give priority to three areas during its first year of operation, [one of which is] the continuation of the Micmac News which will be available only on a paid subscription basis effective in the new year...Because of its low budget, displays, setting up of floats, etc., and availability of native speakers to schools and clubs will be secondary in the proposed structure. The society will however play important parts with all native groups in the coverage of news stories, special events and providing audio equipment for conferences. It will also make provision to train any native group in the field of communications and in the use of equipment. It is anticipated that the new Nova Scotia Native Communications Society will be in full swing by Christmas.¹²⁴

While they prepared to get the new society running, the *Micmac News* brought its regular publication schedule to a halt, combining their November and December issues into a single release as a year-end report.

Conclusion

There was not a great deal published on the Nova Scotia Non-Status and Metis Association in the latter half of 1975, and the single issue that the *Micmac News* published after its announcement let the last few months of the year pass by without much information. The period was an opportunity for the new organizations to develop action plans and to stabilize as they embarked on their respective journeys. In the coming years though, now separate from the Union of Nova Scotia Indians, both the Nova Scotia

¹²⁴ “New Society Formed to Publish Micmac News,” *Micmac News*, October 1975, 1. Bold in original.

Communications Society and the NSMANS would develop in unique ways and face their own obstacles. However, both groups would contribute to an overall robust Mi'kmaw political culture by partnering with the Union and with the NSNWA on broader, national issues concerning land rights, recognition of Aboriginal title, and an overhaul of the *Indian Act*, which will be discussed in the following chapter. Despite the issues the Communications society faced under the UNSI umbrella, it continued to act as both a political tool that non-status people were using just as the Union had, and a means of disseminating information to Mi'kmaw people as the battle for land rights and against gender discrimination continued.

CHAPTER FOUR: Unifications: The Return of Non-Status Women's Issues to the News, New Directions for the Native Council and Partnerships with the NSNCS 1976-1979

Introduction

While the Nova Scotia Native Communications Society (NSNCS) used the second half of 1975 to establish themselves in the province, the *Micmac News* produced minimal content; as such, information on the new non-status organization¹ was lacking. The *News*' reorganization that year would have certainly contributed to the lack of information on many fronts for many different Native organizations, but the fact that the Native Council of Nova Scotia (NCNS) was still establishing themselves and working to build a solid foundation also likely had an impact on them staying out of the limelight. With the NCNS's operations officially off the ground in 1976, however, and their rise coinciding with the beginning of independent Mi'kmaw communications in Nova Scotia, *News* readers were given renewed insight into non-status activism in the province. The later years of the 1970s marked a new era of non-status politics in Nova Scotia; at the same time, the Communications Society, now free of the funding restraints that came from being a sub-section of the Union restraints and able to secure funding on their own as a standalone organization, documented the vigorous, and often complex realities that the NCNS, and other groups working on non-status rights like the Nova Scotia Native Women's Association (NSNWA), faced in the fight for recognition.

¹ At the time of their founding, the Non-Status Association was called the Non-Status Indian and Metis Association of Nova Scotia (NSIMANS), but by June 1976, they had changed their name permanently to the Native Council of Nova Scotia; I have chosen to call them the NCNS throughout the chapter.

The *Micmac News* continued to grow, hiring more staff reporters to cover more ground, dedicating time and publishing space to groups that had had to fight for it in the past. Beginning in 1976, perhaps more than any other time since the *News*' first issue, readers were able to learn about non-status affairs on a consistent basis; intimately connected to these were Indigenous women's rights issues, and debates about Indigenous identity and colonial oppression. Mi'kmaw rights activism in Nova Scotia took on a new vigour as pan-Indigenous lobby groups Canada-wide ramped up their push for land rights and *Indian Act* amendment; with each new development, came sharp, involved articles that managed to report national news in ways that consistently rooted broad themes in a Mi'kmaw reality.² Through the pages of the *News* that we see the extent of Mi'kmaw involvement on a national level, something that broader histories of this period ignore.

Without much mention in published histories of the role Mi'kmaw people had in pan-Indigenous activism during the seventies, it is easy to assume that they were relatively disconnected from matters that seemed to concern more western nations. What the *Micmac News* does is shift that narrative, and demonstrate that Mi'kmaq and Wolastoqiyik people were deeply engaged with these events; in many cases they had important parts to play in Ottawa. Mi'kmaw men and women were regular fixtures on national boards and in many cases lobbied the federal government as individuals on issues concerning both registered and non-status Indians. While histories of this period

² Many argue that the *Indian Act* remains racist and colonial at its core, but many also believe that until the government recognizes Indigenous rights, it must remain to hold them accountable. It is the sentiment connected to the protest of removing the *Indian Act* in the first place. See Indian Chiefs of Alberta, "Citizens Plus," *Aboriginal Policy Studies* 1, no. 2 (2011): 188-281. Originally published in 1970.
<https://journals.library.ualberta.ca/aps/index.php/aps/article/view/11690/8926>.

gloss over the role Mi'kmaq played in these important moments, the *News* plays it out for us in real time, offering unique Indigenous perspectives that capture feelings in the eastern parts of the country. What broader histories have especially missed are the complexities of the battle for non-status rights and the role specifically Indigenous women's groups played in the victories that non-status people achieved at the end of the seventies. Focusing on Mi'kmaw media allows us to identify these complexities and spotlight the important work of regional women's and non-status groups in the push for Indigenous rights. At the same time, this focus challenges one-size fits all conceptions of Indigeneity and Indigenous activism.

Importantly, the *News* demonstrates that organizations dedicated to non-status concerns specifically, like the NCNS, did not often place their main focus on regaining status. Because of the bureaucratic structures that barred them from the same support registered Indians received, non-status groups were often required instead to dedicate resources and energy not to amending the *Indian Act*, but to more pressing concerns like housing and education assistance. As such, much of the work done to pressure the government to repeal Section 12(1)(b) came from Indigenous groups dedicated to women's issues. The transformed *Micmac News* brought an end to years of battling for space both in the media and in discussions on Indigenous affairs in Nova Scotia; beginning in 1976 Helen Martin and the Nova Scotia Native Women's Association (NSNWA) began appearing regularly in *News* articles. This shift offered readers a glimpse into just how much work Mi'kmaw women had been doing both on a national level and at home raising awareness and taking action to stop gender discrimination in the *Indian Act*. With the Communications Society developing their newspaper and taking it

in new directions, readers were able to regularly engage directly with the NSNWA; the significant impact Mi'kmaw women were having on the furthering of Indigenous rights in Canada overall was now impossible to ignore.

The NCNS did not abandon the anti-gender discrimination cause completely; with an executive and Board of Directors consisting mostly of women who had lost their status through marriage, the Council knew all too well the unique issues Indigenous women lived with under the *Indian Act*. While the NCNS turned to focus on supporting non-status people's immediate concerns, they often added their support to the NSNWA and national groups like IRIW and NWAC by working to hold male-driven groups like the UNSI accountable to women and offering financial aid whenever they could. The NCNS executive did not talk much about working to return status to those who had lost it. Instead, they worked to move beyond the colonial definitions of Indigeneity by encouraging other Indigenous groups to work with them to secure recognition, challenging the validity of the federal status system. In this vein, the NCNS also destroyed the legitimacy of Canada's land claims frameworks by seeking out their own land claims rooted in the concept of Aboriginal Title. This, of course, triggered debates about what constituted being an Indigenous person and who was entitled to specific Indigenous rights. These debates played out in the pages of the *Micmac News*.

This chapter chronicles the politics of the last four years of the 1970s as they played out in the *Micmac News*. With a renewed structure, Mi'kmaw communications in Nova Scotia flourished and the material the NSNCS produced provides for rich historical discussion. Drawing on the *News*' increased output and dedication to news on non-status and Indigenous women in the late seventies, this chapter also explores the complex

struggle for identity recognition in Nova Scotia, the push to destroy gender discrimination in the *Indian Act* and the assertion of the right to self-determination on Indigenous lands from a Mi'kmaw perspective. The *Micmac News* during these years was an effective political tool. It was a discussion forum, a bulletin board, and a source of education material. It also chronicled the resiliency and the diversity of the Mi'kmaw nation during a period where they are so often overlooked. Perhaps most of all, this chapter seeks to capture the struggles Indigenous women have had—and continue to have—getting their voices heard and their concerns taken seriously. Remarkably, the *News*, by featuring women's voices, and in particular non-status voices, captures this struggle honestly; it therefore remains an invaluable resource. Finally, just as the *News* worked to capture truth, so too does this chapter; the seventies ended on an uncertain note for both Indigenous women in Nova Scotia and for the Communications Society itself. The eventual repeal of Section 12(1)(b) in the 1985 *Indian Act* was not inevitable; discussions of *Act* amendment in the late seventies among Indigenous Chiefs consistently ignored women's concerns and focused instead on bringing more power to Band Councils, ending the decade on a frustrating note. This roadblock, combined with Roy Gould's shocking decision to threaten shutting down *Micmac News* in the face of funding cuts and dwindling support from Mi'kmaw organizations suggested a dark future indeed.

The Native Council of Nova Scotia and the “New” *Micmac News* in 1976

The change to the *Micmac News*' structure in 1976 was immediately visible; for one, there was a significant increase in space assigned to non-status news. After months

of virtual silence on NCNS matters, the January issue dedicated an entire page³ to updating readers on what they had been up to since their first Annual General Meeting the previous July. The spread divided its updates into multiple sections that focused on housing, education, and the new relationship between the Non-Status Association and the Communications Society, among other partnerships. Each section identified the areas to which the NCNS had dedicated their time and resources: solving the housing issues that continued to plague non-status people, bridging the gaps in educational support between status and non-status Indigenous youth, and forming relationships with other prominent Mi'kmaw organizations in the province like the UNSI, to ensure that non-status interests were included in the decisions they made.

The increased non-status presence in the *Micmac News* owed a great deal to the NCNS' direct involvement in the Communications Society; the January issue brought with it an announcement of the new partnership and what it would mean for non-status news in the coming years. "As you know," the announcement read, "The Association has become involved with the Nova Scotia Native Communications Society which publishes the *Micmac News*. Future editions of the *MicMac* [sic] *News* will be geared to all Native groups with many articles and news items for & about the Non-Status and Metis people."⁴ The organizations' relationship went further than ensuring increased news coverage; it also provided jobs to non-status people. For example, James D. MacDonald, the executive director for the NCNS, became the primary signing officer for the NSNCS. At the same time, while the Communications Society was still in the process of hiring

³ *Micmac News*, January 1976, 3.

⁴ "Micmac News Subscriptions," *Micmac News*, January 1976, 3.

field reports to cover news across the province relating to status affairs, the Society was able to dedicate a field reporting position to non-status news exclusively.⁵ In January, the *News* confirmed that the first non-status field position was given to Kathy Brown, former president of the NCNS; as we have seen, Brown had already been an important voice for non-status concerns in the *News*. This time around, however, with a secured space on the platform and her own office space in NCNS headquarters in Truro, Brown would be able to diversify the content she produced, which in turn gave readers a deeper view into the non-status world.⁶ Eventually, the *News* would not only secure funding to continue employing non-status field reporters, but to provide jobs for non-status summer students who would publish essays and articles of their own, chronicling their experiences as non-status people.⁷ The increase in non-status content, and the Communications Society's consistent employment of non-status people, built the foundation of a sustained non-status presence in Mi'kmaw media and would greatly impact the political conversations that would occur over the next few years.

In a matter of months, the NCNS, with President Viola Robinson at the helm, had quickly risen to become one of the most prominent and active Indigenous organizations in Nova Scotia. With an executive and Board of Directors consisting almost completely of women, the Native Council marked a shift in Mi'kmaw politics, adding new perspectives to debates that had been dominated by male, mostly status groups. Of course, both status women and non-status people had been active previously; the *Micmac*

⁵ "Communications," *Micmac News*, January 1976, 3.

⁶ *Ibid.*

⁷ See, for example, Denise AuCoin, "The Non-Status Scene," *Micmac News*, December 1977, 18.

News and other Indigenous media proved that. However, with the *News* undergoing structural development that now met the demand for non-status reporting, the publication drastically changed the way people engaged with non-status issues. For the first time since its birth, the monthly periodical⁸ featured regular non-status content—content that because of the sexism central to enfranchisement policy, necessarily centered women’s voices. In the era of battles for land claims and treaty rights in the status world, the *Micmac News* provided a much-needed view into what non-status people were fighting for at the same time, offering them a platform to voice their concerns and influence broader political debate.

What the *News* made clear in 1976 was that, while other groups like the UNSI and the NIB focused on presenting their land claims to the federal government, and the NWAC and IRIW continued to draw attention to gender discrimination in the *Indian Act*, non-status groups like the NCNS were necessarily pulled to focus on more immediate issues that the discrepancies in federal support between status and non-status Indians caused. The abysmal non-status housing security that the *News* had begun reporting on in the mid-seventies continued, and without federal funding from Indian Affairs to support non-status housing needs, the Native Council had to spend most of its energy scrounging for funding from core federal and provincial pots to build a support system for non-status people in Nova Scotia. The Council hired Roger John temporarily in 1976 to focus on the housing issue; John had been working on housing programs with the Native Council of Canada previously, and joined the provincial team to both develop the foundation of their

⁸ There was a brief period in 1976 where the *Micmac News* was published on a bi-weekly basis; the news returned to its monthly schedule in December of that year.

Rural and Native Housing Program and train a permanent Housing Director to replace him after his six-month contract ended.⁹ John would work over the next few months to secure funding for housing repairs and building programs. Because of this, the NCNS was able to build its first house by September that year.¹⁰ Indeed, housing and education issues remained the Council's main focus throughout the 1970s; however, while support from the National Council certainly benefitted Nova Scotia in their work to support members' immediate needs, it also necessarily drew them into broader conversations of non-status land rights. Soon, on the heels of the UNSI, the NCNS would begin researching land claims of their own.

Branching Out

The activities of the Native Council during much of 1976 and the following years would consist of struggling to collect money to develop programming for non-status people to fill the gap in Indigenous supports that the *Indian Act* created. By the late seventies, it had become clear that Indian Affairs was not only failing the people their policies enfranchised, but also those whom their systems were supposedly meant to support. In this context, the NCNS found themselves using resources meant for non-status people to help registered Indians who had moved off reserves. At the time, Indian Affairs would only support status Indians if they lived within their communities. Once a Band member moved away, they stepped out from underneath the umbrella of federal support, and were forced to live as though they had been enfranchised. In many cases,

⁹ "Housing," *Micmac News*, January 1976, 3.

¹⁰ "Congratulations: First Home for the Non-Status," *Micmac News*, October 1976, 11.

this led to situations like the one the Springhill Junction crisis presented. President Viola Robinson took to the *Micmac News* in May 1976 to draw attention to the issue: “The non-Status Indian and Metis Association of Nova Scotia is becoming very concerned about the housing situation for the registered Indians living off reserves,”¹¹ she wrote. Criticizing Indian Affairs, Robinson warned that the divisions Indian Affairs had already caused with their status system were deepening as registered Indians living off-reserve were being alienated in similar ways. “When the government deprives non-status Indians, who are as much Micmac Indian as some who are on reserves, of services, is one thing,” Robinson said, “but when they deprive their very own registered Indians is totally another issue.”¹² Since its establishment, NCNS fieldworkers had begun getting increasingly involved with off-reserve status Mi’kmaq who had been cut off from Band support. Robinson attacked the policy plan, deeming it another tool of colonial control:

I find it very disturbing and frustrating that the government continues to dictate to the Indian People when they are in fact telling us, ‘Here is a piece of land we have set aside for you,’ (normally a reservation) ‘now you go on this land, live there and stay there!’ Because if you leave, the consequences will be losing entitlement to any benefits and services which you are receiving through the Department of Indian Affairs. Then we say this is supposed to be a free country. A far cry! Especially from the Indians’ point of view. Indians of all people should be free to choose where they want to go and live, and still be entitled to the services and benefits of the Department of Indian Affairs. This is just another tactic the Department of Indian Affairs is using to cop out of their responsibility to the native people.¹³

Robinson called on Indigenous leaders in Nova Scotia, the ones with direct links to Indian Affairs, to take “a firm stand together to fight this issue.”¹⁴

¹¹ “Non-Status and Metis Association Criticizes Indian Affairs,” *Micmac News*, May 1976, 18.

¹² *Ibid.*

¹³ *Ibid.*

¹⁴ *Ibid.*

Viola Robinson was one of the most vocal Indigenous political figures in Nova Scotia beginning in the late 1970s, and she consistently promoted an Indigenous unity that transcended status.¹⁵ Robinson felt that the government distinction worked as a tool of colonial control.¹⁶ While she recognized the importance of removing gender discrimination from the *Indian Act*, she had less interest in getting her own status reinstated after marrying a non-status man¹⁷ than she had in getting equal rights for all Indigenous people; perhaps more than UNSI leaders, Robinson had witnessed personally the inequalities—even within Indigenous nations themselves—that Indian Affairs perpetuated in Canada. Indeed, while much of the work in 1976 and the following years would consist of struggling to collect program funding, Robinson and the NCNS followed in the steps of the UNSI and began researching to make land claims of their own. As a group of Indigenous people, Robinson maintained that they did not need status

¹⁵ When Robinson spoke about Indigenous issues, she did not categorize them into status and non-status issues like many other groups did. Often, the *News* would publish her responses to events that may have seen the Canadian government involving Status groups, but excluding organizations like the NCC or NCNS. This did not deter Robinson from weighing in. For example, in November 1976 (a), Robinson commented on the swirling discussions about repatriating the Constitution saying: “There has been much talk lately, particularly by the Prime Minister and his government, of bringing the British North American [sic] Act to Canada...However, Indian people of Canada have more to lose than other Canadians, because although we have been almost totally ignored, we are the founding race in this country...As Indians we have everything to lose if the BNA Act is brought back to Canada. At this point in history, when our strong Indian leaders in the past few years, have proven to society and to ourselves that we are capable of determining our own destiny by demanding more human, civil and political rights. We cannot let their hard work and our pride in ourselves slip away again.” (18)

¹⁶ In January 1979, Robinson told *News* reporters that “Native people must define themselves or else delegate that authority to the federal government. The government imposed artificial definitions once before that divided Indian people. They will do it again if given the chance. Native people must decide now!” (9)

¹⁷ Heather Robinson, “Robinson: The Woman and the Leader,” *Micmac News*, August 1979, 11.

to be granted the rights that they were born with; they would not wait for reforms of the *Indian Act* to pursue their claims. Through their research on Aboriginal title, the NCNS struck more deeply at the foundations of the divisive colonial tools that Canada had implemented to control Indigenous populations, and identities, than even the status-based lobby groups could have done.

Non-Status Land Rights

The NCNS developed in the middle of a period of increased Indigenous political activity in Canada, centred on land rights and self-determination. By the time the NCNS had made the decision to look into land claims, the *Micmac News*, especially because it had started as an arm of the UNSI, had already been following the Union's push to gain recognition of their rights on unceded Mi'kmaw territory. Land claims research and petitions for recognition had dominated much of the *News*' content throughout the 1970s, and up until 1976, land claims news in Nova Scotia centered on Union activity and engagement with the complex network of government bureaucracy that categorized the land claims process at the time. The federal and provincial channels that Indigenous groups had to navigate while pursuing land claims during this period were deliberately convoluted. Karine Duhamel explains that the avenues the Canadian government set up to deal with Indigenous claims

had the effect...of diverting a great deal of more radical opposition [to Indian Affairs control] by legitimizing and prioritizing the process by which mainstream organizations could in fact play a role in securing real gains for Indigenous people. Aboriginal nations from coast to coast correctly sensed opportunity, however limited, and large mainstream organizations seemed the most poised to

take on the challenge of guiding the people through a complicated bureaucratic process for which many had not been prepared.¹⁸

It was necessary, then, for Indigenous groups to invest significant resources into researching land claims. While this certainly prolonged the claims process, the knowledge gathered also opened unexpected doors for groups like the NCNS. Up until 1976, the UNSI seemed to be the only Indigenous organization in Nova Scotia with the ability to navigate the government channels that had been put in place for land claim. Union-hired researchers were the only ones with the ability to research the validity of these claims, and material published about the process in the *News* came from Union-approved sources. This monopoly of sorts also stemmed from how Canada structured avenues of negotiation for pursued claims. Duhamel argues that

...the land claims policy effectively silenced a great deal of alternative opposition and changed the face of Indigenous activism in Canada from a diverse field of opinions into a more streamlined process increasingly aimed at negotiating with government. As it would evolve, the modern treaty process also meant that First Nations organizations with established bureaucracies and relationships would increasingly seek a seat at the constitutional table in the late 1970s and early 1980s.¹⁹

The Union of Nova Scotia Indians was just the kind of group that the Canadian government designed the claims process to work for. Following this example then, in 1976, the NCNS moved forward to demand they be allowed to operate within the mechanisms the federal government had set up for their status counterparts. While they were not necessarily radical in the methods they used to seek federal recognition, the fact

¹⁸ Karine Duhamel, “‘Rise Up—make haste—our people need us!’: Pan-Indigenous Activism in Canada and the United States, 1950-1975,” (PhD diss., University of Manitoba, Winnipeg, 2013), 405.

¹⁹ Duhamel, “‘Rise Up—make haste—our people need us!’,” 405.

that they worked through these pre-determined channels to challenge government-approved definitions of who could claim Indigeneity and the rights that necessarily came with that, is historically important.

For a while, the UNSI claim dominated the *Micmac News*. With their land claims proposal officially completed in April 1976,²⁰ the UNSI continued to pursue status Mi'kmaw interests at the national and provincial levels. The Union claim came on the heels of *R. v. Calder's* confirmation of the existence of Aboriginal title,²¹ and the negotiation of the James Bay Agreement, which had been "Canada's first [negotiated] treaty in over fifty years."²² Both *R v. Calder* and the James Bay Agreement had come out of the Indigenous need to protect sacred lands central to their survival;²³ the James Bay Cree launched their claim in response to the province of Quebec's announcement of a potential hydroelectric dam project in 1971 that, according to J. R. Miller, "would fundamentally transform [their] homeland...and blight their chance of being self-sufficient."²⁴ Led by Billy Diamond, a group of leaders from Waskaganish First Nation, and eventually, representatives of the Inuit in the area²⁵ "put together...a historically based argument to show that the Crown had recognized indigenous rights in a train of official documents that began with the Royal Proclamation of 1763, and that those rights

²⁰ "Land Claims Completed," *Micmac News*, April 1976, 1.

²¹ See Hamar Foster, Jeremy Webber, and Heather Raven eds. *Let Right Be Done: Aboriginal Title, The Calder Case and the Future of Indigenous Rights*. (Vancouver: UBC Press, 2007).

²² J.R. Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada*. (Toronto: University of Toronto Press, 2009), 250.

²³ Miller, *Compact, Contract, Covenant*, 250.

²⁴ Miller, 257

²⁵ *Ibid.*

remained intact.”²⁶ Their fear was that the dams would rob them of their ability to sustain their traditional way of life.

The Quebec Superior Court eventually supported the nation’s argument, and approved their request to seek “an injunction to halt the project.”²⁷ With the *Calder* decision fresh in everyone’s minds, it was easier to determine that the James Bay Cree had clear rights to their homeland; rather than risk losing the hydroelectric project altogether, the Quebec government, headed by Liberal Premier Robert Bourassa, began to negotiate a settlement with them instead.²⁸ The battle was a long one that saw the Quebec government attempting successfully to control the media narrative surrounding the settlement and pull public support away from the James Bay Cree.²⁹ Sadly, the agreement, finalized in 1975, was “far from being what the James Bay Cree and their Inuit allies had wanted.”³⁰ However, with financial compensation arranged for the Cree and the Inuit in Northern Quebec in exchange for the land for the hydro project, as well as clauses “to shore up and protect their traditional hunting-gathering economy,”³¹ the agreement set the tone for many Indigenous claims in the future.

Likening their own claim to the original goals of the James Bay Settlement, UNSI President Alex Denny explained “that the Nova Scotia Indians are not looking for cash—they want land compensation, a return to traditional practices, the right to conduct commercial enterprises with territories they control and they will not extinguish their

²⁶ Miller, *Compact, Contract, Covenant*, 259.

²⁷ *Ibid.*

²⁸ *Ibid.*, 260.

²⁹ *Ibid.*,

³⁰ *Ibid.*

³¹ *Ibid.*

Aboriginal rights.”³² The struggle with rights claims remained in many ways connected to status Indians, as this group remained the only one that the Canadian government would negotiate with on Indigenous matters. However, the concept of Aboriginal title used and affirmed in both *R v. Calder* and the James Bay Agreement, moved beyond the arbitrary status definitions that the *Indian Act* outlined, and if it was this right that affirmed Indigenous claim to land, then there was nothing stopping non-status people from making a claim that protected their traditional needs as well.

Non-status Mi'kmaq recognized this opportunity, as did many non-status and Metis groups across Canada; as Indigenous people, they were born with inherent rights to land that no one could take away. With understandings of Aboriginal Rights becoming more widespread among the various Indigenous rights organizations in the seventies, non-status groups found a glimmer of hope; despite their alienation from Indian Affairs support, non-status people were definitely not removed from land claims news, and often engaged with it; news of the James Bay Agreement was no different. Non-status concerns about the way James Bay was handled came out in a *News* report on a December 1976 NCNS Board Meeting, where members voiced their fear of the way the Agreement was handled. As it stood, the Agreement's supposed protection of hunting and gathering rights did not ensure that the needs of Indigenous stakeholders were completely protected. The worry was that the way the Quebec Government treated the James Bay Cree and Inuit would set a “precedent in settling future agreements.”³³

³² “Land Claims Completed,” *Micmac News*, April 1976, 1.

³³ “James Bay Agreement Abhorrent to Non-Status,” *Micmac News*, December 1976, 32.

Expressing their concern, the NCNS sent a telex to the Prime Minister at the time, Pierre Elliot Trudeau, and his Cabinet condemning the agreement, and published it in the *News*. They also took the opportunity to demand that in any future claims, non-status and Metis groups were part of the consultation process. **“To Prime Minister and All Ministers,”** the telegram read,

The Executive and Board of Directors of the Non Status Indian and Metis Association of Nova Scotia express deep sorrow and disappointment in the signing of the James Bay Agreement, in which the 6,500 Cree Indians and 3,500 Inuit of Northern Quebec will lose all rights to most of the land they have occupied and used since time immemorial. This action will destroy the traditional way of life for these Native people and extremely limit their main economic pursuits, namely hunting, fishing and trapping. We find it very hard to believe that people can sign away a traditional way of life, no matter what the compensation...In regard to the above, we feel it is vitally important that we and other Native groups, receive feedback on what’s being proposed to Government and how various claims around the country are being settled. We must also insist that the Native Council of Canada be involved in all future negotiations to [ensure] that the non Status Indian and Metis people of Canada are properly represented³⁴

The message from non-status people in Nova Scotia was clear: that they were indeed Indigenous people, with or without status, and the government had grossly misunderstood the rights they held,³⁵ which they would demonstrate in the coming years in the pursuit of land claims of their own.

The Case for Non-Status Land Claims in Nova Scotia

Discussions surrounding the nature of Mi’kmaw land claims permeated all Indigenous organizations in the province, but the conversations that happened among the

³⁴ “James Bay Agreement Abhorrent to Non-Status,” 32. Bold in original.

³⁵ Miller captures Prime Minister Pierre Trudeau’s reaction to *Calder* in *Compact, Contract, Covenant*: “Perhaps you had more rights than we thought you had when we did the White Paper,” Trudeau said. (255)

NCNS about making claims reveal the true nature of Aboriginal Rights. At the sixth annual meeting of the UNSI in March 1976, before their claim had been finalized and submitted to the federal government, Union research director Stu Killen, a non-Indigenous employee who had been publishing frequently in the *News* since its birth on the nature of the treaties and land claims themselves,³⁶ gave a presentation to meeting delegates on the Aboriginal Rights that made the Mi'kmaw claim possible. Robinson, who attended the meeting in her capacity as NCNS president, commented on the hopeful non-status relationship to land claims, saying that Killen's talk "was based on the Royal Proclamation of 1763, which is still valid in this province where it states that any person with Mic Mac [sic] Ancestry is entitled to compensation for their loss of the use of land and way of life."³⁷ Killen's words confirmed what non-status people had been arguing in the *News* for a long time: that the non-status, who remained Mi'kmaq regardless of whether they were registered or not, could also be part of the Mi'kmaw claim for land. "The only thing that makes Indians status or non-status is the Indian Act," Killen explained; "The Aboriginal right concept happened long before the Indian Act and as a

³⁶ Killen would frequently write essays explaining the land claims process to *News* readers, Indigenous and non-Indigenous alike. For example, in October (a) 1976, Killen writes a guest editorial called "What Aboriginal Rights are Not," that provides a challenge to common misconceptions about Aboriginal Rights linked to colonial discourse. He says, "The recognition of aboriginal rights does not give governments a change to 'pay off' Native people; nor does it enable the Canadian people to evade a legal responsibility, established under their own constitution... The government's action on contemporary land claims, that is to say buying off, extinguishing and forcing Native people to surrender their aboriginal rights, shows a continuing colonialism in practice... aboriginal rights is never, for Native people, a tool of assimilation, nor is [it] a relinquishment or surrender or extinguishment of Indianness or Nativeness. It is a reaffirmation of Indian or Native rights over the use and occupancy of the land, the water and their resources." (2)

³⁷ Viola Campbell, "The Non-Status Indian and Metis Association regarding Aboriginal Rights," *Micmac News*, March 1976, 20.

result of the Lavell case, many people are not familiar with the act that the Indian Act both excludes full blooded Indians from status and bestows Indian status on people with no Indian blood.”³⁸ The arbitrary nature of the *Act*’s membership clauses were hard to ignore; the evidence was growing in favour of non-status people.

As the UNSI worked on submitting their land claim, and distributing the information they were gathering, readers of the *Micmac News* were treated to real-time education on issues that directly related to their lives as Indigenous people within the colonially-drawn boundaries of the Canadian state. The *Micmac News* had picked up on and likely sustained the Aboriginal Rights fervour; in 1976, its structure began to reflect the centrality of Aboriginal Rights to assertions of Indigenous pride and resistance in Canada. Aside from publishing news stories on land claims issues, and information on Indigenous rights in the form of news briefs and essays, the *News* began running a small series of adverts called “Aboriginal Title is...” with bite-sized descriptions of what Aboriginal Title meant to the Mi’kmaq in Nova Scotia (See Fig. 7). Each block read something different, and popped up in various places within the newspaper over the following years. The first installment appeared after the UNSI’s April land claim was presented to the federal government in June 1976, and read “Aboriginal Title is...Remember welfare is only part payment for Nova Scotia Lands,”³⁹ alluding to the obligations Canada had to the Mi’kmaq people that had been forgotten or ignored since the Peace and Friendship Treaties. During this period, readers were inundated with information on their rights; while the *News* worked to educate readers, providing

³⁸ Campbell, “The Non-Status Indian and Metis Association regarding Aboriginal Rights,” 20.

³⁹ *Micmac News*, June 1976, 5.

explanations on the often-complicated claims process. In this case, the paper continued its role as a tool designed to educate with the goal of rallying support and mobilizing the grassroots. The information, however, was no longer geared only toward status people on reserves, but provided indispensable knowledge to the non-status population. The way in which the *Micmac News* reported on land claims told non-status people in Nova Scotia that despite the structures that had acted to bar them from participating fully in the fight for right alongside their status counterparts, federal boundaries were not Indigenous boundaries. Nothing could keep them from what was already theirs, from what predated the colonial structures that attempted to dictate who they were.

After watching Killen's initial presentation, Robinson told non-status reporter



Fig. 7: These "Aboriginal Title is..." ads featured frequently in the *News* beginning in 1976. *Micmac News*, June 1976, p. 5, 12 respectively.

Viola Campbell that while non-status people could not "participate in statutory claims, which are individual band claims,"⁴⁰ they did not have to be completely excluded from the process. The colonial system could be challenged, at the least from within. The plan,

⁴⁰ Viola Campbell, "The Non-Status Indian and Metis Association regarding Aboriginal Rights," *Micmac News*, March 1976, 20.

moving forward with Killen's information, was to partner with the NCC, and to do more research. "So in effect what we are saying," Robinson explained,

is anyone who can trace their Micmac ancestry back legally has an Aboriginal Rights claim. The native Council of Canada along with member associations are concentrating all their efforts on Aboriginal Rights,' [Robinson said.] Pressure is being applied Federally and Nationally for the reaffirmation of our Aboriginal Rights as non-status Indians. In the closing interview, Viola Robinson proudly stated, 'We come not as beggars but as people with a pride and a heritage.' 'We seek justice now, to lay the foundation for the future of our people.'⁴¹

By the NCNS' first Annual General Assembly that summer, Killen had developed a "case for the province's Non-Status and Metis people" that confirmed that the Royal Proclamation of 1763, laid the groundwork for non-status claims, just as it had with James Bay and *Calder*.⁴²

This realization fascinated NCNS members. As Vice-President Lorraine Cox would explain to *News* reporters, "the time frame of [the Annual General Meeting] would have been lengthier as time ran out because of the tremendous amount of interest shown on the aboriginal rights issue."⁴³ The NCNS remained committed to ensuring that their membership base could get settled properly, and building the foundations of housing and education programming. However, the interest in Aboriginal rights and the provincial connection to the NCC, which was also pursuing non-status and Metis claims in the aftermath of *Calder* and James Bay, inspired them to focus on a non-status Mi'kmaw claim as well. Nationally, the climate continued to warm to non-status concerns.

⁴¹ Campbell, "The Non-Status Indian and Metis Association regarding Aboriginal Rights," 20.

⁴² "Aboriginal Rights highlights first Non-Status Assembly," *Micmac News*, July 1976, 1.

⁴³ *Ibid.*

Following their provincial meeting, delegates from the NCNS travelled to Ottawa for the NCC's National Assembly, where the conversation about "Unity and Aboriginal Rights" continued.⁴⁴ In 1975, the NCC had made a proposal to the federal government about obtaining funds for land claims research; at the 1976 Assembly, the Council informed delegates that the government, surprisingly, had "agreed to finance[their] research into Aboriginal land claims,"⁴⁵ and had delegated the task of consultations with the NCC and its member organizations to Health Minister Marc Lalonde. With funding now on the table, and at least some level of commitment to the cause from the federal government—though Indian Affairs was not involved—the NCC was able to use their meeting to develop "the mechanics of [non-status and Metis] consultation and research." There was now a means to move forward in discovering whether or not "there [were] legal and political arguments in support of them."⁴⁶ Killen's research had already confirmed the legitimacy of the claim for the NCNS; with a financial commitment from the federal government and a parent organization headed in the same direction, the goal looked attainable. Robinson called the funding decision "historic"⁴⁷ as the federal government had "never taken any special responsibility for the Metis and Non-Status Indians."⁴⁸ The Canadian government had finally, it seemed, begun to understand a wider definition of Indigenous rights. "The so-called Non-Status Indians and Metis 'certainly do have aboriginal rights,'" said Robinson, "and we have always stressed this. It's a

⁴⁴ Viola M. Robinson, "Non-Status Indian delegates at N.C.C. assembly in Ottawa," *Micmac News*, July 1976, 31.

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*

⁴⁷ *Ibid.*

⁴⁸ *Ibid.*

shame however that we have to wait for government to tell us what to do, and that we still have to prove this.”⁴⁹ Because of the nature of the land claim settlements at the time, non-status people would necessarily have to go about their claims differently, especially as Indian Affairs would not support them. In the past, according to Robinson, the UNSI had conducted research “covering non-status claims,” but in order for non-status groups to confirm their “validity...before the federal government” they had to get funding on their own.⁵⁰ Regardless, they felt the government’s decision was enough to get a foot in the door.

Interestingly enough, despite the historiography’s glossing over of the distinctions between Indigenous groups in the era of Pan-Indigenous activism, the NCC was aware of the geographic and historical differences between the Indigenous groups that made up the Council; in their plan to move forward with land claims research, Harry W. Daniels, the present elected in 1976, highlighted Maritime Indigenous nations in the NCC’s plan to support non-status claims:

since the Metis and Non-Status Indians in the Atlantic provinces are not far advanced in their research of aboriginal rights and the land claims and rights research, that the executive and board of the [NCC would] coordinate their research and political and legal activities regarding aboriginal rights in such a way that the member associations from these provinces can receive the kind of assistance required to meet their needs.⁵¹

Having support would certainly aid the NCNS in their land claims research. Their government-defined identity would have no bearing on how they made claim to their

⁴⁹ “Federal Fund Commitment Welcomed by Non-Status Indians,” *Micmac News*, August 1976, 28.

⁵⁰ *Ibid.*

⁵¹ “NCC Assembly is Held,” *Micmac News*, September 1976, 20.

rights. However, the mechanisms that caused these issues in the first place remained; gender discrimination in the *Indian Act* continued to plague Indigenous women. And while the NCC and the NCNS focused on issues of housing and education and researching their land claims, organizations dedicated specifically to Indigenous women's issues worked tirelessly to challenge the legislation that necessitated the existence of separate groups in the first place.

Indian Act Amendment Returns to the News, 1976-1979

Readers of the *Micmac News* would have been familiar with the struggles Indigenous women faced in Nova Scotia and the other Maritime provinces in the 1970s. The paper had already documented Jeannette Corbiere-Lavell's Supreme Court battle, the national debates surrounding her fight to remove gender discrimination in the *Indian Act*, and the rise of the Nova Scotia Native Women's Association in that context. The NSNWA was, for the most part, responsible for the fact that these stories were catalogued in the *News* at all. As this thesis demonstrates, Native women produced much of the information dealing with the Association's role in the movement to end gender discrimination in the *Act* and the journey they took to fully supporting non-status women themselves.

Despite their hard work, moving into the second half of the seventies, the NSNWA continued to run into issues with finances and a lack of support from other Indigenous provincial bodies; the struggles that the *News* dealt with in the middle of the decade seemed to hit news on Mi'kmaw women the hardest. Representatives from the NSNWA were vocal about the problems they were having getting their voices heard, both

in the political context of the meetings they attended, and now in an Indigenous public sphere embodied partly by the *Micmac News*. By 1976, however, just as the *News*' restructuring had helped increase non-status visibility, and as such, had produced a more complete picture of non-status lives, it also aided the Women's Association in getting more press time. Indigenous women's issues were articulated more fully, and thanks to a series of events that hit the national and international news,⁵² the push to remove the discriminatory membership section in the *Indian Act* was highlighted in Mi'kmaw media once more. Just as it had been Indigenous women that drew attention to the *Act's* gender issues in the first place, the NSNWA led the charge to challenge the *Act* in Nova Scotia in the late seventies as well, something that the strengthened *News* captured vividly. Women battled discriminatory Canadian policies, as well as gender discrimination in their own communities and within Indigenous governing bodies as they fought for their rights more than a decade before they won the 1985 amendment.

With the *News* focusing more on the predominantly female membership of the NCNS, the connections between non-status issues and Indigenous women's issues became apparent once more; Indigenous women were facing unique oppressions, and Mi'kmaw women were no strangers to these. In the non-status world, criticisms aimed at the NCNS' attempts to support their membership were aimed specifically at women; while enfranchisement happened to all genders, women in particular were blamed for

⁵² The Tobique Women, known for occupying the Tobique Band Hall to protest the community's treatment of women, a march on Ottawa to raise awareness on discrimination in the *Indian Act*, and of course, Sandra Lovelace's appeal to the UN about the *Act* helped draw attention to the issues that Jeannette Corbiere-Lavell had raised in the early 1970s in Canada, and around the world. See: Silman, *Enough is Enough: Aboriginal Women Speak Out*, (1987).

their situation. This came out, for example, in a March 1976 *News* article about non-status people having problems getting access to medical services. Non-status women were blamed for the sudden influx of non-status requests for aid that Canada Medical Services was getting. The article explained that

Chiefs throughout Nova Scotia have been informed by the Canada Medical Services that due to the increase in demand by non-Status Indians, they are now forced to return to the strict interpretation of their responsibilities ‘mainly the obligation to the registered Indians.’ According to Dr. Ian F. MacCaw, Zone Director for Medical Services, non-Status Indians living on reserves and their requests for financial assistance in obtaining special medical treatment, including drugs, glasses and dentures, have become a matter of concern to medical services...Dr. McCaw continued to say that ‘we believe we express the sentiments of registered Indians in recognizing the differences between those holding status and those who have chosen to disclaim their heritage by marrying outside the Native community and living in a way other than the traditional way of life.’⁵³

The letter implied that Indigenous people who left their communities, or in particular, Indigenous women who married out, had abandoned their traditional way of life, and had turned their back on their nations. The sentiment had been around—and vocalized—in the *Micmac News* since the discussions of gender discrimination in the Corbiere-Lavell Case began, and it showed no sign of fading by the middle of the decade. Attached to the gendered attacks was the assumption that with enfranchisement came responsible citizenship,⁵⁴ many felt that enfranchisement meant that the enfranchised, like non-status people, had access to resources supposedly on the same basis as all Canadians. To have to seek social assistance as a citizen meant that one simply was not working hard

⁵³ “Medical Services...Interpretations forced on Non-Status Indians,” *Micmac News*, March 1976, 1.

⁵⁴ Robin Jarvis Brownlie, *A Fatherly Eye: Indian Agents, Government Power and Aboriginal Resistance in Ontario, 1918-1939*, (Toronto: University of Toronto Press, 2014):138.

enough—a misconception that has harmed and continues to harm Indigenous people. The article on medical support expressed these feelings as well, stating

that the non-Status Natives do not necessarily suffer thereby, as might appear at first glance since they are undoubtedly entitled to help from a municipality, a province, a state of the USA or from husbands from whom they are separated either temporarily or permanently. However, it remains with the individual to make sure they receive every benefit to which they are entitled. The letter concluded in stating that requests from non-Status Indians for assistance will no longer be approved.⁵⁵

While the *Micmac News* often published articles that expressed these harmful thoughts, it also demonstrated the remarkable resiliency of Indigenous women—especially non-status women—in the fight to challenge gender discrimination.

While the January 1976 issue marked the beginning of a new relationship with the NCNS, the *Micmac News* reminded readers in February that despite their absence in the paper, Mi'kmaw women had not stopped fighting for equal rights. News on Indigenous women's issues had slowed down in Nova Scotia in the mid-seventies, but beyond the realm of Mi'kmaw news, women in the province and across the country had remained hard at work. With 1975 marking the United Nations' International Year of the Woman, the federal government began funding various platforms for women from all walks of life to speak about their lives.⁵⁶ Indigenous women recognized an important opportunity that year, and began using these new platforms to draw attention to the unique obstacles they faced because of their identities and the legislation in place to govern them. According to the *News* in February 1976, Indigenous women had gone to Ottawa to a “two-day

⁵⁵ “Medical Services...Interpretations forced on Non-Status Indians,” *Micmac News*, March 1976, 1.

⁵⁶ “National Preparatory Seminar to be called ‘Rights of Native Women,’” *Micmac News*, January 1975, 8.

meeting of federal and provincial councils on the status of women,” to condemn “provisions in the Indian Act affecting women.”⁵⁷ Interestingly enough, though the *Indian Act* would not be amended officially until 1985, the councils in attendance agreed that

the Indian Act unacceptably deprives women of their rights as Canadian citizens and is contrary to the United Nations Universal Declaration of Human Rights, as well as the United Nations convention on the nationality of married women...[and] recommended that the Federal government begin consultations with Canadian Indians aimed at amending the law, assuring that Indian women are well represented in consultations.⁵⁸

Despite these recommendations, as conversations about amending the *Indian Act* came up over the following months and years, women were forced to continue the battle for a spot at the table.

To meet the ever-rising tide of Indigenous women’s activism in the Nova Scotia, the *Micmac News* began once more publishing essays covering the issues enfranchised women were dealing with across Canada, and profiling the more recognizable individuals in the movement on a regular basis. Much of the activism the *News* reported was related to Indian Rights for Indian Women, who continued to rally support for Indigenous women in Canada, not only at home, but around the world. In the summer of 1975, IRIW leader Mary Two-Axe Early spoke of her experiences at the International Women’s Year conference in Mexico City, where she “gained the support of the 3,000 delegates.”⁵⁹ In response to Two-Axe Early’s story, the delegates also sent “a telegram to Prime Minister Trudeau,”⁶⁰ calling on him to amend the *Indian Act*. The *Micmac News* did not publish

⁵⁷ “Indian Act Provisions Denounced in Meeting,” *Micmac News*, February 1976, 4.

⁵⁸ *Ibid.*

⁵⁹ “FOCUS: Why Some Indian Women are More Equal than Others,” *Micmac News*, May 1976, 18.

⁶⁰ *Ibid.*

anything on the event until almost a year later, and news of the International Women's Year Conference came as part of a broader essay on the struggles of enfranchised Indigenous women, but the intent of the publication was clear. The discriminatory policies that continued to govern all Indigenous people were impacting women in unique ways; IRIW and Indigenous women across Canada were going to need support as they continued to petition the government to repeal Section 12(1)(b).

It is important to note that while IRIW was an organization dedicated to non-status women and *Indian Act* amendment, in Nova Scotia, the one organization devoted to non-status matters did not always place gender discrimination at the top of their list of concerns. Indeed, it was the Women's Association, who supported both status and non-status women, that led the push for *Indian Act* amendment instead. The NSNWA's work was something that the NCNS likely recognized; their continued support of the Association demonstrates this. In March 1976, in the face of sustained funding issues, the Association confirmed for the *News* that their main focus in supporting Mi'kmaw women, aside from education and fundraising, was to throw their resources behind getting the *Act* fixed. It was not that the NSNWA had only just decided to support an amendment; Nova Scotia women, regardless of status, had already demonstrated their support for the cause since the early seventies. It was the shifting *Micmac News* structure, however, that made it feel that the push was new. Regardless, women had not stopped working; the media just seemed to finally be catching up.

Increased publicity in the *News* meant that more readers were learning about Indigenous women's work and engaging with it using the *News* as a platform. Many wrote into the paper, encouraging women in their communities to lend support to the

movement in any way that they could. In June 1976, Lorraine Marshall wrote in “Regarding [the] article concerning Indian Rights for Indian Women,” and in particular about Mary Two-Axe Early’s experiences with Kahnawake.⁶¹ Marshall identified Early’s case as a rallying point for Indigenous women because it clearly “[demonstrated] the discriminatory cubicle an Indian woman is placed [in] because of marital status;”⁶² she then made an impassioned plea for action:

As a person an Indian woman is entitled to the right of equality! The fact that we are born Indian and not introduced to our race through marriage should entitle us priority for status over all non-Indian wives. The issue is not to provoke anti-interracial feelings; but it is an Indian issue which needs their attention now! These women should not have to beg for support from their own people! They are needing backing for a legitimate cause. Why are they being ignored?...In the event a woman’s marriage ends through death or divorce. Give her the right to return to the reserve for whatever help is available, if not for her children—then at least for herself. Indian men have the choice to live on or off the reserve and still maintain status. Why can’t women? Indian women have not the right to give non-Indians a band number. Why should men? Indian Rights for Indian women can be a reality, if native people demand a change in the Indian Act. It is an Indian affair..[sic]so get involved.⁶³

That Marshall addressed all Indigenous people in Nova Scotia is important. While many had written off gender discrimination in the *Indian Act* as a women’s issue, or a non-status issue alone, the reality that Indigenous women were trying to convey was that oppression of one sub-group of Indigenous people meant that there would never be true Indigenous freedom. While the NCNS focused on “bread and butter issues”⁶⁴ and land claims research, they recognized the importance of the work that the NSNWA was doing

⁶¹ Lorraine Marshall, “Get Involved!” *Micmac News*, June 1976, 10.

⁶² Marshall, “Get Involved!” 10.

⁶³ *Ibid.*

⁶⁴ “Native Council President Urges Unity,” *Micmac News*, January 1979, 9.

and on a few occasions, supported them financially with what little resources that they had.⁶⁵

The little support the NCNS could provide was rarely enough. An October 1976 article informed readers that NSNWA President Helen Martin often did a great deal of her work unpaid.⁶⁶ Applications to the federal government to get funding to support their staff and Association operations⁶⁷ were either ignored or if they were approved, provided much less than what the original request proposed.⁶⁸ The lack of support often led the NSNWA to criticize provincial, federal, and Indigenous governments for turning their back on Indigenous women; Martin told reporters in an article published in September 1976 that “The Native Women’s organization sees the Union and Non-Status getting funds, yet, we can’t get money, even though we are equal to other organizations.”⁶⁹ Like the Union had acknowledged earlier in the decade, Martin also argued that the NSNWA’s problems securing government funding stemmed from the fact that they unashamedly

⁶⁵ The NCNS had already been offering support, having given the native women \$1000.00 in October 1976 to aid with their General Assembly that year. (September 1976) In May 1977, Martin went to the NCNS again asking for aid, saying “We are sandwiched between the two male dominant organizations of government and Indian groups and can’t get funding from either because they fail to recognize native women’s rights... we cannot even get funding from the government to hold our meetings.” The point was valid; Martin told the Council that since the UNSI formed, they had only given \$700 to the women’s association. They had asked Indian Affairs for an \$11,000 “leadership grant for native women...but only received \$3,000.”⁶⁵ In response to their plea, and due likely to the close relationship between Native Women and non-status issues, the NCNS “pledged \$25 from each of the Council’s eleven locals to the women’s group,” totalling \$275, and Harry Daniels, President of the NCC also “pledged \$500 from the National Council.” (June 1977)

⁶⁶ “HELEN MARTIN: A Hard Working Lady,” *Micmac News*, October 1976, 6.

⁶⁷ “Presentation by women asks aid for organizing,” *Micmac News*, September 1976, 11.

⁶⁸ “Native Women’s Struggle Needs Financial Commitment,” *Micmac News*, June 1977, 10.

⁶⁹ “Nova Scotia Native Women Search for Funding,” *Micmac News*, September 1976, 23.

supported non-status women; the federal government did not “give financial support to organizations consisting of unregistered Indian people.”⁷⁰ The barrier did not stop the women from fighting the *Indian Act* altogether, though. Alongside articles about the NSNWA’s financial woes were stories about Mi’kmaw women in Ottawa with IRIW, lobbying for change.

In May 1976, according to the *News*, five Indigenous women “appeared before the Parliamentary Committee on Indian Affairs and Northern Development... to present their case for Indian Rights for Indian Women.”⁷¹ The committee was monumental: consisting of representatives from across Canada, with IRIW, NWAC and the NCC, including Barbara Brake, who would eventually become the Provincial Secretary for the NCNS,⁷² “[t]his was the first time in history that Native women [had] appeared before a Parliamentary Committee to present their views.”⁷³ The women were there to demand not only that Canada remove the enfranchisement clauses from the *Indian Act*, but to stop the forced enfranchisement and exile of Indigenous women from their communities and to reinstate status to women who had lost theirs “retroactively.”⁷⁴ They also demanded “that the Committee recommend to the Department of Indian Affairs that Indian women be consulted in changes to the Indian Act [and] that Native women be allowed a

⁷⁰ “Nova Scotia Native Women Search for Funding,” 23.

⁷¹ Theresa Nahanee, “Historic Presentation made by Native women,” *Micmac News* (Originally published in *The Native Perspective* June-July 1976), September 1976, 7.

⁷² Brake’s position is identified in the article “At the office of the Native Council,” *Micmac News*, February 1979, 21.

⁷³ Nahanee, “Historic Presentation made by Native women,” 7.

⁷⁴ Retroactivity is something Indigenous women in Canada continue to demand; the amendment in 1985 did nothing to fix the issues the *Act* had caused in the past. This is an important thing to note as many people seem to think that calls for retroactively removing gender discrimination have only recently come up as part of the “6(1)(a) all the way” movement that made the news in 2017.

representative on the joint Cabinet Committee.”⁷⁵ It had been six years since the battle for Indigenous women’s rights in the *Indian Act* began; Jeannette Corbiere-Lavell was in attendance.⁷⁶

The women continued to fight to hold the federal government accountable; in June 1978, Liberal Indian Affairs Minister Hugh Falkner told IRIW that “he [would] introduce a proposal in Parliament by the fall to amend the section of the Indian act by which Indian women who marry non-Indian men lost their Indian status...[and that] he [would] put forth an amendment to Section 12(1)(b) of the Indian Act, even if he [did] not get unanimous consent from the Indian people.”⁷⁷ The statement was received with excitement, but it would be a long time before a solution was reached. While women demanded change, the government moved forward with their own plans for Indigenous affairs, without much consideration for what Indigenous women were calling for.

What may have perhaps been the most frustrating to Indigenous women in Canada was that in the aftermath of the *White Paper*, the federal government was actually entertaining the idea of amending the *Indian Act*, and already had agreements in the works with the NIB to consult with reserves across the country.⁷⁸ The issue was that during this process, despite what the government had promised women, most of the

⁷⁵ Nahanee, “Historic Presentation made by Native women,” 7.

⁷⁶ *Ibid.*

⁷⁷ “Indian Act Revisions in the Fall,” *Micmac News*, July 1978, 30.

⁷⁸ According to Michael Krauss in September 1977, the NIB had been working with the government to amend the Act: “The program to revise the Indian Act started in June, 1976 after a period of negotiations between the brotherhood and the government. However, because of ‘administration problems,’ the liaison people did not start conversations with the bands on reserves until November.” (Krauss, “Indian Act Revision Hindered by Complicated Consultations,” *Saskatchewan Indian*, September 1977 v07 n09 p08 <http://www.sicc.sk.ca/archive/saskindian/a77sep08.htm>)

consultation happened with male-headed Indigenous unions who only focused on reserve populations; women, especially those who lived off reserves, were often an afterthought. In June 1976, one month after Indigenous women first met with the government, the NIB's Indian Act Revision Committee⁷⁹ used federal funding to run training sessions for provincial Indian Act Revision Liaisons. These liaisons would use the skills acquired during these training sessions to lead research teams at home, and consult with reserves in their territories; the goal was to eventually develop a comprehensive, nation-wide *Indian Act* revision plan.⁸⁰ The consultations focused on reserves and Indigenous men conducted much of the project's research; the recommendations that they came up with ignored women's issues completely.

With discussions about amending the *Indian Act* now swirling in various contexts, Indigenous women worked to remind everyone involved that removing gender

⁷⁹ Krauss also outlined the NIB's Revision Committee process: "The Indian Act is not well understood on reserves and we find ourselves having to educate the chief and council on some reserves...The education programs are carried out in each province by liaison people whose job it is to explain the present Indian Act to the chief and council on each reserve and to explain what the NIB wants revised and why. They also serve as conduits for feedback to the NIB. The liaison people, in turn, have the Indian Act interpreted by seven policy analysts—six of whom are Indian lawyers—who also translate the final decisions back into legal jargon for presentation to the government. The process is further slowed by a flow-of-information-chain that involves four levels of federal government before the final draft reaches Parliament. The proposed revisions flow back-and-forth from the NIB to the bands. When the proposals satisfy the bands, they are taken to a joint working group, composed of both NIB and government members—from the departments of justice, and Indian Affairs and the Privy Council—who work out tentative agreements which must then be taken back to the bands. When the bands approve the revisions, a joint sub-committee composed of three NIB executive council members and three federal ministers presents them to a joint NIB-cabinet committee. The joint committee works with the full cabinet in collaboration with Justice Department officials to prepare the revisions presentation and passage in the House of Commons."

⁸⁰ *Micmac News*, June 1976, 28.

discrimination was paramount. In Nova Scotia, the NSNWA pushed the UNSI to incorporate Indigenous women's concerns into their contributions to the NIB's *Indian Act* revision plan. In December 1977, the *News* reported that

The Native Women's Association of Nova Scotia is calling on the Union of Nova Scotia Indians and the National Indian Brotherhood to open the way for increased involvement by native women [in] developing proposed revisions to the Indian Act. Association President Helen Martin of Sydney said recently in Truro that the Union will be asked to initiate a forum for native women to become actively involved in the process of revising the Act and to determine how the Union is progressive in its evaluation of proposed recommendations from the various native groups in Nova Scotia⁸¹

Martin was frustrated with the lack of consultation. She said, "We seem to be up against a stone wall. No matter how much we cry about our rights we go unheard or are told the National Indian Brotherhood will decide for us.' It appear[s] that the National Indian Brotherhood can judge what is right for all Indian women."⁸² The NSNWA felt that they could not rely on the UNSI alone; as such they began "[calling] on the Nova Scotia Human Rights Commission to actively support [them] in their struggle to change discriminatory sections of the Indian Act."⁸³ Taking matters into their own hands went further than utilizing provincial channels; in March 1978, following in the footsteps of Wolastoqiyik activist and member of the Tobique Women, Sandra Nicholas Lovelace, the NSNWA became "the second group in Canada to appeal to the United Nations' International committee on Human Rights for help of Indian women who have lost their status as wards of the federal government."⁸⁴

⁸¹ "Women Demand Increased Involvement," *Micmac News*, December 1977, 1.

⁸² *Ibid.*

⁸³ *Ibid.*

⁸⁴ "Native Women's Association Appeals to UN Human Rights," *Micmac News*, March 1978, 37.

Despite these efforts, male-driven organizations continued to place women's concerns last. The UNSI's Indian Act Liaison, Joe B. Marshall,⁸⁵ had been working closely with Nova Scotia's Chiefs, who had their own ideas about what the *Indian Act* should look like. The *News* published an article in April 1978 about the direction the Chiefs wanted to take their *Act* revision suggestions. They chose to focus on "[giving] chiefs and band councils greater power to establish effective self-government."⁸⁶ By 1979, a new, Conservative government had named Jake Epp the Minister for Indian Affairs;⁸⁷ Epp welcomed changes to the *Indian Act*, but with the unions involved with the NIB as the primary consulting bodies, the suggested and accepted amendments did not address what women had been calling for. According to the *News*, "Epp...[told] Chiefs from Nova Scotia that the New Government [was] 'committed to [strengthening] Band Government and promoting a program of self development among Indian people.'"⁸⁸ Women were being ignored. This time, the NCNS stepped in by inviting the UNSI President, who at the time was Stan Johnson, to a Board meeting where the Directors grilled the Union on their dedication to Indigenous women.⁸⁹ Instead of standing firm on the removal of Section 12 (1)(b), the UNSI was supporting the NIB in developing a "Band Government Act as an alternative to the Indian Act."⁹⁰

The *News* explained that "The Band Government Act would give any Band the right to formulate their own constitution and by-laws and govern themselves by their own

⁸⁵ "Indians Not Given a Chance," *Micmac News*, December 1978, 4.

⁸⁶ "Revised Indian Act—More Power to Chief and Council," *Micmac News*, April 1978, 8.

⁸⁷ Roy Gould, "Indian Act Reform Pending," *Micmac News*, October 1979, 5.

⁸⁸ *Ibid.*

⁸⁹ "Johnson Gets Grilled," *Micmac News*, October 1979, 19.

⁹⁰ *Ibid.*

laws.”⁹¹ Though the NSNWA remained the most outspoken on the Union’s prioritizing *Indian Act* reserves, this decision brought the NCNS into the discussion. Council members voiced their concerns, which had a lot to do with concentrating power within Bands that were already unable to support even their off-reserve members, let alone welcome non-status people back into the fold. Janice Walker, one of the NCNS Zone directors “said off-reserve Indians are included in the head-count when a band applied for funds but they are not assisted when they apply for help to the band [and that] only those on reserves are considered for the allocations of funds.”⁹² Other NCNS members argued that even if Bands decided to operate separately from *Indian Act* jurisdiction, there was no guarantee that they would accept non-status women who wanted to return.⁹³ Grace Francis pointed out the issues inherent in the UNSI’s support of the Band Government Act without proper non-status consultation: “This will [affect] us just like the Indian Act affects us and we’ll have no say in it.”⁹⁴ Johnson’s replies were worrisome to many. He told the NCNS that accepting non-status people back into the Band would be up to the Band governments themselves. Johnson did acknowledge to an extent that this decision could keep non-status people locked out when he “explained that the ‘richer’ bands [did not] want to expand their reserve before they expand membership—they want to equalize the standard of living on reserves of that of the white population.”⁹⁵ Despite years of fighting for women’s rights, many of the status-based Indigenous groups remained most concerned about protecting reserve integrity. When “the government had accepted the

⁹¹ “Johnson Gets Grilled,” 19.

⁹² *Ibid.*

⁹³ *Ibid.*

⁹⁴ *Ibid.*

⁹⁵ *Ibid.*

Band Government Act as ‘a good idea,’”⁹⁶ it effectively abandoned many of the people that the *Indian Act* had failed. More specifically, the federal government—and the Indigenous Unions working with the federal government— had failed Indigenous women. These groups would continue to place Indigenous women second to their own goals, right up until the 1985 amendment that would finally remove Section 12(1)(b) from the *Indian Act* for good.

The End of the *Micmac News*?

While non-status people—and in particular, non-status women— in Nova Scotia struggled with funding and recognition, the *News*, which had been rapidly improving with the growth of the Communications Society, continued to meticulously cover their actions. The *News* was also known for publishing a diverse range of opinions; staff rarely put dampers on dissenting opinion, and often published letters and articles that were actively critical of each Indigenous political organization operating in the province, and even the Communications Society itself. From 1976 to 1979, the *News* continued to diversify its content, changing its structure and hiring and training an increasing number of field reporters, who certainly contributed to increasingly vibrant debates that played out in the paper. In February 1976, the Communications Society made the decision to expand *Micmac News* circulation into Boston, in April.⁹⁷ In October 1976, they expanded to Newfoundland and Restigouche, Quebec.⁹⁸ For a while, the Society enjoyed financial

⁹⁶ “Johnson Gets Grilled,” 19.

⁹⁷ “And Expanded *Micmac News* May Join Him There in April,” *Micmac News*, February 1976, 1.

⁹⁸ *Micmac News*, October 1976, 1.

and moral support from groups like the NCNS and the UNSI, which aided not only the growing newspaper but other ventures that the Communications executive undertook.

Businesses in Sydney, where the NCSNS was stationed, regularly advertised in the *News*'

pages, and the publication

proudly boasted that its

circulation continued to

grow (See Fig. 8).⁹⁹ Letters

commending the Society for

its stellar work on the *News*

flooded in. Mi'kmaw

scholar Marie Battiste wrote

in October 1976 that she

“[wished] to commend [the

JOHN A. MORRISON

Has opened his own camera shop at 220 George St., Sydney. John has 8 years experience in retailing cameras and camera supplies and will be happy to help you with any photographic problems.

QUALITY CAMERAS
220 George St., Sydney Phone 562-3600

We congratulate the N.S. Native Communications Society on the opening of their new offices.

We were pleased to supply dark room equipment for the new headquarters.

Fig. 8: Quality Cameras congratulates the NSNCS on its new headquarters and uses the opportunity to plug its location. The *News* provided an audience not just for Indigenous organizations, but local businesses as well. *Micmac News*, October 1976, p. 17.

Society] in [its] commitment and efforts in making each **Micmac News** an important

reading event.”¹⁰⁰ In the same issue, Flemming Holm from the Nova Scotia Human

Rights Commission sent his congratulations “on the recent improvements that [had] been

made to the *Micmac News* in coverage and content.”¹⁰¹ By 1977, the Society had

increased its outputs; not only was it producing the *Micmac News* and the radio program

Micmac Magazine, but it was also publishing cookbooks with recipes from Mi'kmaw

readers, producing albums for Mi'kmaw artists and publishing land rights handbooks for

⁹⁹ “And Expanded *Micmac News* May Join Him There in April,” 1.

¹⁰⁰ “An Important Reading Event,” *Micmac News*, October 1976 (a), 2.

¹⁰¹ *Ibid.* Bold in original.

people to read to educate themselves on what the Union was doing.¹⁰² In June 1978, the Society opened up a “mainland sub-office” within the Native Council of Nova Scotia to make it easier to manage new coverage outside of Una’ma’ki.¹⁰³ No one could deny that the NSNCS had become an important component of Mi’kmaw politics, especially at the end of the seventies. But in 1979, despite its successes, the Communications Society, and therefore its newspaper, found itself yet again in financial danger.

In June, NSNCS executive director Roy Gould wrote that it had been running into problems getting support from the organizations that usually helped fund it. He suggested that these problems may have been rooted in some articles the *News* published that UNSI members found unfavourable. From the beginning, the *News* had covered Union elections extensively, running campaign ads and publishing the platforms of various candidates. The year Stan Johnson was elected, 1978, was no different. However, Gould explained that some of the Union was unimpressed with what had been printed. “We have found out that Micmac News is appreciated and read each month,” he explained, “it has had its moments especially during the Union of Nova Scotia Indians election campaign. Micmac News played a neutral role although the main presidential candidates objected to our Editorials, Layout of the paper, its stories and even how ads were placed and designed to attract attention.”¹⁰⁴ The criticism from the UNSI was not isolated; mounting criticisms of Indigenous media from Indigenous organizations was happening all over the

¹⁰² *Micmac News*, April 1977, 21.

¹⁰³ The seventh district of Mi’kma’ki; also known as Cape Breton. *Micmac News*, June 1978, “Native Council Expands,” 7.

¹⁰⁴ Letter from Roy Gould, *Micmac News*, June 1979, 2.

country.¹⁰⁵ While Indigenous newspapers dealt with funding issues, they were also pushing to maintain freedom of the press in the face of organizations displeased with the way they were being portrayed.

Facing criticism from the Union had placed the paper in a compromising position. Gould wrote,

[The] Native Communications Society of Nova Scotia which publishes this paper for the Nova Scotians faces the embarrassment of relying on other Native organizations for its support morally and financially in order to survive because of the Government regulation which requires this Society to raise 45% of its funding before the Secretary of State considers funding Communications Societies.¹⁰⁶

The issue they were presented with, especially after election coverage, was that the Union was getting ready to cut funding, yet again. “Recently,” Gould said,

the Union of Nova Scotia Indians passed a motion not to allow a 5,000.00 contribution to the Society... A similar move was made by the Native Council of Nova Scotia only last year while the Union didn’t bother renewing the subscriptions although Micmac News continued its printing and making Micmac News available to every householder in Nova Scotia, status and non-status, schools and correctional institutions.¹⁰⁷

The Union had indeed “decided not to renew” their contract with the NCSNS.¹⁰⁸

Kathleen Buddle explains that in the seventies and eighties, “one reason for the demise of Native publications was that Native and Canadian political leaders were increasingly disinclined to fund or encourage critical coverage of their own affairs;”¹⁰⁹ these funding cuts, likely stemming from the Union’s issues with the *News*’ election coverage were part

¹⁰⁵ Kathleen Buddle. “From Birchbark Talk to Digital Dreamspeaking: A History of Aboriginal Media Activism in Canada.” (PhD diss., McMaster University, Hamilton, 2001), 266.

¹⁰⁶ Letter from Roy Gould, *Micmac News*, June 1979, 2.

¹⁰⁷ *Ibid.*

¹⁰⁸ “U.N.S.I. Notes,” *Micmac News*, June 1979, 5.

¹⁰⁹ Buddle, “A History of Aboriginal Media Activism in Canada,” 266.

of a larger trend that hurt Indigenous media during this period. Over the following months, Gould would become a regular, pleading presence in the paper, begging readers for support and for grassroots *News* promotion. In July, Gould criticized the “Native Associations [who continued] to look down on the issues as reported to [them],” and wrote that “Micmac News is the Maritime’s communications device to be used for the benefit of native people. It is up to each of you to support this so that it can be a useful and educational communications device.”¹¹⁰ That issue, the subscription fee rose from \$3.50 to \$5.00.

Despite their efforts to stay afloat, the *News* was rapidly running out of options. In November 1979, Gould announced that “the Native Communications Society of Nova Scotia...may fold unless the Federal Government which provided financial assistance to the Society [came] up with a new communications policy.”¹¹¹ As they fought to save the paper, the Society attempted to remind readers of the role that the *News* had been playing in the Mi’kmaw nation since its debut:

Here in Nova Scotia, many status, non-status Metis, and even non-Indians involved with the Native Communications Society of Nova Scotia got employment, training, skills, and experience which in most cases they would not have received elsewhere. Whether or not we, they, or you realize—more people than we could possibly imagine got some, if now, a lot of benefits. Most of all, an entire peoples became a little bit more informed, while non-Indians suddenly became aware of us as a people and discovered our quests... The incredible impact of losing the Native Communications Society of Nova Scotia will be devastating on the reserves and non-status locals...they will lose the province’s only Native monthly publication...It will mark the end of free press for the Indian people who see the Micmac News as their voice and not for those who would [have] liked to have seen the publication for the purpose of providing propaganda to native political groups and associations.¹¹²

¹¹⁰ Roy Gould, “Editorial Comment: Freedom of Speech,” *Micmac News*, July 1979, 2.

¹¹¹ “Editorial Comment,” *Micmac News*, November 1979, 2.

¹¹² *Ibid.*

Gould's comments summarize well how the *Micmac News* supported Indigenous people in Nova Scotia, and more broadly across the Maritimes and internationally, as they battled colonial oppression. After chronicling the last decade of Indigenous activism, and community life, the potential loss of the paper would indeed have been devastating. While a group of Nova Scotia Chiefs did agree to ask Indian Affairs and the Secretary of State to change the structure of their communications fund,¹¹³ the plea was not enough. In December, 1979, the *News* announced that it would be closing down on March 31, 1980, unless emergency funding could be gathered. The potential end of the *Micmac News* added yet another somber note to the end of the decade. While the Communications Society ran into these issues, Indigenous women seemed to be hitting roadblocks in their struggle to amend the *Indian Act* in Nova Scotia. Meanwhile, the NCNS continued to work to support non-status housing and research land claims; however, Canada had begun to shift its attention instead to amped up constitutional talks and demands of Indigenous presence at the First Minister's Conferences on repatriation. The future was uncertain.

Conclusion

By the end of the 1970s, Canada was preparing to step into a new period of negotiations with Indigenous political actors who had spent the last decade fighting for recognition, and educating a country that had so easily forgotten its treaty obligations so

¹¹³ Brian Douglas, "Board Meeting: Many Concerns Discussed," *Micmac News*, November 1979, 7.

that they would begin to take them seriously. The nineteen eighties would mark a shift in Indigenous political activism, while some Indigenous groups had to fight for a spot at the table still, instead of fighting to be taken seriously at all, government channels had opened up—albeit on government terms—to hear Indigenous voices and allow room for Indigenous input. Retroactively, we know that the coming years would bring constitutional talks, though they were not necessarily successful, and the eventual 1985 amendment to the Indian Act. But as the previous decade came to a close, these developments were not set in stone. Mi'kmaw women could not be sure that they would return to their communities; the *Micmac News* was prepared to shut down, placing a damper on Mi'kmaw communications, and the tools that many members of the nation used to facilitate political action.

In the face of this uncertainty, however, we must remember the work that non-status groups did at this time, the agency they demonstrated within an oppressive framework of Canadian and Indigenous governance structures, and their persistence, even while other groups stood in their way. We must remember the tenacity with which the executive and staff of the *Micmac News* fought to keep their publication afloat. If anything, it is beneficial to close our analysis at an unclear crossroads; in these moments, more so than the successful ones, we see people most clearly. While the end of the decade did not suggest eventual victory for many of the groups featured in this thesis, what it did show was the power that the Mi'kmaq still possessed, their resiliency and ability to stand firm despite the odds presented to them.

CHAPTER FIVE: Conclusion

End of an Era

The fight for Indigenous self-determination and land rights was entering a new era in the 1980s, and so was the *Micmac News*, which had spent the last four years vigorously recording history—the good and the bad—without influence from a parent organization; instead, as we can see by the end of the 1970s, the *News* had become a truly community-driven venture. It was not only the UNSI that influenced what the paper published and what its staff researched, but Mi’kmaq in the grassroots demanding what stories were told and in many cases authoring these stories themselves. This would not stop in the face of financial uncertainty; the Communications Society had dealt with it before, and the *News* would survive another eleven years.¹ There is much to be done with this source; this thesis has only tapped into a small portion of the priceless wealth of information the authors of the articles in the *Micmac News* left for us. The narrative explored here would also evolve beyond where this work ends.

The battle to remove gender discrimination in the *Indian Act* would continue, right up until 1985, but we can thank the *News* for capturing the complexities of the movement that had been occurring for more than a decade before the amendment came through, removing Section 12 (1)(b), but replacing it with a system that continued to marginalize Indigenous women in different ways. The amendment, now known as Bill C-31, has been the topic of much scrutiny; while the Bill removed Section 12(1)(b), it did not do much to end gender discrimination in the *Indian Act* or challenge some of the misconceptions or fears that had been circulating about status reinstatement since women

¹ The Beaton Institute, “Micmac News,” <https://beatoninstitute.com/micmac-news>

began organizing in the early seventies. Suzanne Miskimmin outlines some of the contentions surrounding the amendment:

After Bill C-31, reinstatement of Indian status remains dependent upon male lineage as children of reinstated mothers and non-status fathers can not transfer status to their own children. Many of the residual effects of the *Indian Act* are still felt by Native communities and the women in question.²

What the 1985 amendment did was introduce status in a two-tiered class system, one that returns some authority to Indigenous communities in terms of how they determine band membership, but one that also perpetuates old issues of gender discrimination, and creates new ones.

The Indigenous Foundations blog at the University of British Columbia provides a great explanation of the complicated status set up, and describes what new issues have arisen:

The Bill c-31 amendment has created new categories of Indian status, which renders determining one's status even more complex. One is no longer either status or non-status—they may also be either referred to as “6(1)” or “6(2).” Subsection 6(1) of the Indian Act states who is eligible for Indian status. Once Bill C-31 was passed in 1985, a new subsection was created to apply to those who had their status re-instated, and to their descendants: subsection 6(2). Subsection 6(2) states that a person is entitled to be registered if one of their parents (regardless of sex) were registered as a status Indian. What complicates this new division of 6(1) and 6(2) is the ability to pass along status. Should a status Indian under subsection 6(2) have children with a non-status person, their children are ineligible for Indian status. This is sometimes called the “second generation cutoff.” A person accorded status under subsection 6(1) does not face this penalty. Interestingly, should two 6(2) status Indian marry and have children, their child will become 6(1). This perpetuates the discriminatory measures of the Indian Act before Bill C-31, as certain Indians face penalties for “marrying out,” or marrying (and subsequently having children with) a non-status person. While Bill C-31 made it impossible for the government to remove one's status, the government has simply created a new mechanism to serve this same purpose. The

² Suzanne Miskimmin, “*Nobody took the Indian blood out of me: An analysis of Algonquian and Iroquoian Discourse Concerning Bill C-31.*” (Master's Thesis, University of Western Ontario, 1997), 35.

government's original objective of eventually removing Indian status entirely is still served; Bill c-31 simply deferred it a generation.³

Katrina Srigley explains that “many people argued that Bill C-31 simply repackaged gender discrimination, and the ‘bleeding off’ of status for Native people indicative of the assimilative agendas of the Indian Act. In fact, by establishing different classes of status, Bill C-31 redefined ‘Indianness’ once again.”⁴

The Bill also placed unfair constraints on women who could have their status reinstated by the amendment; while they could apply to the federal government to get their status back, they also had to apply to a band to be allowed to return. According to Joanne Barker,

The bill also allowed bands to assume control of their own membership codes, with the effect of separating DIAND's Indian Registry (which maintains a record of status Indians) and band registries (which records members of bands). Individuals applying for reinstatement also have to apply for band membership, as one does not secure the other...Not all of those who have applied to be registered as status Indians under Bill c-31 have wanted to return to the reserves...The lack of interest in returning or moving to the reserves was an is owing to the intense political conflicts over “Bill C-31s” (the name given to women who have been reinstated under the amendment) Since 1985, a few bands have stopped providing services to non-status Indians and have refused to extend those same services to newly registered women and their children: “Women have been denied fishing licenses; their children have been refused admittance to reserve schools; medical services have been denied; and bands have refused to grant construction permits or permission to sell land to reinstated women” (Holmes 1987, 19).⁵

Bands that have denied reinstated women have resulted in more high-profile court cases, and sustained Indigenous women's activism. Joyce Audrey Green's PhD thesis

³ First Nations Studies, The University of British Columbia, “Indian Status,” *Indigenous Foundations*, 2009 http://indigenousfoundations.arts.ubc.ca/indian_status/.

⁴ Katrina Srigley, “‘I am a proud Anishinaabekwe:’ Issues of Identity and Status in Northern Ontario after Bill C-31.” In *Finding a Way to the Heart, Feminist Writings on Aboriginal and Women's History in Canada*, 247.

⁵ Joanne Barker, “Gender, Sovereignty, and the Discourse of Rights in Native Women's Activism,” *Meridians: Feminism, Race, Transnationalism* 7, no. 1 (2006): 146-147.

chronicles some of the activism surrounding the issues Bill C-31 caused and identifies one of these court cases, *Sawridge Band v. Canada* (1995), where women who had had status reinstated were not allowed to return as members of Sawridge Band in Alberta.⁶ As the premise of *Sawridge* demonstrates, the amendment sought did not remedy the deeply rooted colonial, patriarchal harms that Canada had caused. There is still work to be done, but I think there are many lessons that can be learned from the tireless work Indigenous women, and in the case of this thesis, Mi'kmaw women did to challenge these oppressive forces long before the government began to make changes. Making real change to oppressive systems can start when we begin to listen to Indigenous voices. This thesis attempted to demonstrate a small piece of what these voices can tell us, and how easily we can find these voices in the past, if we are only willing to look.

Written history has a tendency to want to tie things up with neat edges, but with work such as this, neat edges are nearly impossible. The very fact that we cannot conclude neatly is what has inspired many Indigenous scholars like myself to write these histories in the first place. The struggle for Indigenous rights chronicled in this thesis would continue. It continues today. Indigenous women are still fighting for recognition; so are the Metis and non-status. Indigenous people are still forced to negotiate with the federal government on rights that are still being debated and defined without Indigenous input. But what this thesis captures, I hope, is the resiliency of Indigenous people—specifically Indigenous women—and the legacies we leave. There can no longer be a valid excuse for ignoring Indigenous issues due to a perceived lack of sources, or access

⁶ Joyce Audrey Green, “Exploring Identity and Citizenship: Aboriginal Women, Bill C-31 and the Sawridge Case,” (PhD diss., University of Alberta, Edmonton, 1997).

to Indigenous people willing to tell their stories. We have always been willing to speak on what matters to us. We have documented the work that we have done; we have written history from our own points of view. There is much to learn from us; but in order to learn properly, the world must let us guide the conversation.

Many of the figures and organizations mentioned in this work would continue to make immeasurable marks on the Mi'kmaw nation. Though Viola Robinson would go on to have her status reinstated, she continued to advocate for non-status people in Nova Scotia and across the country. In 1990, she became the president of the Native Council of Canada, and would eventually be “appointed to serve as a commissioner on the Royal Commission on Aboriginal Peoples.” In 1995, Robinson enrolled at the Schulich School of Law at Dalhousie University, where she graduated in 1998.⁷ Since then, she has worked as the lead Mi'kmaw negotiator on the Mi'kmaq, Nova Scotia, Canada Tripartite Forum, which began in 1997.⁸⁹ Helen Martin continued her work for Mi'kmaw women until her death in 1994; she became a board member of the Mi'kmaw Family and Children's Services, which “she was instrumental in getting started.” The Nova Scotia Native Women's Association remains today as “a living monument to [her] hard work and dedication.”¹⁰

⁷ Catherine Martin, Advisory Council on the Status of Women, “Viola Robinson, A Leader Inspired by Women,” *Nova Scotia News Releases*, October 19, 2006. <https://novascotia.ca/news/release/?id=20061019004>

⁸ Brian Bethune, “‘I Won't Stop Now': Viola Robinson, a Mi'kmaq Activist, Became a Lawyer at 62,” *Maclean's*, June 29, 2014, <http://www.macleans.ca/news/canada/viola-robinson-on-protecting-mikmaq-rights/>.

⁹ For information on the Tripartite Forum, visit their website here: <http://www.tripartiteforum.com/info/>

¹⁰ Nova Scotia Native Women's Association, “Remembering Helen Martin and Her Compassion for Children and Families,” *Mi'kmaw Family and Children's Services of*

The *Micmac News* carried on publishing until 1991. It is important to note that despite Buddle's accurate description of the struggles of Indigenous media organizations in the early nineties,¹¹ Maritime Indigenous media circulation did not end with the *News*' demise. Instead, Nova Scotia, welcomed the rise of the *Micmac Nations News*, founded in 1990 and published through the Confederacy of Mainland Mi'kmaq. This publication would eventually evolve into one that covered news across the Atlantic provinces, from both the Mi'kmaq and Wolastoqiyik nations, in the *Mi'kmaq Maliseet Nations News*.¹² This continuation of the dissemination of media geared toward Indigenous populations is inspiring, as is hearing about the roles Mi'kmaq activists in the 1970s would go on to play in supporting the nation's wellbeing.

But there are some things that have persisted that are not as uplifting. The Canada we live in is still not a welcoming place to Indigenous women. Because of the patriarchal, colonial tools used against Indigenous people, Indigenous women continue to face increased levels of physical and sexual violence. According to the Native Women's Association of Canada, "between 2000 and 2008, Aboriginal women and girls represented approximately 10% of all female homicides in Canada. However, Aboriginal women make up only 3% of the female population."¹³ At the time, data on the kinds of violence and the rates of violence Indigenous women endured was scarce. Recently, the development of the Inquiry into Missing and Murdered Indigenous women sought to

Nova Scotia, June 9, 2015, last modified November 20, 2017,
<http://mfcsns.ca/index.php/about/history>

¹¹ Buddle, "A History of Aboriginal Media Activism in Canada," 266.

¹² You can visit the *Mi'kmaq Maliseet Nations News* website here: <http://www.mmnn.ca>

¹³ Native Women's Association of Canada, *Fact Sheet: Missing and Murdered Aboriginal Women and Girls*, 2015, https://www.nwac.ca/wp-content/uploads/2015/05/Fact_Sheet_Missing_and_Murdered_Aboriginal_Women_and_Girls.pdf.

remedy these information gaps; the Inquiry is ongoing at the time of writing. Recently, the *Indian Act's* unfair treatment of Indigenous women has returned to the news as reports of “The Famous Six,” demonstrate that the fight to end gender discrimination in the *Indian Act* but also within Indigenous communities, continues. The Famous Six is a group consisting of Indigenous women’s rights veterans Jeannette Corbiere Lavell, Sandra Lovelace-Nicholas (now a Canadian senator), Senator Lillian Dyck, Sharon McIvor, and Dr. Lynn Gehl. These women have been taking their concerns about gender discrimination in the *Indian Act* to the federal government, especially in the aftermath of yet another “piecemeal” bill designed to remove membership clauses that hurt Indigenous women from the *Act*. The Famous Six, as well as many other Indigenous women in Canada, continue to argue against legislation that places Indigenous women at a disadvantage within their own communities.¹⁴

As I write this, Canada seems to have entered an era of working to fix the wrongs that colonialism has caused, without truly addressing the core of the issues they seek to address. If we are going to make meaningful change for Indigenous people, we must make a concerted effort to understand what societal factors perpetuate these problems. Turning to history to identify the way these problems developed, as well as challenging the colonial lens through which we tend view that history is one of the many ways that we can do this successfully. I remain a firm believer that if we can identify the root of the issues Indigenous people face today, we can either reverse their impacts, or ensure that

¹⁴ Marc-Andre Cossette, “‘Déjà vu’ for First Nations Women, as Ottawa Seeks More Time to Rid Indian Act of Sexism,” *CBC News*, June 12, 2017, <http://www.cbc.ca/news/politics/indian-act-gender-discrimination-deja-vu-1.4153483>.

we can effectively heal from them, and move forward without making the same mistakes. I also believe that we as Indigenous people have been identifying ways to right colonial wrongs for centuries; Indigenous women have especially been vocal about the direction we need to take for reconciliation to work. We cannot truly decolonize our world until we begin to deconstruct the sexism that persists in our communities—the treatment our women must endure is colonial, and that is a statement that applies to both Indigenous and non-Indigenous societies.

This thesis sought to identify the impacts of patriarchal, colonial mechanisms on the Mi'kmaw nation; it pushed to probe these mechanisms deeply as they reared their ugly heads while our women began to fight for recognition, and to draw attention to the ways in which we were being harmed. Mi'kmaw people recorded their experiences clearly in their own words in the pages of the *Micmac News*, and identified explicitly the colonial discourses and structures that would have to change if Indigenous nations were to achieve true self-determination, long before the academic discussions we engage in now coloured these solutions with theoretical jargon. The information is all there; it always has been. The final step in moving forward, then, is to listen. The fight for Indigenous rights in Mi'kma'ki, in Canada, and all over the colonized world, continues.

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