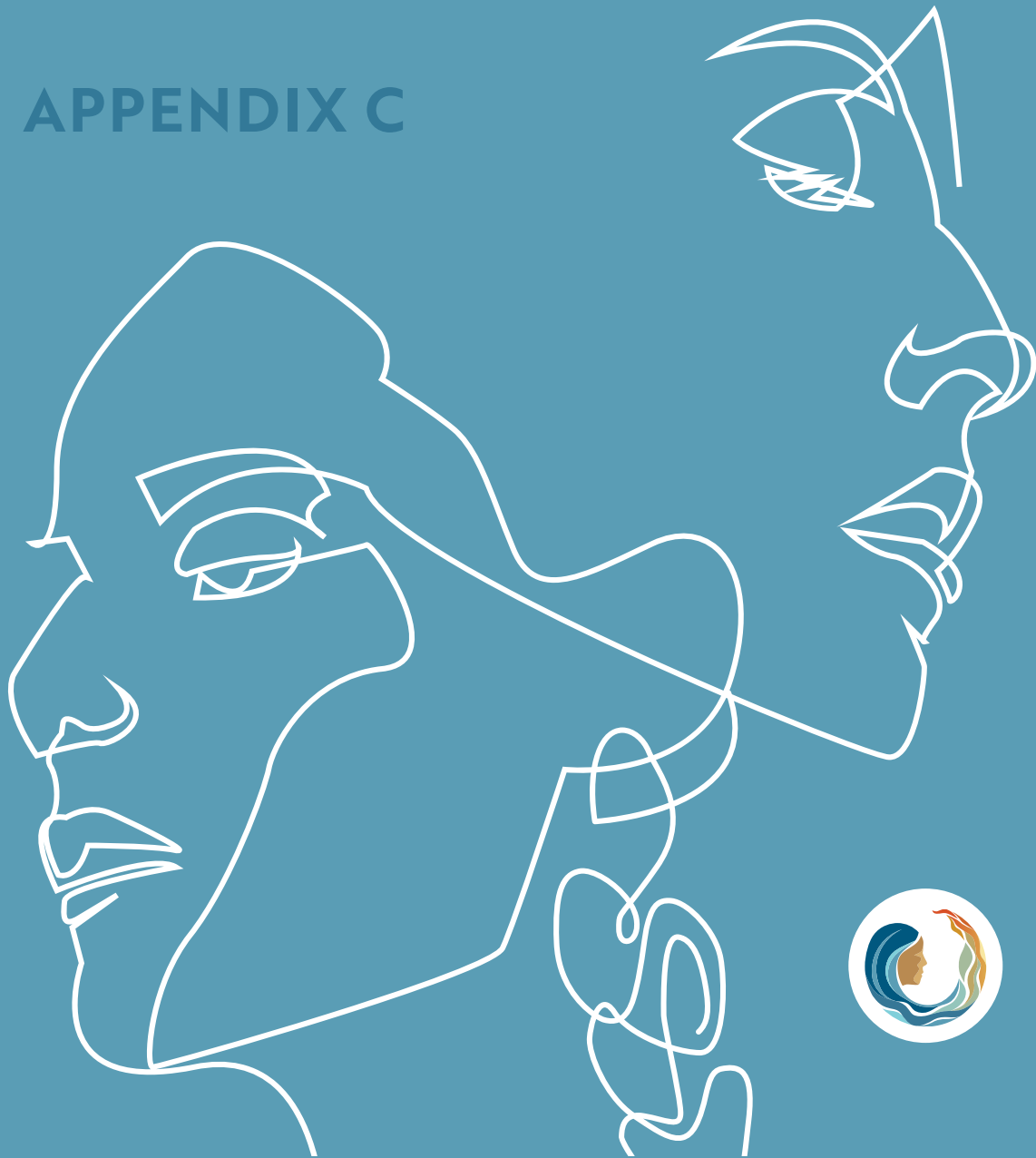


APPENDIX C



Evaluating GBA+ and CRGBA: A LITERATURE REVIEW

Prepared by:
Karine Duhamel, AnnaLise Trudell, and Chanel Blouin for:

NATIVE WOMEN'S ASSOCIATION OF CANADA



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PART 1:

THE VALUE OF CRGBA:

Culturally Relevant Gender-Based Analysis (CRGBA) has developed as a response to the limitations of Gender-Based Analysis Plus (GBA+), which was developed in the 1990s as a tool for analysis. GBA+ is currently employed by many agencies, departments, and institutions. This section of the Literature Review considers the emergence of GBA+, as well as its limitations as a tool for policy making, policy analysis, and policy implementations as a way to highlight distinctive and useful contribution of CRGBA to the realm of relevance and impact in policy-making for Indigenous Peoples.

CONTEXTUALIZING GBA+:

Gender-Based Analysis (GBA), as a policy and program tool, was originally introduced in Canada in 1995 under Status of Women Canada. It was designed to, "Facilitate the development and assessment of policies and legislation from a gender perspective so that they will have intended and equitable results for women and men, girls and boys."

In 2009, with growing criticism regarding the effectiveness of the implementation of GBA², the Standing Committee on the Status of Women called on the Auditor General of Canada to conduct an audit of GBA.³ They found uneven implementation and little evidence of influence on decision making.⁴

The addition of the '+' to GBA, first came in 2011, and "Was an indirect result of the framing of gender equality and GBA in a diversity rhetoric ('diverse needs of all Canadians')," as stated in the Auditor General's report. It was also the result of a more general focus within the academic literature of the time on implementing intersectional tools.⁵ In addition, while coming from theories of intersectionality, GBA+ nevertheless places gender at the centre. It then asks the analyst to consider other factors in relation to gender. Many have pointed out, "This list of factors is not exhaustive,⁶ and does not capture all axes of identity."

- 1 Status of Women Canada (1996), quoted in Arn Saur Sauer, *Equality Governance via Policy Analysis* (Bielefeld, Germany: transcript Verlag, 2011), 170.
- 2 Sauer, *Equality Governance...*, 174.
- 3 Ibid., 178.
- 4 Ibid., 179.
- 5 Ibid., 183.
- 6 Ibid., 186.



LIMITATIONS OF GBA+ AS A TOOL FOR POLICY ANALYSIS AND IMPLEMENTATION:

It is important to note what underlies this framing, and how this relates more concretely to Indigenous experiences.

GBA+ does not inherently result in structural change. In other words, GBA+ is not meant to question the very system it is meant to analyze. GBA+ framing of an intersectional approach was, “Developed as a strategy for making sense of colonial systems of power, privilege, and oppression,”⁷ but importantly and critically—not for dismantling, or shifting, the colonial structure itself. As such, GBA+ has been criticized for, “Failing to consider the legacy and impact of colonialism [and thus] gloss[ing] over those policy[-making] frameworks that reflect, reinforce, and advance existing neo-colonial structures—to the detriment of Indigenous peoples, nations and communities.”⁸ Underlying values of GBA+ supports the constitutional order, rather than challenges it.

Because GBA+ is meant to work within the bounds of existing systems by adding diversity, with its implementation it is not about addressing power and unequal relationships under a given policy. Instead, it is about looking at the policy itself, and considering how it impacts certain variables. The GBA+ tool of disaggregated

data can highlight for example, poor health outcomes or increased levels of intergenerational violence among Indigenous Peoples. GBA+s reflective questions may connect these metrics to ongoing effects of colonization, residential schools, and the reserve system. However, in failing to centralize CBA, GBA+ is unable to place into question the very system it is operating in and how it contributes to these outcomes. It will be myopic in its solutions. As Findlay notes, “When public servants are asked to report on their [GBA+] performance, their orientation is towards organization-level results, not necessarily the societal implications or broad policy impact.”⁹

But policies and policy-making are not neutral. Even a cursory look at the history and contemporary challenges of Indigenous communities generally—and of Indigenous women, girls, and 2SLGBTQIA+ people—more specifically illustrates as much. These realities indicate concretely how policies and policy-making are socially constructed conventions,

Loaded with dominant values, Eurocentric ideals, and vested interests. So systemically embedded are notions about what is normal, desirable, or acceptable with respect to policy design, underlying assumptions, priorities and agenda, and processes that

7 “Summary of Themes: Dialogue on Intersectionality and Indigeneity,” Wosk Centre for Dialogue (April 26, 2012), 10.

8 Augie Fleras and Roger Maaka, “Indigeneity-Grounded Analysis (IGA) as Policy(-Making) Lens: New Zealand Models, Canadian Realities,” *International Indigenous Policy Journal* 1, no. 1 (2010): 13.

9 Tammy Findlay, “Revisiting GBA/GBA+: Innovations and Interventions,” *Canadian Public Administration* 62, no. 3 (2019): 523.



even institutional actors are rarely aware of the logical consequences by which some are privileged, others excluded.¹⁰

GBA+ also fails to recognize Indigenous rights and is not designed to support a nation-to-nation approach to policy-making and analysis. GBA+ does not have core purposes for the advancement of a principled relationship in, “Incorporating shifting social realities in sorting out who controls what in a spirit of give and take.”¹¹ It frames Indigeneity as one in a list of factors to be added to gender, placing Indigenous Peoples alongside other racial ethnic minorities. Without acknowledging Indigenous differences, there is, “No more moral authority than other racialized or immigrant minorities in challenging the governance agenda.”¹² In Indigeneity-Grounded Analysis (IGA), Fleras and Maaka note five principles, two of which are “Indigenous difference” and “Indigenous sovereignty.” Indigenous difference and sovereignty are connected to original occupancy, while GBA+s commitment is to improving things like the socioeconomic status of Indigenous Peoples. These principles call for power-sharing that would lead to a post-colonial constitutional order. Therefore, in failing to speak to specific and distinctive interests

of Indigenous Peoples, GBA+ does not align with the values of Indigenous Peoples as being “Autonomous political communities who are sovereign in their own rights with respect to land, identity, and political.”¹³

Finally, GBA+ is, within an Indigenous perspective, somewhat tokenistic. It “Lacks deep engagement with the ‘plus’ in GBA+, including a failure to engage with queer and Two-Spirit communities.”¹⁴ Given the breadth of knowledge and experience of 2SLGBTQQIA+ people, as well as the histories, traditional teachings, and ways of knowing that gender diverse and Two-Spirited individuals represent, GBA+s additive model, where a list of factors are ‘added’ to gender, is inadequate. Further, GBA+s emphasis on disaggregated data and what is measurable, “Narrows the range of interest down to specific ... and reframes the problem as one of knowledge.”¹⁵

CRGBA addresses many of the limitations of GBA+. Cultural relevance, not only as part of but as foundational to gender-based analysis, is the missing piece and essential component of effective evaluation in policy-making and implementation.

10 Fleras & Maaka, “Indigeneity-Grounded Analysis...,” 2.

11 Ibid., 20.

12 Ibid., 14.

13 Ibid., 15.

14 Hoogeveen et al., “Gender Based Analysis Plus: A knowledge synthesis for the implementation and development of socially responsible impact assessment in Canada,” Simon Fraser University (2020): n.p.

15 Sarah Payne, “Beijing Fifteen Years on: The Persistence of Barriers to Gender Mainstreaming in Health Policy,” *Social Politics* 18, no. 4 (2011): 38.





PART 2:

CRGBA IN WIDER CONTEXT: FOUNDATIONAL WORKS AND PERSPECTIVES

There is a vast body of literature that simultaneously makes an indirect case for the need for CRGBA, while also providing a depth and breadth of knowledge that can inform its analysis. This portion of the Literature Review will engage many of these sources and point to their usefulness in policy-making and analysis in the fields of: a) History, including Settler Colonial Studies and Indigenous Studies; b) Intersectionality, including Indigenous-specific treatments of this thematic; and, c) Indigenous feminisms, as a necessary grounding for understanding the importance of cultural relevance in all aspects of policy-making, analysis, and implementation.

ADDRESSING COLONIZATION THROUGH CRGBA:

While GBA+ fails to specifically link to the past and interrogate the origin and persistence of the structures that continued to target and oppress Indigenous Peoples, CRGBA can draw from a growing field of historical and multidisciplinary studies placing colonization in perspective. Doing

so highlights important ways in which colonization worked, and still works, to displace Indigenous Ways of Knowing, understanding of the world, and Indigenous relationships with each other.

“Colonization” refers to the processes by which Indigenous Peoples were dispossessed of their lands and resources, subjected to external control, and targeted for assimilation and, in some cases, extermination. As defined by Mohawk scholar Gerald Taiaiake Alfred, colonialism represents the process of building a new reality for Europeans and Indigenous Peoples in North America, through the development of institutions and policies toward Indigenous Peoples by European imperial or settler governments. This involved both actual policies and legislation, as well as the creation of larger religious and secular justifications, or reasons, for enacting them.¹⁶ It also includes policies, practices, and institutions that targeted Indigenous Peoples—and, in particular, women—in ways that knowingly discriminated against them. The processes of colonization and its very structure lives on and is replicated in the present, through different means.

The past two decades have seen the emergence and expansion of the field of settler colonial studies across a broad range of disciplines. This field has many

¹⁶ Taiaiake Alfred, “Colonialism and State Dependency,” *International Journal of Indigenous Health* 5.2 (2009): 45. See also Adam Barker, “The Contemporary Reality of Canadian Imperialism: Settler Colonialism and the Hybrid Colonial State,” *American Indian Quarterly* 33.3 (June 2009): 325-352.





currents, but as Penelope Edmonds and Jane Carey explain, it emerged in the 1990s as “A range of scholars began to view the singular category of ‘colonialism’ as too blunt a tool.” Early studies in this field began to argue that colonies where the settlers “came to stay” were distinctive colonial formations with specific dynamics that required separate interrogation.¹⁷ In short: Settler colonial studies began as a response to the perceived limitations of postcolonial theory. It emerged through Black and Indigenous critiques that understood the ‘post’ in postcolonialism refers to ongoing effects of colonial rule in states that have been formally decolonized. Settler colonial studies consider those political and geographic contexts in which colonizers never left.

Within the field of settler colonial studies, the structures of this particular type of colonization are demonstrated to be part of the active destruction of existing cultures and people on many different levels. Moreover, studies in this field demonstrates how settler colonialism seeks to replace existing structures with its own—primarily to access land and resources that colonial powers want to access.

Australian historian Patrick Wolfe was an early, and still prominent, voice in the field. In the early 1990s, he began

to explore the dynamics of settler colonialism in the Australian context. He explained that in the perspective of Indigenous Peoples, decolonization had not occurred in Australia. “Indigenous people's colonizers,” he wrote, “Never went home. National independence only deepened the settlers’ stranglehold on their lives.”¹⁸ For Wolfe, the specificity was important, keeping the impact of settler colonialism on Indigenous Peoples at the centre of analysis. In 2006, he published the seminal article, *Settler Colonialism and the Elimination of the Native*, in the *Journal of Genocide Research*. Here, he restated many of the concepts developed through his earlier scholarship to explore relationships between genocide and what he identified as the settler colonial, “logic of elimination.”

Unlike franchise colonies, settler colonies were not, “Primarily established to extract surplus value from Indigenous labour.” While settlers did exploit Indigenous labour—and thus, in practice, it was “not the case” that “settler-colonization only eliminated the natives.” The use of labour was secondary to the main objective of securing land. In short, as Patrick Wolfe says: “Settler colonialism destroys to replace,”¹⁹ whereas colonizers sought to create a new nation in North America and first set out to destroy those

17 Penelope Edmonds and Jane Carey, “A New Beginning for Settler Colonial Studies,” *Settler Colonial Studies* Vol. 3, no. 1 (2013): 2.

18 Patrick Wolfe, “Race and the Trace of History: For Henry Reynolds,” *Studies in Settler Colonialism*, ed. Fiona Bateman and Lionel Pilkington (New York: Palgrave Macmillan, 2011), 272.

19 Patrick Wolfe, “Settler Colonialism and the Elimination of the Native,” *Journal of Genocide Research* 8, no. 4 (Dec. 2006): 387. See also J. Kēhaulani Kauanui, “A Structure not an Event: Settler Colonialism and Enduring Indigeneity,” *Emergent Critical Analytics for Alternative Humanities* 5:1 (Spring 2016), n.p. <https://csalateral.org/issue/5-1/forum-alt-humanities-settler-colonialism-enduring-indigeneity-kauanui/#fn-351-3>



that were already here. As Wolfe maintains, “Settler colonizers come to stay; invasion is a structure, not an event.”²⁰

Since “settler-colonists came to stay,” settler colonialism does not end with the closure of the “frontier.”²¹ Thus, settler colonial invasion as structure becomes a generalizable conceptualization that located the Australian case as one part of a much broader “world-historical project.”²² As Wolfe’s, and other scholars’ work identifies, settler colonialism raises “Questions about time that highlight not only how histories of invasion do not stop, but also how settler colonialism is defined by multiple, overlapping temporalities.”²³ In other words, settler colonialism is a process that does not end at a particular event, or the withdrawal of a particular work. It is enduring. It moves temporally in both directions—forward and backward—as well as across space so the action, or event, in one space might affect people in another space through the structures, or processes, of colonization.

Since that time, the literature in this field has dramatically increased in interesting, new directions. In 2011, Lorenzo Veracini published an article entitled, Introducing,

Settler Colonial Studies, which prefaced a new journal devoted to the field.²⁴ He argued Settler Colonial Studies aimed to contribute to consolidation of a new field that was predicated upon disentangling colonial and settler colonial phenomena, and in seeing the two in relationship to each other.

However, as much as the work of settler colonial studies by non-Indigenous scholars such as Wolfe and Veracini has offered clarification and new avenues for inquiry, it has been critiqued for eclipsing the voices of Indigenous thinkers who had been articulating these ideas long before. In Canada, for instance, the 1970s were marked by a new idea: The “Fourth World.” This was described by Shuswap Chief George Manuel as the “hidden,” or generally unknown, nations of Indigenous Peoples living within, or across, imposed national state boundaries. It was first elucidated in Manuel’s 1974 book: *The Fourth World: An Indian Reality*. The term described “The condition of Indigenous peoples in settler states—decolonization’s forgotten people.”²⁵ Manuel became a leading figure in the establishment of the World Council of Indigenous Peoples the following year. Though these Indigenous thinkers

20 Wolfe, “Settler Colonialism...,” 387.

21 Patrick Wolfe, “White man’s flour:’ Doctrines of virgin birth in evolutionist ethnogenetics and Australian state-formation,” *History and Anthropology*, 8:1-4: 184 and 186.

22 Patrick Wolfe, “Nation and Miscege Nation: Discursive Continuity in the Post-Mabo Era,” *Social Analysis: The International Journal of Anthropology* 36. (Oct. 1994): 95-96.

23 Melissa Gniadek, “The Times of Settler Colonialism,” *Emergent Critical Analytics for Alternative Humanities* 6.1 (Spring 2017): n.p. <https://csalateral.org/issue/6-1/forum-alt-humanities-settler-colonialism-times-gniadek/#fn-1734-4>.

24 Lorenzo Veracini “Introducing: Settler Colonial Studies,” *Settler Colonial Studies* 1.1 (2011): 1-12.

25 Tracey Banivanua Mar, *Decolonization and the Pacific: Indigenous Globalization and the Ends of Empire* (London: Cambridge University Press, 2016), 2. See also George Manuel and Michael Posluns, *The Fourth World: An Indian Reality* (Toronto: Collier-Macmillan Canada, 1974).



may not have directly used the term: “settler colonialism,” their assertions that settler colonies had specific dynamics—particularly in terms of their impact on Indigenous nations—were foundational for the development of an analytic that attended to specificities obscured when general terms such as colonialism and decolonization alone were deployed.²⁶

The 1990s and 2000s saw the expansion of this kind of work. For instance, the impacts of settler colonial structures and ideas on Indigenous women, girls, and 2SLGBTQQIA+ people are explored in historian Sarah Carter’s work specific to the Canadian Prairies: *Capturing Women: The Manipulation of Cultural Imagery in Canada’s Prairie West*, (1997) and, *The Importance of Being Monogamous: Marriage and Nation-Building in Western Canada to 1918*, (2008). A similar line of thought runs through Jean Barman’s work, *Taming Aboriginal Sexuality Gender, Power, and Race in British Columbia, 1850-1950*, (1998). Here, she describes how Euro-Canadian men transplanted Victorian notions of “purity, prudery, and propriety” onto Indigenous women who held very different values and beliefs about what was appropriate feminine behaviour. As a result, when Indigenous women did not conform to these ideals they were

perceived as being naturally hedonistic and in desperate need of proper, moral training. These powerful, negative images provided both the Church and State with opportunity to intrude on personal affairs of Indigenous women and reorganize their lives along patriarchal lines.

Researchers have worked to link contemporary challenges and barriers to safety to the particular nature of settler colonization and the rights of Indigenous Peoples. For instance, Audra Simpson’s 2014 keynote at the Annual Critical Race and Anticolonial Studies Conference, entitled: *The Chief’s Two Bodies: Theresa Spence and the Gender of Settler Sovereignty*, examines how the colonial state requires the death and disappearance of Indigenous women in order to secure its sovereignty. As related, this phenomenon is what she terms, “A sovereign death drive” requiring us to rethink how we imagine nations and states, and what counts as governance itself.²⁷ The argument is grounded in disrupting the innocence of the story Canada likes to tell itself—a place that escapes the ugliness of history—and instead, demonstrate Canada as an extractive and murderous entity grounded on sovereignty on the victimization of Indigenous People.

26 More recent work on the Fourth World includes Dina Gilio-Whitaker, “Idle No More and Fourth World Social Movements in the New Millennium,” *South Atlantic Quarterly* 114.4 (2015): 866–877; Rudolph Carl Ryser, Dina Gilio-Whitaker and Heidi G. Bruce, “Fourth World Theory and Methods of Inquiry,” in *Handbook of Research on Theoretical Perspectives on Indigenous Knowledge Systems in Developing Countries* (Hershey, PA: IGI Global, 2017): 50–84; Jonathan Crossen, “Another Wave of Anti-Colonialism: The Origins of Indigenous Internationalism,” *Canadian Journal of History* 52.3 (2017): 533–559.

27 See also Audra Simpson, “The State is a Man: Theresa Spence, Loretta Saunders, and the Gender of Settler Sovereignty,” *Theory and Event* 19.4 (2016): n.p. See also Audra Simpson, “The Chiefs Two Bodies: Theresa Spence & the Gender of Settler Sovereignty: Unsettling Conversations,” Keynote Address for the Annual Critical Race and Anticolonial Studies Conference (Edmonton: University of Alberta, 2014), available at <https://vimeo.com/110948627>.





In addition, many scholars in the fields of settler colonial studies and Indigenous studies have looked critically, and in a more sustained way, at gender and colonization/ decolonization. As scholars, Maile Arvin (of Kanaka Maoli ancestry), Eve Tuck (Unangax), and Angie Morrill (Klamath)—in addition to many other Indigenous feminists—have argued: “Settler colonialism has been, and continues to be, a gendered process.”²⁸ Scott Lauria Morgensen has written in the field of settler colonial studies (though largely focused on the United States), as well as extensively about the interdependence of nation, race, gender, and sexuality.²⁹

Despite its contributions, there are many critiques of settler colonial studies that bracket questions of settler colonialism due to its limitations, namely of viewing Indigenous Peoples almost exclusively through the prism of colonialism or their relations to non-Indigenous society. In an article exploring First Nations scholars’ perspectives on settler colonial studies, Shino Konishi highlights Indigenous authored histories, which sidestep the question of settler colonialism altogether by instead exploring histories of Indigenous experience that do not revolve around settler colonial domination, expropriation, or exploitation.³⁰ Alice Te Punga Somerville

and Daniel Heath Justice have argued Indigenous people are, “Too often studied for how they engage colonial subjects rather than for the ways they center their own contexts and concerns both within and beyond settler colonialism.”³¹ In this vein, Crystal McKinnon’s work on expressions of Indigenous sovereignty separates these from structures of colonial oppression, demonstrating, “How sovereignty preceded and exceeds colonialism,” and how, “Sovereignty is resistance to colonization, even as sovereignty does not rely on colonization to exist.”³² Such observations remind us there remained significant realms not captured by national or colonial models.

Decolonizing these models means embracing cultural relevance in research. Indigenous scholars around the world have long embraced Maori educator Linda Tuhiwai Smith’s seminal work, *Decolonizing Methodologies: Research and Indigenous Peoples*, which convincingly outlines urgent needs for decolonization, as well as many epistemological structures that have worked so hard to suppress Indigenous Knowledge.³³ As related, scholars working on decolonization have focused on issues such as Indigenous languages, traditional law, traditional governance, story-work,

28 Arvin Maile, Eve Tuck and Angie Morrill. 2013. “Decolonizing Feminism: Challenging Connections between Settler Colonialism and Heteropatriarchy.” *Feminist Formations*, 25. (1): 8-34.

29 Scott L. Morgensen, “Theorising Gender, Sexuality and Settler Colonialism: An Introduction,” *Settler Colonial Studies*, 2,2: 2-22. Available at <https://doi.org/10.1080/2201473X.2012.10648839>. See also, Morgensen’s *Spaces between Us: Queer Settler Colonialism and Indigenous Decolonization* (Minneapolis: University of Minnesota Press, 2011) and Andrea Smith’s *Conquest: Sexual Violence and American Indian Genocide* (Cambridge: South End Press, 2005).

30 Shino Konishi, “Making Connections and Attachments: Writing the Lives of Two Nineteenth-Century Aboriginal Men,” *Biography*, 39.3, (2016): 411.

31 Alice Te Punga Somerville and Daniel Heath Justice, “Introduction: Indigenous Conversations about Biography,” *Biography*, 39.3, (2016): 241.

32 Crystal McKinnon, *Expressing Indigenous Sovereignty: The Production of Embodied Texts in Social Protest and the Arts*, PhD thesis, La Trobe University, 2018: 2 and 38.

33 Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples, 2nd Edition* (Toronto: Zed Books, 2012).





ceremonial teachings, and other Indigenous methodologies, to assert Indigenous intellectual sovereignty and resurgence. In this field of study, other writers use terms such as, “genocide” to identify the impacts—historical and ongoing, of structures, policies and processes—deployed to eliminate Indigenous people to access lands and resources. Writers from this tradition emphasize the importance of seeing colonization as a current reality, as opposed to a historical one.

Overall, this is a way of “writing back,” and illustrates importance of culturally-relevant gender-based analysis (CRGBA), which positions Indigenous Peoples as holders of inherent and inviolable rights, and rejects any narrative that proposes to undermine these. CRGBA can be informed by a rich body of literature illustrating particularity of settler colonialism and its historical and contemporary impacts. Through this process, this is done in Indigenous frames of reference and with relevance to contemporary decision-making.

ADDRESSING INTERSECTIONALITY THROUGH CRGBA:

While GBA+ proposes to be an intersectional framework, it places all values or attributes within the same context. In this way, it fails to prioritize intersectionality in distinct Indigenous terms. Understanding

intersectionality as it relates to Indigenous Peoples is important in applying CRGBA and understanding its value.

American civil rights advocate and leading scholar of critical race theory, Kimberlé Crenshaw, first coined the concept of “intersectionality” in the late 1980s, which has gained an important following since. Crenshaw suggested comparing lived experiences of Black women in the United States with those of Black men, or of white women, minimized the level of discrimination they faced. When people failed to understand how multiple systems, both visible and invisible, oppressed Black women, they also failed to address ongoing mistreatment of Black women. She recommended a more integrated approach, which she called “intersectionality,” which exposes the reality of sexism and racism pervasive in Black women’s encounters with people, systems, and institutions supposedly developed to help them.³⁴

In its broadest and non-Indigenous-specific terms, intersectionality examines more than a single identity marker. It includes a broader understanding of simultaneous interactions between different aspects of a person’s social location. For example, rather than using a single-strand analysis of sexual orientation—gender, race, or class—intersectionality challenges policy-makers and program developers to consider the interplay of race, ethnicity, Indigeneity, gender, class, sexuality,

³⁴ Kimberlé Crenshaw, “Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics,” *University of Chicago Legal Forum* 1.8 (1989): n.p. Available at: <http://chicagounbound.uchicago.edu/uclf/vol1989/iss1/8>.





geography, age, and ability. In addition, it considers how these intersections encourage systems of oppression and, ultimately, target Indigenous women, girls, and 2SLGBTQQIA+ people.³⁵ Intersectional understandings reflect a recognition that oppression at personal and structural levels creates a societal hierarchy, which requires policy tailored for the needs of those who experience discrimination.³⁶ In other words, intersectional analysis researchers are interested in what intersections of systems can tell us about power: Who holds it, how it is used, and how it impacts various groups.³⁷

Intersectional studies are characterized by their efforts to centre lived experiences of those who share their experiences. As scholars Olena Hankivsky, Renée Cormier, and Diego de Merich argue, “Centering stories is consistent with any intersectional approach that prioritizes lived experience as a necessary theoretical foundation for the pursuit of social justice.”³⁸ In terms of bringing together various strands and approaches to intersectionality, the Intersectionality Research Hub, out of Concordia University, has produced some useful resources. These include an Intersectionality Literature Review that brings together foundational definitions and currents of research.³⁹

A great deal of intersectional work in Canada is focused on policy, for important reasons; however, much of this work is not specific to Indigenous women. For instance, in the publication: *Intersectionality: Moving Women’s Health Research and Policy Forward*, Olena Hankivsky, Renée Cormier, and Diego de Merich, explore the application of intersectional perspectives to health policy more broadly, and for women in general. In the publication, *Health Inequities in Canada: Intersectional Frameworks and Practices*, editor Olena Hankivsky, notes that despite its potential, intersectionality has not made significant strides in transforming mainstream health, research, and policy. As she notes,

It seems especially urgent—when theorizing and researching health—to apply analytical frameworks that account for and that take seriously the ways in which people’s identities, the places they live, and those with whom they engage are constantly affected by power while also interlocking and overlapping in ever-dynamic, always relational, unbounded and unfixed ways.⁴⁰

More recently, some have begun to explore how intersectionality should be applied to Indigenous Peoples, but in distinctive

35 Olena Hankivsky, Renée Cormier and Diego de Merich, *Intersectionality: Moving Women’s Health Research and Policy Forward*, Vancouver: Women’s Health Research Network (2009), 3. Available at: <https://bcewh.bc.ca/wp-content/uploads/2012/05/2009-IntersectionalityMovingwomenshealthresearchandpolicyforward.pdf>.

36 Hancock, “When Multiplication,” as cited in Hankivsky, Cormier, and de Merich, 3.

37 Dhamoon, “Considerations,” as cited in Hankivsky, Cormier, and de Merich, 6.

38 Hankivsky, Cormier and de Merich, 3.

39 Intersectionality Research Hub, Concordia University, accessible at: <http://jiwani.concordia.ca/index.php/hub-literature/>.

40 Olena Hankivsky et al., *Health Inequities in Canada: Intersectional Frameworks and Practices* (Vancouver: UBC Press, 2011), 1.





ways. As scholars Marika Morris and Benita Bunjun explain, “In order to understand how anybody has come to their current situation, we need to understand the past (history/colonization).”⁴¹ In Canada, this is especially important for both non-Indigenous and Indigenous Peoples when considering colonization, in particular how the lives of Indigenous Peoples continue to be affected by generations of oppressive government policy. This has systematically stripped away identities of Indigenous women and children through the imposition of the *Indian Act*, Residential Schools, the Sixties Scoop, and modern child welfare systems, to name a few causes. Systematic racism that Indigenous Peoples in Canada have experienced, and continue to experience, has had major consequences on outcomes of poverty, substance use, violence, and mental health.⁴²

In April 2012, a diverse group of Indigenous Peoples gathered in Coast Salish territories for an all-day dialogue on themes of intersectionality and indigeneity. Twenty-six participants came together, bringing their diverse experiences in frontline human services work, community activism, and visual and multimedia arts, with most people currently working or studying in academia. Participants worked in diverse areas of Indigenous identity, social justice, community organizing, governance, health,

gender and sexuality, labor issues, violence, law, education, arts, performance, creating writing, and more. In addition to sharing academic and professional knowledge, participants were invited to share personal experiences, and family and community histories, as they felt comfortable. The dialogue was organized by Sarah Hunt (Kwagiulth, Kwakwaka’wakw Nation), emerging from a series of discussions regarding the relative lack of Indigenous voices in intersectionality scholarship and academic spaces. The gathering was intended to build on a growing number of assertions by Indigenous activists, writers, and scholars, proposing that Indigenous worldviews are inherently intersectional. The dialogue was intended to be an exploratory discussion centered on a diversity of Indigenous Peoples’ perspectives to examine how ideas of Indigeneity and intersectionality are understood and utilized in academia, community work, and life experiences.

Participants at the 2012 dialogue expressed varying and complex relationships to the term “intersectionality.” Several people said Indigenous Knowledge and worldviews already included ways of expressing interconnectedness of all things and various forms of knowledge, so intersectionality was not a new concept for them. Intersectionality was seen as a new word for something that has always been

41 Ibid., 23

42 Ibid., 24.





known to Indigenous Peoples, grounded in Indigenous Knowledge.⁴³

As it relates to Indigenous issues, intersectionality features common topic areas reflecting on important intersectional approaches. When applied in culturally-specific and relevant terms, it can shed light on important questions and issues. For instance, in the field of violence and violence prevention, some scholars applied intersectionality to the question of violence. In Paulina Garcia Del-Moral's, *The Murders of Indigenous Women in Canada as Femicides: Toward a Decolonial Intersectional Reconceptualization of Femicide*, she argues the murders of Indigenous women in Canada constitute racialized, gendered violence, rooted in ongoing material and discursive effects of colonial power relations. She adds that this requires a conceptualization of femicide viewing gender as a necessary, but not definitive, condition. To reconceptualize femicide, Del-Moral develops a decolonial intersectional framework that draws on feminist scholarship on coloniality and intersectionality, highlighting shared understandings of gender and race as relational and mutually constitutive.⁴⁴

Similarly, though in more accessible terms: *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*, takes an intersectional approach. In this report, based almost entirely on testimonies of those most affected by violence, Indigenous women, girls, and 2SLGBTQQIA+ people maintain that oppression against them is primarily based on colonialism, racism, and gender, but that other factors also come into play. Families, speaking for loved ones, reported many encounters with service providers in the aftermath of a death or disappearance, which reveals family assumptions based on factors such as education, income, and ability, in addition to Indigeneity. Within these testimonies, there are also distinctive bases of discrimination, depending on what Indigenous Nation or group's experience is in play. In other words, First Nations, Inuit, and Métis women do not always face the same kind of discrimination, or threat, even though all are Indigenous. In addition, non-binary people, including those who identify as 2SLGBTQQIA+, encounter individual, institutional, and systemic violence differently.

43 "Summary of Themes: Dialogue on Intersectionality and Indigeneity," Wosk Centre for Dialogue (April 26, 2012).

44 Paulina García-Del Moral, "The Murders of Indigenous Women in Canada as Femicides: Toward a Decolonial Intersectional Reconceptualization of Femicide," *Journal of Women in*

Culture and Society, 43.4, (2018): 929-954.





CENTERING INDIGENOUS WOMEN AND KNOWLEDGE THROUGH CRGBA:

As linked to both decolonial and intersectional frameworks, Indigenous feminisms have important insights to bring to CRGBA, as they have always written in intersectional ways—even if they have rejected, at times, the badge of “feminist.”

The concept of Indigenous feminism gained currency around the late 1990s after celebrated author and critic, Lee Maracle (Stó:lō), spoke about the place of Indigenous women in broader Canadian women’s movements. She explained, “I am not interested in gaining entry to the doors of the ‘white women’s movement.’ I would look just a little ridiculous sitting in their living rooms saying, ‘we this and we that.’”⁴⁵ Maracle and others sought to shift away from “white feminisms” and embrace principles that aligned with Indigenous realities.⁴⁶

Maile Arvin, writing with Eve Tuck and Angie Morrill in a 2012 essay, *Decolonizing Feminism*, reviewed an array of works by diverse Indigenous feminists. Their essay presents five key concerns that they argue need to be addressed, both in what they call “whitestream” feminism, and in anti-racist, transnational feminisms, seeking to engage Indigenous feminist stakes. They include:

“

- “Problematize and theorize the intersections of settler colonialism, heteropatriarchy and heteropaternalism.”
- “Refuse the erasure of Indigenous women within gender and women’s studies and reconsider the end game of (only) inclusion.”
- “Actively seek alliances in which ... relationships to settler colonialism are acknowledged as issues that are critical to social justice and political work.”
- “Recognize the persistence of Indigenous concepts and epistemologies, or ways of knowing.”
- “Question how the discursive and material practices of gender and women’s studies and the academy at large may participate in the dispossession of Indigenous people’s lands, livelihoods, and futures; and ... divest from those practices.”⁴⁷

”

What these issues point to, in fact, is the importance of cultural relevance in application of knowledge structures. They undergird exactly how the realities of intersectional oppression is required to understand limitations of any idea—in theory and in practice.

⁴⁵ Lee Maracle, *I am Woman: A Native Perspective on Sociology and Feminism*, 2nd edition (Raincoast Books: 1996), 18.

⁴⁶ Andrea Smith and J. Khoulani, “Feminisms Engage American Studies,” *American Quarterly*, 60.2 (June 2008): 241-249. Mishuana R. Goeman and Jennifer Nez Denetdale, “Native Feminisms: Legacies, Interventions, and Indigenous Sovereignities,” *Wicazo Sa Review: Native Feminism*, 24.2 (Fall 2009): 9-13.

⁴⁷ Maile, Tuck, and, Morrill, “Decolonizing Feminism.”





There is no singular definition of Indigenous feminism. Therefore, the term is often referred to as Indigenous feminisms (plural). Indigenous feminisms address the many ways sexuality, gender, and gender norms (expectations regarding how people should act or behave based on perceptions about their gender), shape Indigenous Peoples' lives. As it relates to intersectionality, Indigenous feminisms uphold the idea that although gender, sex, and sexuality are central considerations, they intersect with other aspects of people's identities, including Indigenous identity, age, ability, and social class. At their root, Indigenous feminisms examine how gender, and conceptions of gender, influence the lives of Indigenous Peoples—historically and today. Indigenous feminist approaches challenge stereotypes on Indigenous Peoples' gender and sexuality, for instance, as they appear in politics, society, and the media.

Indigenous feminisms are also concerned with how gender is embedded in broader power relations, and how sexism, racism, and colonialism are structures of oppression that operate together. Indigenous feminisms challenge people to acknowledge, understand, and address these oppressions. As Kim TallBear (Sisseton Wahpeton Oyate) explains, Indigenous feminisms bring marginalized voices together to dismantle hierarchies and, "Be in good relation"

with one another.⁴⁸ Therefore, Indigenous sovereignty, frameworks, and Ways of Knowing are all central for Indigenous feminisms. The realities and impacts of hetero-patriarchy and settler colonialism, gendered experiences and agency, and ethical relationships to one another and the lands we live on, are also important factors. However, Indigenous feminisms should not be understood only as a response to the imposition of patriarchal settler gender norms onto Indigenous societies, such as through the *Indian Act* and Residential Schools. Rather, Indigenous feminisms work to support well-being and positive gender relations in Indigenous communities.⁴⁹

Since the late 2000s, there has been important expansion in the study of Indigenous feminism as a theoretical concept and identity, and as a category of analysis across various fields and topics. For instance, transnational conversations regarding Indigenous feminisms highlights shared struggles, as well as discrepancies in how Indigenous women across the globe see themselves and feminist ideologies. These works offer definitions of Indigenous feminisms that others can adopt, critique, and contribute to, on their own terms. Alongside—and at times, even within—these works, Indigenous feminisms expand feminist theories into new areas of analysis. For example, to inform academic and community conversations on violence

⁴⁸ Indigenous Feminisms Power Panel. Available at: <https://www.youtube.com/watch?v=HnEvaVXoto>.

⁴⁹ Matika Wilbur and Adrienne Keene, "All My Relations and Indigenous Feminism," All My Relations Podcast, 26 February, 2019. Available at: <https://www.allmyrelationspodcast.com/podcast/episode/32b0bd95/ep-1-all-my-relations-and-indigenous-feminism>.



against Indigenous women, sovereignty, and 2SLGBTQQIA+ issues.

In the first edition of: *Making Space for Indigenous Feminism*, released in 2007, Joyce Green proposed that Indigenous feminism was a valid and essential theoretical and activist position. Green introduced a roster of important Indigenous feminist contributors. A second edition was released in 2017, building on the success and research of the first. It provides updated and new chapters covering a wide range of some of the most important issues facing Indigenous Peoples today. These include domestic and international contexts such as violence against women, recovery of Indigenous self-determination, racism, misogyny, and decolonization. Specifically, new chapters in the Canadian context explore Canada's settler racism and sexism, and missing and murdered Indigenous women and girls (MMIWG).

In 2010, and within the context of expanding this field: *Indigenous Women and Feminism: Politics, Activism, Culture*, was edited by Cheryl Suzack, Shari M. Huhndort, Jeanne Perreault, and Jean Barman. This version proposed Indigenous feminism as an emerging field of inquiry was necessary to truly engage with crucial issues of cultural identity, nationalism, and decolonization, particular to Indigenous contexts. Through the lenses of politics,

activism, and culture, this wide-ranging collection examined historical roles of Indigenous women, their intellectual and activist work, and the relevance of contemporary literature, art, and performance for an emerging Indigenous feminist project. The questions at the heart of these essays crossed disciplinary, national, academic, and activist boundaries to deeply explore unique political and social positions of Indigenous women in Canada and beyond.

Bringing this work together, given its breadth, is an important task. In the last 10 years, some works—primarily extended literature reviews, through graduate student work—have attempted to bring together and synthesize these ideas. For instance, Crystal Phillips' 2012 Master's thesis entitled: *Theorizing Aboriginal Feminisms*, compiles prominent writings of female Indigenous authors to identify emerging theoretical strains centering on decolonization as both theory and methodology. As she explains, these authors position decolonization strategies against intersectionality of race and sex oppression within a colonial context, which they term, "patriarchal colonialism." They challenge forms of patriarchal colonialism that masquerade as Indigenous tradition, and function to silence and exclude Indigenous women from sovereignty and leadership spheres.⁵⁰

50 Crystal Phillips, *Theorizing Aboriginal Feminisms*, Masters' Thesis (University of Lethbridge, 2012). Accessed March 3, 2021, <https://www.collectionscanada.gc.ca/obj/thesescanada/vol2/ALU/TC-ALU-3120.pdf>.



In its second edition, Janis Acoose's groundbreaking work of literary and cultural criticism entitled: *Iskwewak Kah' Ki Yaw Ni Wahkomakanak: Neither Indian Princesses nor Easy Squaws*, analyzes representations of Indigenous women in Canadian literature. By deconstructing stereotypical images of the "Indian princess" and "easy squaw," Acoose calls attention to racist and sexist depictions of Indigenous women in popular literature. Blending personal narrative and literary criticism, this revised edition draws strong connection between persistent negative cultural attitudes fostered by those stereotypical representations, and the MMIWG in Canada.

As a unique contribution, the publication: *The Winter We Danced: Voices from the Past, the Future, and the Idle No More Movement*, edited by The Kino-nda-niimi Collective and published in 2014, represents a series of gathered essays from the first months of Idle No More. This was a movement calling all Indigenous Peoples and non-Indigenous people in Canada to reject idleness. Idle No More faced the extension of white settler colonization as a project, tying global capitalist exploitation to the erasure of Indigenous peoplehood. The movement, along with this collection, challenged the specifically gendered procedures of settler colonialism in Canada by citing its origination outside modes of state "recognition" of Indigenous peoplehood and through its call for the resurgence of Indigenous modes

of governance and women's leadership within them.

Finally, new and important works in this field included: *In Good Relation: History, Gender, and Kinship in Indigenous Feminisms*, edited by Sarah Nickel and Amanda Fehr, and published in 2020. This captures conversations from a new generation of scholars, activists, artists, and storytellers who accept the usefulness of Indigenous feminism and seek to broaden it in useful and constructive ways. It cites a need to further Indigenize our understandings of feminism and take scholarship beyond a focus on motherhood, life history, or legal status (in Canada), to consider the connections between Indigenous feminisms, Indigenous philosophies, the environment, kinship, violence, and Indigenous Queer Studies. Organized on the notion of "generations," this collection takes broad and critical interpretations of Indigenous feminism, depicting how an emerging generation of artists, activists, and scholars are envisioning and invigorating the strength and power of Indigenous women.

Work that critically interrogates Indigenous feminism, rather than adapt it, has expanded from its introduction in the early 2000s. Bonita Lawrence and Kim Anderson argued in 2005 that Indigenous women either attached to, or supported feminism, were less useful than the importance of Indigenous women finding their own strengths from within their own heritage.



In its second edition, Kim Anderson's: *A Recognition of Being: Reconstructing Native Womanhood*, engages Indigenous Traditional Knowledge and perspectives on womanhood. In 2000, she set out to explore how Indigenous womanhood had been constructed and reconstructed in Canada, weaving her own journey as a Cree/Métis woman, with insights, Knowledge, and stories of 40 Indigenous women she interviewed. In the second edition, published in 2016, Anderson revisits her groundbreaking text to include recent literature on Indigenous feminism and Two-Spirited theory, as well as to document the efforts of Indigenous women to resist hetero-patriarchy. Beginning with a look at positions of women in traditional Indigenous societies, and their status after colonization, this text shows how Indigenous women have since resisted imposed roles, reclaimed their traditions, and reconstructed powerful Indigenous womanhood. Anderson also published numerous other works linking these issues, including: *Life Stages and Native Women: Memory, Teachings and Story Medicine* (University of Manitoba Press, 2011), *Indigenous Men and Masculinities: Legacies, Identities, Regeneration* (edited with Robert Alexander Innes, University of Manitoba Press, 2015), and *Mothers of the Nations: Indigenous Mothering as Global Resistance, Reclaiming and Recovery* (with Dawn Lavell-Harvard, 2014).

While this was presented as a distinction approach, increasingly, the works that articulate to support culturally-appropriate and distinctive context for Indigenous women have been considered to be Indigenous feminism. Today, and within an expanded field of scholarship, Indigenous feminisms raises critical questions regarding gender in relation to politics, law, history, economics, art, culture, health, and social relationships. Indigenous feminisms are vital in challenging racist, sexist, and colonial oppression. Collectives have emerged from these discussions, shaping movements such as: Idle No More, and grassroots organizations like the Native Youth Sexual Health Network. Indigenous feminist perspectives are central in discussions regarding contemporary socio-political issues, such as MMIWG, as they raise key concerns not only about this violence, but also about roles that various people and communities have in response to this problem. They also challenge a lack of prior government engagement in MMIWG cases. While varied experiences and identities affect views about, and uses of, Indigenous feminism, they remain useful frameworks of understanding for all people.





CRGBA AND THE IMPORTANCE OF A DISTINCTIONS-BASED LENS: THE IMPORTANCE OF SPECIFICITY:

There are many gaps and opportunities for expansion in terms of intersectional Indigenous feminist research on Indigenous issues in Canada, which may support CRGBA policy development and analysis—notably, on the experiences of women and 2SLGBTQQA+ people in corrections—and in the justice system in general. Structures of colonization, imposed with respect to specific Indigenous groups—First Nations, Inuit, and Métis, and 2SLGBTQQA+ people—have had important and specific impacts on populations with implications for some issues facing policy-makers today. Similarly, Traditional Knowledge regarding distinctive Indigenous populations is, in some areas, lacking. As such, distinctions-based, intersectional studies still represent a necessary field for expansion across communities, geographies, and other markers of identity. While settler colonial studies and Indigenous studies have often provided useful discussions of broader colonial structures—often with important links to all Indigenous groups in Canada—understanding and combating these structures requires examining the foundations upon which they have been built, and how distinctive Indigenous Peoples have been impacted by them.

In the historical realm, some examination of common and distinctive ways communities have been impacted is included in the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls, entitled: *Reclaiming Power and Place*. Chapter 4 of Volume 1 includes many references to more sources on this topic for Indigenous People. It aims to highlight the common core, while also generating interest and discussion for a need for distinctions-based work.⁵¹ This preliminary work, alongside the work of many scholars on this topic, suggests that a distinctions-based approach is an important component of understanding the needs of individuals and communities, and in turn, the limitations of a GBA+ framework that fails to take into account cultural factors, histories, and experiences.

A. First Nations Perspectives on History, Intersectionality, and Feminism:

An examination of First Nations women's histories and experiences undergird many intersectional and feminist frameworks. While many of the works surveyed in the previous section drew on broad Indigenous perspectives and common historical experiences, such as the *Indian Act* or other policies applied globally to First Nations, there is an emerging and growing body of work rooted in history considering distinctions within First Nations.

⁵¹ See the full Final Report at: www.mmiwg-ffada.ca.





The most developed body of work in this area comes from British Columbia. When *You Don't Know the Language, Listen to the Silence: An Historical Overview of Native Indian Women in B.C.*, was published in 1994. In this publication, Marjorie Mitchell and Anna Franklin assess historical literature on the role of Indian women in British Columbia and find Indian women to have been a constant source of economic support for their families and communities. Their integral support is dated from earliest recorded times to the early twentieth century. Images of strength also emerge in the publication: *Native Women of the Northern Pacific Coast: An Historical Perspective, 1830-1900*. In this 1996 paper, Carol Cooper examines how Nishga and Tsimshian women were able to maintain their status and roles through fur-trade and missions, which have typically been viewed by historians as having a negative impact on Indigenous female lives. More recently, Sarah Nickel's 2017 article: *I Am Not a Women's Libber Although Sometimes I Sound Like One: Indigenous Feminism and Politicized Motherhood*, argues that existing literature obscures women's political involvement. This was done through depoliticizing women's work, focusing on sensational moments of action, or collapsing women's politics within the broader narrative of male-dominated political organizations, which rendered women's activities invisible. She examines the development of homemaker's clubs in British Columbia, specifically, highlighting the importance of

regional, or nation-based perspectives, in defining localized processes and historical and contemporary ramifications.

Similarly, the publication: *Strong Women Stories: Native Vision and Community Survival*, published in 2003 and edited by Bonita Lawrence and Kim Anderson, presents a collection of broad geographical ranges through seventeen essays featuring original and critical perspectives. These ideas range from writers, scholars, and activists on issues pertinent to Indigenous women, and their communities, in both rural and urban settings in Canada. Their contributions explore critical issues facing Indigenous women as they rebuild and revive their communities. Through topics such as the role of tradition, reclaiming identities, and protecting Indigenous children and the environment, they identify restraints to shape their actions and inspirations that feed their visions. The contributors address issues of youth, health, and sexual identity; women's aging, sexuality, and health; caring for children and adults living with Fetal Alcohol Syndrome; First Nations education and schooling; community-based activism on issues of prostitution and sex workers; and reclaiming cultural identity through art and music.

B. Métis Perspectives on History, Intersectionality, and Feminism:

In the field of Métis-specific studies of history and intersectionality, it is first





important to note how Métis invisibility has contributed to a dearth of services and supports for Métis women, girls, and 2SLGBTQQIA+ people. As Jean Teillet suggests in her Métis Law Summary, 2009, Métis invisibility:

...is the result of several factors: (1) the fact that, historically there were only two identity options in Canada - white or Indian - because no one wanted to recognize the existence of a mixed-race people; (2) the erasure of historic aboriginal geographic boundaries; (3) the hidden language of the Métis; (4) the fact that the Métis are not phenotypically distinct; (5) a general disinclination to publicly identify following the events of 1870 and 1885; and finally (7) their mobility.⁵²

Studies examining the history of Métis women, and their families, have often focused on these factors, including the jurisdictional gap or constitutional invisibility of Métis.

Other studies have focused more on lived experiences. For instance, in 1996, Louise Marie Legare published a Masters of Education thesis at the University of Saskatchewan entitled: *Being a Métis Woman: Our Lived Stories*. The purpose of the study was to describe lived stories of

four Métis women in the form of collective narratives to interpret and make meaning from their experiences to gain knowledge. The research was conversation-based and presented three collective narratives: Identity, family, and soul murder. As a reflection of the invisibility of these perspectives, the study was an important way to begin to understand the loss of, and the absence of, voices of some Métis women.

More recently, studies have attempted to tackle some of these important and distinctive currents in Métis history, including the National Inquiry's Final Report: *Reclaiming Power and Place*. This includes a Métis-specific, historical section in Chapter 4 (Volume 1) raising many of these issues. In addition, there is a specific section on contemporary preoccupations of Métis women, girls, and 2SLGBTQQIA+ people through research conducted in a dialogical format during the Inquiry, found in Volume 2, Chapter 12. These sources illustrate how historical currents serve to inform contemporary struggles and as such, may be useful in the application of CRGBA.

Similarly, Women of the Métis Nation's own report on the topic was released around the same time as the release of the National Inquiry's. The Métis Nation's report highlights many key events, drawn

⁵² Jean Teillet, "Métis Law Summary," cited in Joyce Green, "Don't Tell Us Who We Are (Not): Reflections on Métis identity," *Federation of Humanities and Social Sciences*. (15 March 2011). Available at: <https://www.idees-ideas.ca/blog/dont-tell-us-who-we-are-not-reflections-metis-identity>.





from dialogue and research regarding Métis that are historically significant and contemporarily relevant, including:

- The Historical Role of Métis Women and Girls in Métis Families and Communities.
- Colonization, Racism, and Sexism: The Roots of Violence Against Métis Women and Girls.
- The Red River Resistance—A Reign of Terror.
- The Northwest Resistance—1885 in Context.
- Land Dispossession, Homelessness, Scrip, and Road Allowances.
- Residential and Day Schooling.
- Child Apprehension.

The relative invisibility of Métis women has led to important consequences. As the same report notes, in evaluating contemporary impacts of such a history, experiences of Métis women are marked by racism, sexism, poverty, homelessness, housing precarity, food insecurity, physical and mental illness, a lack of well-being, poor attrition rates, and lack of education.⁵³

Tricia Logan's article: *Settler Colonialism in Canada and the Métis*, provides a useful settler colonial framework for understanding many of these issues. In this article, Logan argues literature on

settler colonialism intends to identify what is specific about the settler colonial experience. It can also homogenize diverse settler colonial narratives and contexts. She examines relationships between Métis people and settler colonialism in Canada to distinguish how Métis histories contribute to a broader narrative of settler colonial genocide, which includes conversations around "breeding," unique experiences of Residential Schools, and forced sterilization. At the juncture of these social, political, and racial divisions, groups like the Métis in Canada are within a metaphorical gap or, more accurately: A jurisdictional gap.⁵⁴

Other scholars are working to examine, in a more specific way, many of these issues. Recent work includes an article published in 2019 by Renee Monchalin, Janet Smylie, and Cherylee Bourgeois entitled: *I Would Prefer to Have My Health Care Provided Over a Cup of Tea Any Day: Recommendations by Urban Métis Women to Improve Access to Health and Social Services in Toronto for the Métis Community*. This article highlights specific and concrete suggestions made by, and for, urban Métis women for improving access to health and social services in Toronto, Canada. Key policy recommendations include: (a) Métis presence, (b) holistic interior design, (c) Métis-specific or -informed service spaces, (d) welcoming reception/front desk, and (e) culturally-informed service providers.

53 Les Femmes Michif Otipemisiwak—Women of the Métis Nation, *Métis Perspectives of Missing and Murdered Indigenous Women, Girls and LGBTQ2S+ [sic] People*. (30 June 2019). Available at: <https://metiswomen.org/wp-content/uploads/2021/06/LFMO-MMIWG-Report.pdf>.

54 Tricia Loga, "Settler colonialism in Canada and the Métis," *Journal of Genocide Research*, 17.4 (2015): 433-452.





During conversations, these same women shared positive experiences with an Indigenous-informed, midwifery practice, called: Seventh Generation Midwives Toronto. In doing so, they illustrated how women hold solutions for improving access to health and social services for Métis communities.

A recent expansion of the work was written by the same authors, in 2020, entitled: *It's Not Like I'm More Indigenous There and I'm Less Indigenous Here: Urban Métis Women's Identity and Access to Health and Social Services in Toronto, Canada*. This work argues colonial policies and identity debates have resulted in major gaps in access to culturally safe health and social services for Métis Peoples living in Canada. It claims building Métis community determined understandings of Métis identity into urban health and social services may be one step toward addressing existing culturally safe health service gaps.

Perhaps one of the most prominent Métis thinkers in terms of intersectionality, feminism, and history, is Emma Larocque. A specific article on Métis intersectionality and feminism is included in Joyce Green's: *Making Space for Indigenous Feminism*, discussed earlier in this review. On a broader level, LaRocque's works have critically engaged topics such as Indigenous—and more specifically, Métis—identities, contemporary Indigenous literature, postcolonial literary criticism,

decolonization and resistance, and Indigenous representation in Canadian history, literature, and popular culture. Published widely across fields, Larocque's body of work is a strong representation of interconnectedness of these diverse fields of study and critique.⁵⁵ Most recently, her book: *When the Other is Me: Native Resistance Discourse 1850-1990*, Larocque presents a powerful interdisciplinary study of Indigenous literary responses to racist writing in Canadian historical and literary records from 1850 to 1990. In her book, LaRocque brings a meta-critical approach to Indigenous writing. She situates it as resistance literature within, and outside of, postcolonial intellectual context. She outlines overwhelming evidence of dehumanization in Canadian historical and literary writing. The book explores effects on both popular culture and Canadian intellectual development, and Indigenous and non-Indigenous intellectual responses in light of interlayered mixes of romanticism, exaggeration of Indigenous differences, and the continuing problem of internalization challenging understandings of colonizer/colonized relationships.

There is room for expansion in this field, as research specifically concerning Métis experiences in historical erasure and intersectional oppression demonstrates. Further critical and qualitative studies examining how Métis women encounter services, or the lack thereof, are needed in areas beyond health services to better articulate how jurisdictional gaps might

⁵⁵ See Emma Larocque, "Interview with a Professor," *Constellations*, 2-2 (2011): 157–158.





exist, as well as how Métis women, girls, and 2SLGBTQQIA+ people are placed in jeopardy in many different ways. Work specifically theorizing Métis relationships to the state, in the context of settler colonialism, is an important avenue for further examination. A fuller body of work, with relation to CRGBA, would permit policy-makers to better understand a need for moving beyond one-size-fits-all approaches. This is needed to fulfill state responsibilities for nation-to-nation engagements with Métis, whose struggle for recognition is ongoing.

C. Inuit Perspectives on History, Intersectionality, and Feminism

Since the authors of this literature review are not Inuktitut speakers, we recognize the limitations of a literature review that fails to consider work produced in Inuktitut. In 2016, 41,650 Inuit reported speaking an Inuit language well enough to conduct a conversation, representing 64 percent of Inuit. The Inuit language spoken by the largest number of Inuit was Inuktitut, with 39,475 Inuit speakers. Most Inuit, 72.8 percent, were living in Inuit Nunangat, which translates to, “The Inuit homeland.” This area is made up of four regions: Inuvialuit region of the Northwest Territories, territory of Nunavut, Nunavik in northern Quebec, and Nunatsiavut in Newfoundland and Labrador. Overall, 83.9 percent of Inuit in Inuit Nunangat reported

being able to speak an Inuit language.⁵⁶ With that limitation in mind, this literature review extends only to sources that could be consulted online and in English.

For Inuit, a distinctive history lends itself to a need for further work and examination. In particular, the history of Inuit relationships with the state—which begin later than those of First Nations and Métis—is one of the foundational elements for consideration in a distinctive CRGBA policy application context. Further, contemporary challenges of Inuit living away from Inuit Nunangat, including a growing number of Inuit in urban centres such as Ottawa and Winnipeg, means distinctive Inuit realities are complicated by a number of interconnected factors. That said, common history of dispossession, relocation, and oppression in Inuit Nunangat is useful to summarize.

Inuit first interacted extensively with European whalers and fishermen, whom they called “Qallunaat.” Labrador Inuit made these encounters relatively early in the colonization process, dating back to as early as the 16th Century. By the late 19th Century, bowhead whale stocks had declined substantially. This deprived Inuit of a resource that had been a cornerstone for some communities. As a result, in the early 20th Century, commercial whalers stopped visiting most areas of Inuit Nunangat.⁵⁷

⁵⁶ Statistics Canada, “Census in Brief: The Aboriginal languages of First Nations people, Métis and Inuit,” 2017 release.

⁵⁷ See Arthur J. Ray, *The Canadian Fur Trade in the Industrial Age* (Toronto: University of Toronto Press, 1990); Marc Stevensen, *Inuit, Whalers, and Cultural Persistence: Structure in Cumberland Sound and Central Inuit Social Organization* (Toronto: Oxford University Press, 1997); Nunavut Wildlife Management Board, *Final Report of the Inuit Bowhead Knowledge Study* (Nunavut, March 2000), available at: <https://www.nwmb.com/en/publications/bowhead-knowledge-study/1819-bowhead-knowledge-study-eng/file>.





A decline in commercial whaling coincided with the expansion of fur trade into Inuit Nunangat. Driven by a jump in market value of Arctic fox furs, the Hudson's Bay Company expanded its network of trading posts into the Arctic in the early 20th Century. Over time, Inuit became dependent on the goods supplied by fur traders. This dependency was an important factor in the power Qallunaat would later hold over Inuit.⁵⁸ In addition, Canada's claims of sovereignty within the Arctic provided grounds for introduction of a Canadian justice system, including RCMP in Inuit Nunangat, in the early 20th Century.⁵⁹

The largely laissez-faire (or "hands off") approach to Inuit began to change during World War Two, in the interests of defense,⁶⁰ when the state intervened in Inuit society in increasingly intensive ways. For instance: Between 1940 and 1970, the Government of Canada relocated many groups of Inuit, as well as some First Nations. Some Inuit groups were relocated repeatedly, allegedly to reduce Inuit reliance on government assistance after the collapse of the fur trade. Later relocations were intended to centralize Inuit into permanent settlements to improve efficiency of delivering social services. The government

also began to take greater responsibility for the delivery of health care to Inuit. Interventions resulted in the separation of family members from each other, as well as an increased distrust in those Qallunaat who would take them away.⁶¹

Other disruptions also have had lasting impact. In addition to relocation and medical intervention, the killing of Inuit sled dogs forced many Inuit to move into the permanent communities that had been established by Qallunaat. Beginning in the late 1950s, the government of Canada also made formal schooling compulsory for Inuit children, some of whom were sent to church-operated residential schools far away while others attended day schools operated by the federal government. As in the case of First Nations and Métis, residential schools and hostels were also a vehicle for child apprehension, with governments citing an absence of "qualified" homes could increase the number of Inuit students enrolled in government-run institutions.

By the early 1970s, a move from Inuit camps to Qallunaat-controlled towns brought massive changes to Inuit economic, political, and social life. It caused a drastic reduction in Inuit autonomy and self-determination because government power

58 See Ray, *The Canadian Fur Trade*; Tester and Kulchyski, *Tamarniit (Mistakes): Inuit Relocation in the Eastern Arctic, 1939-63* (Vancouver: UBC Press, 1997).

59 Qikiqtani Truth Commission, *Paliisikkut: Policing in Qikiqtaaluk, Thematic Reports and Special Studies, 1950-1975* (April 2014).

60 In December 1954, construction began on the Distant Early Warning (DEW) Line, an integrated chain of 63 radar and communication centres stretching 3,000 miles from western Alaska across the Canadian Arctic to Greenland.

61 Qikiqtani Truth Commission, *Aaniajurliriniq: Health Care in Qikiqtaaluk, Thematic Reports and Special Studies* (April 2014); Maureen Lux, *Separate Beds: A History of Indian Hospitals in Canada, 1920s to 1980s* (Toronto: University of Toronto Press, 2016).





was more firmly established in settlements than in camps. The move from camps is a root cause of many social problems Inuit communities confront today, with trauma transmitted from one generation to the next.⁶²

There is a body of literature that explores the history and impact of colonization on Inuit, but much of it is rooted in economic analysis and in the context of northern resources. In fact, Inuit organizations have been important sites for expansion of this question to consider important intersectional questions at play, as rooted in this history and lived in the present by Inuit families and communities. The *Inuit Way*, was first published in 1989 and again in 2006. It is a study produced by Pauktuutit Inuit Women of Canada, providing historical context to understanding Inuit culture. It positions this history as an important starting point for understanding Inuit culture, protocols, and values, in working with Inuit.⁶³ As such, it is an important document for consideration in projects looking to engage a CRGBA analysis, alongside other publications seeking to provide similar foundation.⁶⁴

D. Distinctions-Specific Gaps on History, Intersectionality, and Feminism

There is much work to do in addressing gaps on history, intersectionality, and feminism, as a whole, and especially so for distinctions-based and culturally relevant frameworks. Paths for research include developing more localized or specific histories and/or accounts of experiences marked by intersectionality and distinctive Indigenous identities. In addition, examining how these identities and experiences may be affected by geographical location, or residence outside of an Indigenous community, remains an underexplored area for research.

However, the persistent absence of these perspectives within GBA+ are much more easily accommodated and addressed through CRGBA, which may help to build interest, capacity, and a body of research surrounding these issues.

⁶² A longer summary is provided by the National Inquiry's Final Report, *Reclaiming Power and Place, Volume 1, Chapter 4, pages 309-311*.

⁶³ Pauktuutit Inuit Women of Canada, *The Inuit Way: A Guide to Inuit Culture*, Revised 2006. Available at: http://inuugatiigit.ca/wp-content/uploads/2018/11/inuitway_e-Pauktuutit.pdf. The Inuit Way.

⁶⁴ Pauktuutit Inuit Women of Canada and Dr. Elizabeth Comack, *Addressing Gendered Violence against Inuit Women: A review of police policies and practices in Inuit Nunangat* (January 2020), available at: <https://www.publicsafety.gc.ca/cnt/rsrcs/pblctns/rvw-plc-prctcs-pauk/index-en.aspx#s12>.





PART 3:

CENTERING INDIGENOUS EPISTEMOLOGIES IN CRGBA

The inclusion of Indigenous epistemologies and Ways of Knowing are the heart of the need for application of CRGBA frameworks. As demonstrated by a broad field of multidisciplinary literature regarding distinctions-based, intersectional, and applied research, the application of academic strands to policy-making, implementation, and analysis are important needs that may help transform policy and enhance its impact. What follows is a section examining implications of CRGBA through four distinct, though interrelated, areas: a) Indigenous epistemologies and relational world views in policy analysis; b) Understanding women's connection to land through a policy-making lens; and, c) Reclaiming non-binary and 2SLGBTQQIA+ perspectives in research and implications for policy-making.

INDIGENOUS EPISTEMOLOGIES AND THE RELATIONAL WORLDVIEW:

The relational worldview, sometimes called the cyclical worldview, is intuitive, non-time oriented, and fluid. Balance and harmony in relationships among multiple variables, including spiritual forces, make up the core of the thought system. Every

event is understood in relation to all other events regardless of time, space, or physical existence. It is a basic part of the conversation around Indigenous epistemologies where scholars have explored, to varying degrees of depth, how people know what they know, and how they understand the world.

As linked to ways of knowing the world, the concept of worldviews has been described as mental lenses that are entrenched ways of perceiving the world.⁶⁵ Worldviews are cognitive, perceptual, and affective maps people continuously use to make sense of social landscape and to find their ways to whatever goals they seek. They are developed throughout a person's lifetime through socialization and social interaction.

Western worldviews are characterized—as explored by Willie Ermine in his seminal article: *Aboriginal Epistemology*—by a fragmentary approach. As he explains:

In viewing the world objectively, Western science has habitually fragmented and measured the external space in an attempt to understand it in all its complexity ... The fragmentation of the constituents of existence has invariably led to a vicious circle of atomistic thinking that restricts the capacity for holism.⁶⁶

⁶⁵ Marvin E. Olsen, Dora G. Lodwick, and Riley E. Dunlap, *Viewing the World Ecologically* (Boulder, CO: Westview Press, 1992).

⁶⁶ Willie Ermine, "Aboriginal Epistemology," in Heather Macfarlane and Armand Garnet Ruffo, Eds., *Introduction to Indigenous Literary Criticism in Canada* (Toronto: Broadview Press, 2015), 103.





In contrast, Indigenous Peoples have sought to understand the world subjectively, “By placing themselves in the stream of consciousness,”⁶⁷ and in describing their relationships within it. In the case of Indigenous Peoples, worldviews are developed over generations. As Ermine explains, “Indigenous philosophies are underlain by a worldview of interrelationships among the spiritual, the natural and the self, forming the foundation or beginnings of Indigenous ways of knowing and being.”⁶⁸

While it is important to acknowledge distinctions-based considerations in any discussion of Indigenous worldview and epistemology, there are commonalities in terms of what they may entail. Generally, Indigenous worldviews highlight a strong focus on people and entities coming together to help and support one another in their relationships; hence, a relational worldview, or relationality.⁶⁹ Many Indigenous worldviews place emphasis on spirit and spirituality, and thus, a sense of communitism and respectful individualism. Communitism is the sense of community tied together by familial relations and the families’ commitment to it.⁷⁰ Respectful individualism is being where an individual enjoys great freedom in self-

expression. It is recognized that they take into consideration, and act on, needs of the community as opposed to acting in self-interests alone.⁷¹ In a Canadian context, for instance, Leanne Simpson has outlined seven principles of Indigenous worldviews. First, knowledge is holistic, cyclic, and dependent upon relationships. It builds connections to living, and non-living, beings and entities. Second, there are many truths. These truths are dependent upon individual experiences. Third, everything is alive. Fourth, all things are equal. Fifth, the land is sacred. Sixth, the relationship between people and the spiritual world is important. Seventh, human beings are least important in the world.⁷²

Worldviews are encompassing, and pervasive, in adherence and influence. While they rarely alter in any significant way, worldviews can change slowly over time. Work to explore Indigenous epistemologies and worldviews has been prominent within service fields such as social work, education, and in conversations around research. More generally, it has been raised the context of intersectionality.

As it relates to CRGBA, it is important to note a very real link, as suggested by many Indigenous scholars, between the

67 Ibid.

68 Ibid.

69 T.C. Graham, “Using reason for living to connect to American Indian healing traditions,” *Journal of Sociology and Social Welfare* XXIX (2002): 55-75. Cited in Michael Anthony Hart, “Indigenous Worldviews, Knowledge, and Research: The Development of an Indigenous Research Paradigm,” *Journal of Indigenous Voices in Social Work* 1.1 (2010): 3.

70 See J. Weaver, “Native American studies, Native American literature, and communitism,” *Ayaangwaamizin* 1.2 (1997): 23-33 and H.N. Weaver, “Indigenous identity: What is it, and who really has it?,” *American Indian Quarterly* 25.2 (2001): 240-255. Cited in Hart, 3.

71 L.W. Gross, “Cultural sovereignty and Native American hermeneutics in the interpretation of the sacred stories of the Anishinaabe,” *Wicazo Sa Review* 18.3 (2003): 127-134. Cited in Hart, 3.

72 Leanne Simpson, “Anishinaabe ways of knowing,” in J. Oakes, R. Riew, S. Koolage, L. Simpson, & N. Schuster (Eds.), *Aboriginal health, identity and resources* (Winnipeg: Native Studies Press, 2001): 165-185. Cited in Hart, 3.





oppression of Indigenous worldviews, and epistemologies and power in policy-making and implementation. Eurocentric thought has come to mediate policy-making to the point where worldviews differing from Eurocentric thought are often relegated to the periphery, if acknowledged at all.⁷³ When they are acknowledged, Indigenous worldviews are analyzed most often through a Eurocentric point of view.

This marginalization, or blinding of Indigenous worldviews, “Has been and continues to be one of the major tools of colonization.”⁷⁴ As Dana Hickey usefully points out in the area of health policy, while, “Reconciliation as a pathway to improved health for Indigenous People is required, ... misunderstandings on an epistemological level are revealed as barriers.”⁷⁵

Beyond the creation of policy, a relational worldview has implications for accountability in policy analysis. This concept has been discussed most commonly in the area of research relationships as the idea of “relational accountability,” an ethical guideline referencing kin-centric beliefs among many Indigenous Peoples. As well, it serves as an obligation of researchers to nurture honorable relationships with community collaborators and to be accountable to the entirety of the community in which they

work, potentially including collaborators’ more-than-human network of relations.⁷⁶

This idea, however, could be usefully applied in the application of CRGBA to create pathways for more respectful policy making and effective policy implementation. One such example is provided by Cindy Blackstock’s article: *The Emergence of the Breath of Life Theory*. Blackstock, the Executive Director of the First Nations Child and Family Caring Society, argues that Indigenous worldviews have important implications on the application and evaluation of policies. She uses the example of child welfare as a case in point. In the case of First Nations, who adhere to the Seven Generation Principle, she notes:

If western child welfare followed First Nations ontology, it would need to assess child maltreatment based on the ancestral experience of that child and actively consider the consequences of intervention not only on that child but on the subsequent seven generations of children. This simply does not happen.⁷⁷

As this section has demonstrated, the application of Indigenous epistemological models and worldviews are important

73 M. Battiste and J.S.Y. Henderson, J. S. Y., *Protecting Indigenous Knowledge and Heritage* (Saskatoon, Saskatchewan, Canada: Purich, 2000). See also: J.M. Blaut, *The Colonizer’s Model of the World: Geographical Diffusionism and Eurocentric History*, (New York: Guilford Press, 1993). Cited in Hart, 4-5.

74 P. Walker, Walker, “Decolonizing Conflict Resolution,” *American Indian Quarterly* 28:3 and 4, (2004): 531. Cited in Hart, 4.

75 Dana Hickey, “Indigenous Epistemologies, Worldviews and Theories of Power,” *Turtle Island Journal of Indigenous Health*, 1.1 (2020): 14-25. Available at: <https://jps.library.utoronto.ca/index.php/tijh/article/download/34021/26717/>.

76 Shawn Wilson, *Research is Ceremony: Indigenous Research Methods* (Winnipeg: Fernwood Publishing, 2008). See also: Nicholas Reo, “Inawendiwin and Relational Accountability in Anishnaabeg Studies: The Crux of the Biscuit,” *Journal of Ethnobiology* 39.1 (2019): 65-75.

77 Cindy Blackstock, “The Emergence of Breath of Life Theory,” *Journal of Social Work Values and Ethics* 8.1, (2011): n.p.





components not only for research, but also for policymaking and implementation. It refocuses lenses of policies on culturally-relevant standards and may aid in designing policies, and implementing them to meet the needs of Indigenous Peoples, and in particular distinct needs of communities and Nations. Failure of GBA+ to examine policies and practices more broadly, in culturally-relevant ways, is an important argument for applying CRGBA.

RECLAIMING ARENAS OF ENGAGEMENT: WOMEN, LAND, AND SOVEREIGNTY.



Impacts of colonization and structures, institutions, and policies examined by various bodies of literature, reveal the extent of its central impacts has had in separating Indigenous women from issues regarding land—a key touch-point of Indigenous and relational world views.

The absence of Indigenous women in questions of land—socially, economically, and politically—today, can be directly linked to colonization. This central dialectic is reinforced by the imposition of Western patriarchal structures, including the Canadian government’s historical refusal to negotiate with women in important processes, such as Treaties, land questions linked to the reserve system, and patriarchal systems of governance and legislation, such as the *Indian Act*.

Impacts of these structures and policies have been to effectively remove women from conversations regarding sovereignty, land, and/or resource issues. Therefore, a CRGBA model policies relating to land requires recovery of these perspectives by examining relationships between land and the body, and between individual and collective rights. Implications of culturally-relevant examinations are significant. As Bonita Lawrence and Kim Anderson explain, “Viewed this way, the political choices facing our communities are not, as they have frequently been articulated, between “sovereignty” (men’s concerns) and “community healing” (women’s concerns). They are about different ways of understanding sovereignty.”⁷⁸

These ways of understanding and lenses through which to see issues—Indigenous epistemologies and Ways of Knowing—

⁷⁸ Bonita Lawrence and Kim Anderson, “Indigenous Women: The State of Our Nations,” *Atlantis* 29.2, (Spring/Summer 2005): 3.





are concretely linked to historic and contemporary struggles around land use and related resource rights. In a 2015 report submitted to the Human Rights Council on the rights of Indigenous Peoples, Special Rapporteur Victoria Tauli Corpuz notes that although Indigenous Peoples are strongly linked to land, territory, and natural resources—and at increased risk of displacement, expropriation and exploitation—“Land appropriation is not gender neutral and Indigenous women’s rights interact with violations of collective land rights.”⁷⁹ In Indigenous communities where matriarchy and matrilineal practices have existed, a loss of land has undermined, and continues to threaten, Indigenous women’s status and roles. Notion of abuse of these rights is therefore a neutral process and must be critically engaged to understand how the history of colonization, as well as its structures and related policies, have contributed to erasure of women from conversations around land, resources and sovereignty. Gendered impacts of these rights violations on lived experience, including the loss of traditional livelihood, vulnerability to abuse and violence, and ill health, often disproportionately impact women.

In Canada, this kind of impact is evidenced by several historical processes and policies which, under the umbrella of patriarchy,

have directly resulted in the exclusion of women in these conversations, as well as erasure of women from leadership roles. For instance, profoundly patriarchal legislation was implemented early on for First Nations—even prior to Confederation—to limit women and Two-Spirits power within their communities, and to entrench the power of men to almost every aspect of public and private life. Early pre-Confederation legislation included an *Act to Encourage the Gradual Civilization of Indian Tribes of 1857*, the *Management of Indian Lands and Properties Act of 1860*, and the *Gradual Enfranchisement Act of 1869* – all of which explicitly codified the preeminence and power of men within their communities. These supplanted existing structures of resource allocation and governance that would have promoted a better balance of power, or in some cases, the preeminence of women in decision-making. Upon Confederation in 1867, the *Constitution Act* included Section 91(24), to empower the federal government to enact its most comprehensive Indian legislation to date. This was an Act to amend and consolidate the laws respecting Indians—commonly known as the *Indian Act* of 1876. This legislated differential treatment for women in ways that were clearly sexist and demeaning. Expanding upon existing definition, the 1876 *Indian Act* included the 1851 definition of “Indian,” which had

⁷⁹ UN Human Rights Council, *Report of the Special Rapporteur on the Rights of Indigenous Peoples*, 6 August 2015, A/HRC/30/41, 6. Available at: <https://www.refworld.org/docid/55f7eb1e4.html> [accessed 4 March 2021].





become tied to male bloodlines even though many Nations traced lineage through the mother, or through both bloodlines. Its definition of “Indian” maintained that a status of an Indian woman depended on the status of her husband. So, if her husband was an Indian, she would maintain her Indian Status. If her husband was enfranchised (or was a Canadian settler), she, too, would become a Canadian subject. At the same time, if a non-Indigenous woman married a Status Indian man, she would acquire Indian Status. As these examples demonstrate, and as Barker usefully summarizes, “The entire legal framework of the *Indian Act* has been based on ideologies of gender invested in establishing and protecting the status and rights of Indian men over Indian women.”⁸⁰ From status to property to governance, structures and accompanying legislation have promoted, “Normalization of the privileges, benefits, activities, and voices of status Indian men,” in all areas, including land.⁸¹

The *Indian Act* undermines women and girls, and evicted them from the land itself, therefore erasing their presence not only in decision-making, but also physically. The Act’s status provisions, otherwise known as the “disenfranchisement provisions,” evicted a woman and her children from her community, forcing her to commute or essentially sell off her rights if she married a man who did not also hold Status under

The *Indian Act*. If a woman married a First Nations man with status in another band, she was automatically transferred, along with all of her children, to the husband’s band list. As Elder Miigam’agan pointed out to the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG), status provisions within The *Indian Act*, and the rules around them that persist to this day, were the equivalent of “banishing” women. This was a traditional form of capital punishment, which opened them up to many other forms of abuse:

When we deny a woman and her children through the *Indian Act* legislation, you are banishing, we are banishing our family members. When you look at that in our language and in our understanding, that banishment is equivalent to capital punishment ... when you banish a person they cease to exist. And in 1985, ’86 I stood next to my sister who, at the age of 17, married a non-Native man and ... we stood in front of the Chief and Council, and witnessed by community members in Esgenoopetitj village, and they said that my sister and my aunts ceased to exist. They were not recognized in my community.

And so when you disregard a person, a human being, and they cease to exist, that opens the door for the rest of the people

⁸⁰ Joanne Barker, “Gender, Sovereignty, and the Discourse of Rights in Native Women’s Activism,” *Meridians* 7.1, (2006): 149.

⁸¹ *Ibid.*, 150.





to violate those individuals. So we're back to square one where the women and their children are not entitled to the same quality of life, same identity. And they're ... susceptible to all the forms of acts that's been enacted on them.⁸²

This banishment also extends to conversations around land and political arenas. Overall, some of the most disturbing consequences of exclusion in many forms, including the *Indian Act*, have been the devaluation of the participation of Indigenous women in community governance, economics, and cultural life—all of which are inextricably linked to land through Indigenous epistemologies and worldviews. From a distinctions-based perspective, gendered dimensions of Scrip for Métis women, or processes of centralization for Inuit, are also phenomena tied to land and resource rights that directly and negatively impact the place of women in related conversations.

Usefully applying CRGBA to conversations on lands and resources begins with accounting for Indigenous worldviews on land and women. While there is a relatively vast field of literature examining connections of Indigenous women to land and to sovereignty in international colonial contexts, this conversation is still evolving in Canada. In existing literature, some scholars and organizations in Canadian context have begun to look at connections

between women's bodies and the land itself. Indigenous Climate Action, for instance, works to explore how violence against the land—through the extraction and exploitation of resources and fossil fuels—perpetuates violence against women. Similarly, how the bodies of Indigenous women, including their health and safety, are intimately and inextricably tied to questions of land. The Indigenous Gender-Based Analysis for Informing the Canadian Minerals and Metals Plan, produced by the Native Women's Association of Canada (NWAC), states:

The purposeful exclusion of Indigenous women from community decision making, consultations, and negotiations with the private sector perpetuate the continued disproportionate negative environmental and social-economic effects of industrial activities on Indigenous women and girls. Consultation processes require good faith on the part of both the Crown and community. The marginalization of the voices and concerns of Indigenous women from these processes undermine the legitimacy of the ultimate decisions and agreements.⁸³

While some literature does exist, effective support for CRGBA analysis in the realm of reclaiming the place of women, trans,

⁸² National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls, Volume 1A*, (Ottawa: Privy Council of Canada, 2019), 251.

⁸³ A. Bond, *Indigenous Gender-Based Analysis for Informing the Canadian Minerals and Metals Plan*, (Ottawa: Native Women's Association of Canada, 2018), 4.





and Two-Spirited people in discussions of land and sovereignty still requires further work. Going forward, this includes expanding the remapping of Indigenous women's presence on, and in connection to, land from a variety of perspectives, geographies, and languages. (Re)Mapping Indigenous Presence on the Land in Native Women's Literature, written by Mishuana Goeman, argues: "Native identity, social relations, and politics are often conceived, represented, and determined as geographically and historically situated and bound to a particular community and era, even while the historical onslaught of legislation continues to rip that grounding out from under Native people."⁸⁴ The need to distance ourselves from patriarchal notions of ownership or property, while re-centering women's voices in conversations about land in which they have always been involved, becomes important in sovereignty, self-determination, and analyzing impact of current programs and policies on land, body, and spirit.

CRGBA analysis, when grounded in Indigenous understandings, can remap the social and political lives of Indigenous women, Two-Spirited, and trans people on the land, according to cultural values and contemporary needs, while pushing back on colonial mapping placed upon those who should be at the centre of conversation in the margins.

CRGBA AND 2SLGBTQQIA+ PERSPECTIVES:

Another important blind spot within GBA+, which can be usefully examined within the context of CRGBA, are complexities regarding 2SLGBTQQIA+ perspectives and notions of gender diversity.

Impositioning of European worldviews and systems, within which rigid gender roles were part and parcel, were central to the enterprise of colonization. It included a concerted attack on Indigenous epistemologies—Ways of Knowing—including understandings and beliefs about gender. In this view, "gender diversity" as a concept, is a Western imposition of language. It is characterized as diverse in the Western worldview, but rooted deeply in Indigenous histories, languages, and worldviews. In Europe, Europeans were classified as either men or women—there was no alternative understanding or acceptance of those who might fall outside of those parameters. As such, within the historical context, those viewed as non-gender binary were reduced by observers—mostly explorers and anthropologists—as "berdaches," drawing from the Persian bardaj, a "slave," especially a boy slave kept for sexual purposes. The use, or misuse, of this term is important, as it represents a limited understanding of gender as simple, two-sided conception failing to capture all the different identities that existed within some First Nations. As Aiyiyana Maracle

⁸⁴ Mishuana Goeman, "(Re)Mapping Indigenous Presence on the Land in Native Women's Literature," *American Quarterly* 60.2, (Jun. 2008): 297.





explains, “I have to say that probably the greatest disservice they have done is declaring us ‘Berdache,’ for this is the closest equation they can make from the world they know. This fundamental flaw—one that has colored their every view of us—established the sexual act as something primary.”⁸⁵ The focus on the sexual act, and the conflation of sexual acts with gender identity, represent a fundamental misunderstanding of Indigenous social organization and spirituality that lays foundation of what Maracle calls, “questionable extrapolations,”—including those translated into policy and practice—made from these observations.

The very structure of Indigenous languages tells us much about the knowledge reduced or erased by colonization, as well as its insistence on a gender binary. As Kim Anderson explains, gender prior to colonization was understood within the context of fluidity. In some communities, it was considered that there were in fact four genders, rather than two. These included “man; woman; Two-Spirit womanly males; and Two-Spirit manly females.”⁸⁶ Gender diversity was embedded in many Indigenous languages, as opposed to those languages derived from Latin. As Cree Two-Spirit advocate Harlan Pruden notes, there are no Cree pronouns such as “he” or “she.” This is reflective of many Indigenous

languages where the determinative aspect of gender pronouns is not a historic feature. Indeed, Roger Roulette notes Algonquian languages, such as Cree and Ojibwe, pronouns have no gender. Instead, they have “proximates,” which is best understood as either “he/she,” or “something alive.” As Roulette notes, when Indigenous people speak in their languages, the only indication of any reference to gender is often by other nouns, which may have customary uses but are not necessarily determinative.⁸⁷ He describes the term “aawiis” as an Ojibwe word that literally means, “he/she is who he/she is supposed to be.” Similarly, Viola Thomas, testifying before the National Inquiry into Missing and Murdered Indigenous Women and Girls, explained: “There is no he/she in our language—in Tk’emlúps te language, so, therefore, there is no, in my opinion, gender distinctions within our ceremonies, our songs and our dances.”⁸⁸ For Maracle, identity of “transformed woman” is what she calls herself, in her own words, as, “Reflective of structure and logic of Indigenous languages, where things are named by their functionality or through their interrelationships.”⁸⁹ Many of these understandings survive today through language, but do not translate well into policy-making, evaluation, or implementation.

85 Aiyiyana Maracle, “A Journey in Gender,” *Torquere* 2, (2000): 50.

86 Kim Anderson, *A Recognition of Being: Reconstructing Native Womanhood, 2nd Edition*, (Toronto: Women’s Press, 2016), 89.

87 National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place*, Volume 2, 109.

88 National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place*, Volume 1, 457.

89 Maracle, 37.





Historically, Two-Spirited people were understood in many First Nations to possess special gifts as healers, counsellors, or advisors. Different epistemologies existed in Indigenous communities that fundamentally challenged these kinds of beliefs. While it would be impossible to characterize all First Nations as similar in terms of their treatment or views of Two-Spirited people, it is important to note that in many First Nations societies, these existed along a continuum, or as part of a much larger circle of identity. In many communities, gender diverse individuals were accepted into gender roles they manifested, including building their own family relationships and entering into marriage, and were celebrated for these gifts.

These gifts had practical and important implications, in many cases. As Maracle explains, in some communities, various influential social positions were created for Two-Spirited people, who were understood as having a sight beyond most people in their understanding of all the genders. As Maracle asserts:

By and large the roles of these special people were ones where mediation between man and woman and spirit was required. In ceremony, physically and metaphorically, our place was between the women and men. We

were healers, people of medicine, we were storytellers, seers and visionaries, artists and artisans—we were among the keepers of the culture.⁹⁰

The idea of this identity as a gift, rather than as a deficiency, was paramount in understanding the assault that would come with colonization. Beatrice Medicine argues that as a gift, the identity taken on by those who did not conform to strict binary constructions of gender was an important way to self-actualize. She explains:

Instead of looking at sex role reversals as a form of 'deviance' derived from 'incompetence' in the roles associated with a person's gender, it might be more productive to examine them as normative statuses which permitted individuals to strive for self-actualization, excellence, and social recognition in areas outside their customary sex role assignments. In this light, changing sex role identity becomes an achieved act, which individuals pursue as a means for the healthy expression of alternative behaviors.⁹¹

As a gift from the spiritual realm and an act of self-actualization, an individual's questioning of this role or gift could be seen as an insult in community, as well as a questioning of life itself. Albert McLeod

⁹⁰ Maracle, 41.

⁹¹ Beatrice Medicine, "'Warrior Women' - Sex Role Alternatives for Plains Indian Women," in *The Hidden Half: Studies of Plains Indian Women*, Patricia Albers and Beatrice Medicine, Eds. (Washington, D.C.: University Press of America, 1983): 268-269. Cited in Maracle, 52-53.





testified as an Expert Witness before the National Inquiry into Missing and Murdered Indigenous Women and Girls, stating:

In the Ojibwe belief system, it was understood that each newborn child had a purpose, a role and a destiny, and we're known to possess a divine gift. The expression of gender, sex, and sexual orientation were pre-ordained by a life force in the spiritual realm ... It was bad form to question another person's destiny or divine gifts as it implies you question life itself.⁹²

This knowledge was the first culturally-relevant framework that engages it as foundational, rather than ancillary, to the question.

But whereas Two-Spiritedness was considered a gift among many First Nations, missionaries saw these individuals as dangerous aberrations. As Jesuit missionary Jacques Marquette, working in Lower Canada in the mid- to late-17th Century, commented,

I know not through what superstition some Illinois, as well as some Nadouessi, while still young, assume the garb of women, and retain it throughout their lives. There is some mystery in this, for they never marry and glory in demeaning themselves to do everything that the women do. They

go to war, however, but can use only clubs, and not bows and arrows, which are the weapons proper to men. They are present at all the juggleries, and at the solemn dances in honor of the Calumet; at these they sing, but must not dance. They are summoned to the Councils, and nothing can be decided without their advice. Finally, through their profession of leading an Extraordinary life, they pass for Manitous, – That is to say, for Spirits, – or persons of Consequence.⁹³

The adoption of Christianity in some communities, then, supported colonization by erasing or burying Indigenous worldviews showing tolerance, or even a celebration, of this kind of difference. Maracle explains,

Thayendanegea (and most Mohawks, Oneidas, and Tuscaroras) had already adopted Christianity (and its attendant social mores) long before being forced to move north into Canada. The Code of Handsome Lake, which is the basis of the 'traditional religion' of the Mohawk, is itself based on the visions Handsome Lake had as the seventeenth century became the eighteenth, and the Iroquois became who they had to be to survive in the rapidly changing circumstances of those times.⁹⁴

⁹² National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place*, Volume 1, 448.

⁹³ Cited in National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place*, Volume 1, 240.

⁹⁴ Maracle, 44-45.





The association of these communities with both the French and English meant community had changed so much in two centuries that it had lost much of its Traditional Knowledge. This gave way to a new kind of “traditionalism,” which would reject non-binary gender identities. As Sharp Dopler, an Ottawa-based activist, notes, “The colonizer gave us a lens through which to interpret the world. After a certain period of time when you’re wearing those lenses, you forget that they’re there.”⁹⁵

These issues appear in the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls, which discusses this history as well as contemporary implications of it, and of modern-day policies, that do not acknowledge the colonial structures still at play. In a chapter devoted to bringing together 2SLGBTQQIA+ people and frontline service providers, those in attendance at the guided dialogue, animated by the Inquiry, shared how these obstacles manifest themselves today.⁹⁶

In investigating root causes of violence against Indigenous women, girls, and 2SLGBTQQIA+ people, the National Inquiry into Missing and Murdered Indigenous Women and Girls found a direct link between these realities and the danger people often face in staying in communities that do not accept them, or

in being forced to leave. Albert McLeod, who left The Pas, Manitoba, when he was 19, said this about his decision to leave his home community: “I was generally seeking a safe community. The Pas itself was a very homophobic, transphobic environment as well as a racist environment, and people really didn’t have the skills or knowledge to deal with gender identity or sexual orientation.”⁹⁷ Similarly, Viola Thomas, speaking of Two-Spirited friends in Vancouver’s notorious Downtown Eastside, explained how her friends asked not to be buried in their home communities due to how they were treated there.⁹⁸

Distinctions-based and culturally relevant analytical frameworks are the heart of understanding these kinds of barriers to safety and wellness. This kind of erasure and rejection of 2SLGBTQQIA+ individuals today is evidenced by the increased rates of marginalization, violence, and ill health among 2SLGBTQQIA+ people. These conditions are exactly why CRGBA analysis is so important in embracing Indigenous worldviews, as implications and considerations for policy-makers and solutions may look very different.

Therefore, a unique contribution of a CRGBA approach is the emancipatory potential of engaging with Indigenous approaches to sexuality and gender. In white settler and/or mainstream

95 Dylan Robertson, “Meet the two-spirit people fighting to be included in Canada’s reconciliation process,” 14 August, 2017. Available at: <https://www.dailyxtra.com/meet-the-two-spirit-people-fighting-to-be-included-in-canadas-reconciliation-process-77916>.

96 For a full record of these proceedings, see National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place, Volume 2, Chapter 11*.

97 National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place, Volume 1*, 450.

98 Ibid.





understandings of gender and sexual minorities, 2SLGBTQIA+ individuals are often framed as marginalized, the focus being on the oppression exerted by a heteronormative patriarchal society. As discussed above, the link is clear between colonial expansionism and the oppression of this group. The focus then becomes contesting oppression and creating a new framing of gender and sexuality that allows for diversity and celebration. Importantly, Indigenous understandings of gender and sexuality, and in particular of Two-Spirit individuals, points to a different solution to this oppression. It focuses on a reclamation, a circling back, “To educate people [about] the traditionally respected role that Two-Spirit First Nations’ peoples played in most communities and to thus remove the stigma that has been associated with this group.”⁹⁹ By looking back and decolonizing gender and sexuality, this, “Claiming [of] traditional cultural roles and responsibilities has the power to instill positive identities and healthy self-concepts.”¹⁰⁰ This reclamation-looking-back and this strengths-based approach to oppression (directly countering a deficit-based model) are important distinctions that CR brings to GBA+. A CRGBA approach allows us to ask how intersectional frameworks account for the strengths, abilities, and agency of people from marginalized groups. In addition, it begs the question of how Two-Spirits are

understood, either only as marginalized, or also as leaders, role-models, and as gifted with Indigenous teachings.

Not only is this a different analytical approach to oppression, but it also contributes to valuing Indigenous cultures and knowledge more broadly: “The resurgence of Indigenous gender roles and identities is integral to broad efforts to rebuild Indigenous communities, cultures and knowledge.”¹⁰¹ It is part of the overall shift in approach when GBA+ is undertaken through a CR approach.

The overall shift in approach that results in CRGBA leads policy making and evaluation beyond the helping ethos, by centralizing the impacts of settler colonialism within queer understandings. This is because white settler understandings of sexuality and gender diversity as part of the + in GBA+ are potentially implicated in the colonization of Indigenous sexualities and genders. In his thesis on the topic, Cameron Greensmith examines:

How non-Indigenous queer and trans service providers’ evocations of diversity and inclusion easily deflect their implicatedness in white settler colonialism. Although queer service provision is a rich

99 Sarah Hunt, *An Introduction to the Health of Two-Spirit People: Historical, Contemporary and Emergent Issues* (Ottawa: National Collaborating Centre for Aboriginal Health, 2016), 4.

100 National Aboriginal Health Organization [NAHO], “Suicide prevention and Two-Spirited people,” 2012. Available at: http://www.naho.ca/documents/fnc/english/2012_04_%20Guidebook_Suicide_Prevention.pdf.

101 Sarah Hunt, “Embodying self-determination: Beyond the gender binary,” in *Determinants of indigenous people’s health*, edited by Margo Greenwood, Sarah de Leeuw, and Nicole Marie Lindsay. (Toronto: Canadian Scholars, 2018): 104-119.





site of queer politics, it continues to be a site that is tied to state-sanctioned funding regimes and neoliberal models of care used to naturalize Indigenous peoples' elimination, erasure, and assimilation.¹⁰²

As expanded on above, Indigenous approaches to gender and sexuality are not the same as white-settler approaches, within the 2SLGBTQQIA+ community. A CR approach to GBA+ would then centralize the effects of settler colonialism within queer theorizing and queer politics (see Greensmith and Giwa). It moves away from a "helping ethos" and instead requires folks to, "Understand their roles and responsibilities on Indigenous lands, and to work toward responsible relationships and solidarity endeavors that support the struggles of people of colour and Indigenous peoples."¹⁰³



102 Cameron Greensmith, *Diversity is (not) good enough: Unsettling White Settler Colonialism within Toronto's Queer Service Sector*, PhD diss., University of Toronto, 2014: ii.

103 *Ibid.*, 242.



PART 4:

APPLYING CRGBA:

Structures of colonization have directly contributed to the erasure of Indigenous perspectives and experiences from the policy development field. Research into colonization and decolonization, as well as intersectionality and feminism, are useful entry points for considering implications in the application of CRGBA and overarching epistemological frameworks that serve to diminish Indigenous Ways of Knowing.

While this literature review has largely focused on summarizing academic work, this section of the review engages the issue of what counts as knowledge and who provides it, as important ways to consider the value of CRGBA analysis. This section explores the idea of trauma and experiences as knowledge, while critically applying a new lens to a case study of birth alerts. It argues that moving beyond the GBA+ model to an applied CRGBA framework is an important pathway forward for effective policy-making, monitoring, and evaluation—but that it must ultimately be informed not only by research, but by the voices of those most impacted.

TRAUMA AS KNOWLEDGE:

Trauma is a lasting, emotional response, that can result from living through one-time, multiple, or long-lasting, repetitive events.¹⁰⁴ Framing of trauma is too often individualized; seen as a catastrophic event that occurred to an unlucky individual. However, intergenerational trauma¹⁰⁵ and systemic trauma¹⁰⁶ expand this frame.

For Indigenous Peoples in Canada,

Intergenerational trauma is rooted in imposed social and legal injustices in the form of racist, colonial and genocidal policies such as the Indian Reservation System and the Indian Residential School System. These injustices are documented extensively in the report of the Royal Commission on Aboriginal Peoples/RCAP (1996) and the report of the Truth and Reconciliation Commission of Canada/TRC (2015), among others. These reports also document the consequences of these injustices, including geographic isolation, lack of opportunities, poverty, brokenness, and poor health outcomes.¹⁰⁷

104 See Judith Herman, *Trauma and Recovery. With a new afterword* (New York: Basic Books, 1997) and Canadian Association for Mental Health, "Trauma." Available at: <https://www.camh.ca/en/health-info/mental-illness-and-addiction-index/trauma>.

105 Kerstin Reinschmidt et al., "Shaping a Stories of Resilience Model from Urban American Indian Elder's Narratives of Historical Trauma and Resilience," *American Indian and Alaska Native Mental Health Research* 23.4 (2016): 63–85.

106 Rachel Goldsmith et al., "Systemic Trauma," *Journal of Trauma & Dissociation* 15.2 (2014): 117–132.

107 Evan Adams Clarmont and Warren Clarmont, "Intergenerational Trauma and Indigenous Healing," *Visions: BC's Mental Health and Substance Use Journal*, 11.4, (2016): 8.





Experiences of trauma—individual, systemic, and intergenerational—provides Indigenous Peoples with important insight and knowledge. In other words, trauma allows for experiential knowledge, but it is not limited to the knowledge of what trauma is like, and can entail, for one's life, as is so often the framing. For example, we often speak about the importance of listening to survivors of sexual violence to understand impacts of sexual violence on individual's lives and the most helpful supports we can provide them.

However, experiential knowledge does not stop there. The same way that living in oppression provides knowledge of systems of oppression because one's survival depends on understanding these systems, so too does a survivor have unique knowledge of the system leading to trauma that those who are not survivors do not have access to. Indigenous Peoples have unique knowledge about the colonial system as it exists today and how it continues to contribute to their experiences of trauma. An incredibly problematic interpretation of this argument would be that the knowledge of Indigenous Peoples is centrally rooted in trauma. This is fundamentally untrue. It does mean, though, that trauma is not solely a victimizing experience but one that provides insight. The experiential knowledge of Indigenous Peoples, rooted here in individual and collective trauma,

allows for understanding of systems and policies of conceptualization of problems and causes, which cannot be known by those who have not experienced this trauma.

COMMUNITY TRAUMA RESILIENCY AS A WINDOW TO CULTURALLY RELEVANT SOLUTIONS:

The literature on trauma is often connected to resiliency. Resiliency has been positioned as the path to healing after trauma. As with trauma more broadly, resiliency was traditionally framed quite individually—the person's internal wherewithal to 'bounce-back.' The field then recognized what seemed to support resilience, which originated largely outside of the individual, in the family, community, and cultural levels (Fleming and Ledogar 2008, 7).

Put another way, resilience is:

Both the capacity of individuals to navigate their way to health-sustaining resources, including opportunities to experience feelings of well-being, and a condition of the individual's family, community and culture to provide these health resources and experiences in culturally meaningful ways.¹⁰⁸

¹⁰⁸ Michael Ungar, "Resilience across cultures," *British Journal of Social Work*, 38.2 (2008): 225.





Community resilience is important here, as it relies on systemic understandings of resources needed for trauma healing. Community resilience is very compatible with the Indigenous valuing of relationships to people and to the environment.¹⁰⁹ Indigenous views of community resilience include the following:

- Re-visioned collective histories, valuing Indigenous identity.
- Revitalization of language, culture, and spirituality.
- Traditional activities.
- Collective agency.
- Activism.¹¹⁰

KNOWLEDGE PRODUCTION AND EXPERIENTIAL KNOWLEDGE:

Knowledge production—deciding what the issue and/or problem is, what processes will be used to address it, what success will then look like when achieved—is not neutral. Knowledge is not simply out there, but, “The result of a particular engagement in a particular context as a continuous way of ‘becoming.’”¹¹¹ The process of knowledge production constructs truths—truths that often go unquestioned. These

truths relate to, “How different frames and interpretations may lead to competing problematizations,”¹¹² of Indigenous needs, in regard to the origin of the problem, its root causes, who the perpetrators are, and what solutions are needed.

Valuing experiential knowledge means placing those who have directly experienced a problem in the centre of knowledge production. This centralizing of experiential knowledge in knowledge production will:

- a. **Reveal a power dynamic between those impacted most, and those conducting research and/or policy analysis.**¹¹³
- b. **Shift who determines the problem, its origin, the perpetrators, and the solutions, demanding a scrutiny of the practices of GBA+ themselves—or rather, who sets the parameters of the exercise itself.**
- c. **Require a commitment to deep transformative politics, looking beyond the impact of an individual policy and/or program, to the systemic shifting of structures that continue to maintain colonial violence.**¹¹⁴

109 Laurence Kirmayer et al., “Rethinking resilience from Indigenous perspectives,” *Canadian Journal of Psychiatry* 56.2, (2011): 84–91. See also: Laurence Kirmayer et al., “Toward an Ecology of Stories: Indigenous Perspectives on Resilience,” in: *The Social Ecology of Resilience*, Michael Ungar, Ed., (New York: Springer, 2011): 399-414.

110 Resinchmidt et al., 65. See also: A.R. Denham, Rethinking Historical Trauma: Narratives of Resilience,” *Transcultural Psychiatry*, 45.3: 391-414; J.R. Goodkind et al., “We’re still in a struggle:” Diné Resilience, Survival, Historical Trauma, and Healing,” *Qualitative Health Research*, 22.8, (2012): 1019-1036; J. Fleming and R.J. Ledogar, “Resilience, An Evolving Concept: A review of literature relevant to aboriginal research,” *Pimatisiwin: A Journal of Aboriginal & Indigenous Community Health*, 6.2, (2008): 7-23.

111 Rachel Julian, Berit Bliesemann de Guevara, and Robin Redhead, “From Expert to Experiential Knowledge: Exploring the Inclusion of Local Experiences in Understanding Violence in Conflict,” *Peacebuilding* 7.2, (2019): 215.

112 Ibid., 211.

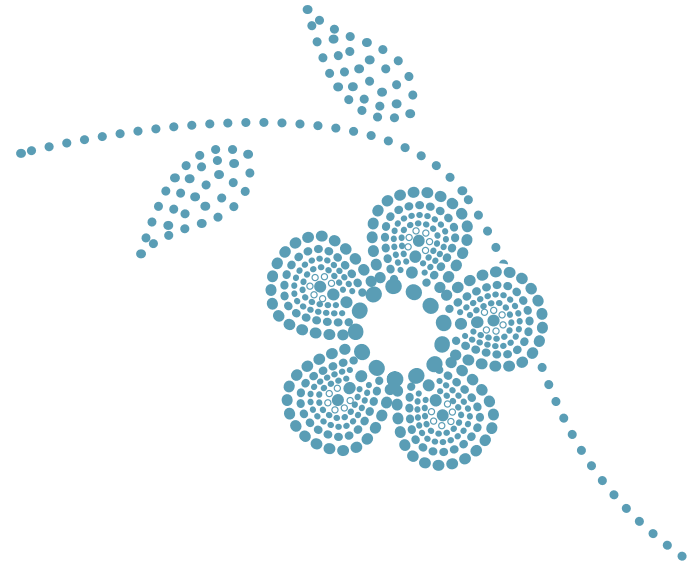
113 See Bat Ami Bar On, “Marginality and Epistemic Privilege,” in *Feminist Epistemologies*, L. Alcoff and E. Potter, Eds. (New York: Routledge, 1993): 83–100.

114 Julian et al. See also: Daphne Patai, “U.S. Academics and Third World Women: Is Ethical Research Possible?” in *Women’s Words: The Feminist Practice of Oral History*, S.B. Gluck, and D. Patai, Eds. (New York: Routledge, 1991): 137–153.





Here, we can start to see the necessity of a CRGBA. Indigenous Peoples have experiential knowledge that must be placed at the centre of GBA+, not simply as an addition, or an afterthought. While not exclusively, experiential knowledge may be derived from individuals and/or intergenerational trauma, in which case there are clear guideposts for what Indigenous-based community resiliency would bring—not only for identifying the problem, but also for possible solutions. By placing Indigenous experiential and trauma-based knowledge at the fore, power dynamics in the exercise itself shift, and the possibility of deep transformative systemic change becomes possible.





PART 5:

A SHORT CASE STUDY: BIRTH ALERTS IN A CRGBA LENS, AND THE IMPLICATIONS FOR SOLUTIONS:

UNDERSTANDING BIRTH ALERTS:

Birth alerts, or hospital alerts, refer to the controversial practice of hospital staff sharing personal information of an expectant mother with child-welfare agencies if they have concerns about the wellbeing of her newborn. Hospital workers will flag a mother and keep track of her due date, issuing a notification when she returns to the hospital to give birth. Once a birth alert is triggered, the newborn is often removed from its mother, or apprehended and placed into foster care. Babies are often apprehended days or hours after birth, with reports of attempted apprehensions as few as 90 minutes after a baby is born.¹¹⁵ When an infant is apprehended, it can be very difficult to get the baby back. In some cases, babies become permanent wards of the state, which is devastating for the family, community, and as well as the child. The

practice of birth alerts disproportionately affects Indigenous women, which contributes to overrepresentation of Indigenous children in the child welfare system. It reflects current focus of the system on apprehending children and opting for the use of standard approaches, instead of providing culturally-relevant and distinctions-based prevention supports to strengthen families.^{116, 117}

Expectant families often will not know if a birth alert has been triggered until the baby is born, as their personal and confidential information is shared without prior informed consent. When issuing a birth alert, hospital staff will complete a form to be sent to child and family service agencies. This form includes the mother's and father's names, birth dates, last known addresses, as well as cause for concern.¹¹⁸ In 2019, the Ministry of the Attorney General of British Columbia raised birth alerts as a litigation risk and stated they were, "illegal and unconstitutional," as the collection and disclosure of personal information of parents to child welfare agencies constitutes a breach of privacy rights.¹¹⁹

- 115 Melissa Ridgen, "B.C. CFS moves in to seize 90-minute-old baby on report of neglect," *APTN News*, June 20, 2019. Available at: <https://www.aptnnews.ca/national-news/b-c-cfs-moves-in-to-seize-90-minute-old-baby-on-report-of-neglect/>.
- 116 Joëlle Pastora Sala and Byron William, *Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls (Winnipeg, Manitoba: The Assembly of Manitoba Chiefs, 2015)*, 32. Available at: <https://www.legalaid.mb.ca/wp-content/uploads/2017/03/Families-First-MM1WG-submission-July-2015.pdf>, p. 32.
- 117 "Bringing our Children Home: Report and Recommendations," Yale University, 8. Available at: <https://turtletalk.files.wordpress.com/2014/10/241508864-amc-report-and-recommendations-on-cfs-bringing-our-children-home-1.pdf>.
- 118 Dylan Robertson, "FIPPA Records Excerpts Birth Alerts - Manitoba." Available at: https://wfpquantum.s3.amazonaws.com/pdf/2020/79454_FIPPA-records-excerpts-birth-alerts.pdf.
- 119 Anna McKenzie, Bayleigh Marelj, Brielle Morgan, "B.C ministry warned birth alerts 'illegal and unconstitutional' months before banning them," *APTN News*, January 12, 2021. Available at: <https://www.aptnnews.ca/national-news/b-c-ministry-warned-birth-alerts-illegal-and-unconstitutional-months-before-banning-them/>.



Birth alerts are a violent and systemically discriminatory practice that targets Indigenous women, as well as other visible minorities.¹²⁰ According to data released by British Columbia's Ministry of Children and Family Development, 58 percent of parents impacted by birth alerts in B.C. in 2018 were Indigenous.¹²¹ The child-welfare system's intrusive monitoring and location tracking amounts to surveillance, which can be marginalizing, stigmatizing, and humiliating for expectant and new mothers.¹²² It undermines sovereignty and autonomy and is deeply paternalistic. It violates Indigenous and human rights of the mother, the child, and the community. Children are denied safety and security, as well as their inherent right to culture, which is, "Deeply rooted in their own identities, languages, stories, and way of life—including their own lands."¹²³ In her testimony at the National Inquiry, Dr. Cindy Blackstock (Gitxsan), an activist for child welfare and executive director of the First Nations Child and Family Caring Society of Canada, spoke on the importance of self-determination. She notes caring for one's children should:

Not only define for yourself what that dream is of living with a

dignified life as and Indigenous person, but indeed to have the ability, the tools and resources to raise your family and your children in ways that lead-for them to live in a dignified life. One that honours, in my view, the dream that your respective ancestors would have had for your kids.¹²⁴

The practice of birth alerts contributes to overrepresentation of First Nations, Inuit, and Métis children in foster care. According to the 2016 census, 7.7 percent of all children under 14 are Indigenous; however, 52.2 percent of all children in foster care, under the age of 14, are Indigenous. Apprehending Indigenous newborns is a continuation of the legacy of systematic, "Assertion of Canadian sovereignty, the regulation of Indigenous identities and governance, the attempt to assimilate Indigenous People's," through cycles of family separation in Residential Schools, the Sixties Scoop, the Millennium Scoop, and the effects of intergenerational trauma.^{125 126} In her testimony at the National Inquiry, Cora Morgan—a First Nations Family Advocate of the First Nations Advocate Office, of the Assembly of Manitoba chiefs—spoke of an Elder who shared they

120 National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place*, Volume 1A, 355.

121 Bayleigh Marelj, "B.C. ministry warned birth alerts 'illegal and unconstitutional' months before banning them," *CTV News*, January 12, 2021. Available at: <https://vancouverisland.ctvnews.ca/b-c-ministry-warned-birth-alerts-illegal-and-unconstitutional-months-before-banning-them-1.5263897?cache=yhhjfwzhpixi%3Fclipid%3D373266>.

122 Meredith Berrouard, "Stigma in the Child Welfare and Healthcare Systems," (MA diss., McMaster University, 2017), iii.

123 National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place*, Volume 1A, 397.

124 National Inquiry into Missing and Murdered Indigenous Women and Girls, Truth Gathering Process Parts 2 & 3—Transcripts, "Child and Family Welfare," 12. Available at: https://www.mmiwg-ffada.ca/wp-content/uploads/2019/04/20181003_MMIWG_Winnipeg_Child_Family_Parts_2_3_Vol_12.pdf.

125 National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place*, Volume 1A, 230.

126 Lisa Sherrill, "The Cedar Project: Understanding the Relationship between Child Apprehension, Cultural Connectedness and Trauma among Young Indigenous Mothers Who have used Drugs in Two Canadian Cities," (University of British Columbia, 2018), 2.



felt apprehending babies at birth, or in the first years of life, is worse than Residential School because, “In residential school, our children were with us for those most fundamental years of life. But, when you look at the system now, and they’re taking babies at birth and toddlers, then we are depriving them to be set up in life and we are depriving them of that connection and their identity, and all of those pieces are so important to our development.”¹²⁷ This story highlights the impacts of separation on early child development and on the foundations of identity.

Birth alerts can be triggered by different factors, such as a young age of a mother. Until June 23, 2020, birth alerts were required for pregnant women under the age of 18, in Manitoba.¹²⁸ This approach did not consider potential support available to young mothers, including family and community. A mother can also be flagged if she was raised in care herself, or if a birth alert was triggered for a previous pregnancy—even if her circumstances have changed, or the births are years or even decades apart. A section of the Final Report of the National Inquiry titled, “Targeted for Life,” details how Indigenous women remain flagged in the birth alert

system even if they aged out of care, or if another one of their children was placed in care, “Regardless of their ability to parent.”¹²⁹ Birth alerts can also be issued if there are concerns about the father—if he is experiencing addiction, or has a previous criminal record. The National Inquiry heard testimony that children will be taken away from mothers experiencing domestic violence.¹³⁰ Cora Morgan shared in her testimony that in Manitoba, if a mother reports an instance of domestic violence, child welfare agencies will be contacted and can apprehend the children, further victimizing the mother. Likewise, if an expectant mother reports an incident of domestic violence, a birth alert may be issued.¹³¹ As a result, women are less likely to report domestic violence out of fear of losing their children.

Finally, birth alerts are issued by hospital staff exhibiting racial and cultural bias toward Indigenous mothering practices (critical gaze of the state).¹³² A woman can be flagged for appearing Indigenous. In her testimony, Cora Morgan shared a story about her coworker, who was expecting her second child. Her doctor assumed there may be a birth alert filed for her baby because she was Indigenous

127 National Inquiry into Missing and Murdered Indigenous Women and Girls, *Truth Gathering Process, Parts 2 & 3—Transcripts, “Child and Family Welfare,”* 65.

128 National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place*, Volume 1A, 364.

129 *Ibid.*, 365.

130 National Inquiry into Missing and Murdered Indigenous Women and Girls, *Truth Gathering Process, Parts 2 & 3—Transcripts, “Child and Family Welfare,”* 198.

131 Katie Hyslop, “BC Bans ‘Birth Alerts,’ Promises More Family Supports in Bid to End Apprehension of Newborns,” *The Tyee*, September 17, 2019. Available at: <https://thetyee.ca/News/2019/09/17/BC-Bans-Birth-Alerts-End-Newborn-Apprehension/>.

132 Jeannette Corbiere Lavell and D. Meme Lavell-Harvard, *Until our Hearts are on the Ground: Aboriginal Mothering, Oppression, Resistance and Rebirth*, (Toronto: Demeter Press, 2006), 157.



in appearance.¹³³ Medical staff will also document what they deem to be risky, or substandard behavior, to depict the mother as unfit and justify the removal of a newborn. In her graduate thesis, titled: *Stigma in the Child Welfare and Healthcare Systems*, Meredith Berrouard shared an example of a mother she interviewed who was discharged from hospital before her baby. She called the hospital at 3 a.m. to check on her baby; was notified a nurse reported a concern, stating that 3 a.m. was not an appropriate time for a phone call. Berrouard suggests, “These narratives highlight the concept described earlier of how when mothers do not, or cannot, adhere to the dominant (patriarchal) ideals around motherhood they are habitually cast as an ‘other,’ and often become viewed primarily as a collection of risk factors to be monitored.”¹³⁴

EVALUATING THE IMPACT OF BIRTH ALERTS POLICIES:

The Final Report of the National Inquiry: *Reclaiming Power and Place*, detailed consequences of birth alerts heard in testimony gathered from family members, survivors, experts, and Knowledge Keepers. It revealed a disproportionate rate of apprehensions of Indigenous infants by child-welfare services, as well as the implications for health and well-being.

Most notably, they discouraged women to seek prenatal care due to fears they will be assessed negatively, which would trigger service involvement, the impacts of early relationship and bonding, as well as the loss felt by community when a baby is apprehended.¹³⁵ Another repercussion is the loss of ties to community (support) and culture (identity) as well as the increased vulnerability of children in care, due to high incidences of abuse, neglect, and a lack of culturally safe services.¹³⁶ In her testimony, Cora Morgan highlighted vulnerability of children in care by sharing that 87 percent of the 9,7000 missing persons reports in Manitoba are children in care, and 70 percent of them are girls.¹³⁷

The removal of children from parents and community has severe consequences on health and mental health outcomes. Dr. Mary Ellen Turpel-Lafond (Cree), a legislative advocate for children’s rights, has shared significant wounds that apprehensions at birth leaves on a family:

I’ve been involved with a number of families where not just the mom but the entire family falls into deep despair with the removal, but particularly removal of an infant at birth. And, actually the fact that the system may have decided in advance that they’re going to

133 National Inquiry into Missing and Murdered Indigenous Women and Girls, Truth Gathering Process, Parts 2 & 3—Transcripts, “Child and Family Welfare,” 199.

134 Meredith Berrouard, “*Stigma in the Child Welfare and Healthcare Systems*,” (MA diss., McMaster University, 2017), 45.

135 *Ibid.*, 46.

136 National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place*, Volume 1A, 355.

137 National Inquiry into Missing and Murdered Indigenous Women and Girls, Truth Gathering Process, Parts 2 & 3—Transcripts, “Child and Family Welfare,” 62.





remove, there's an alert on the file that they don't work with the mom or the family. They just swoop in and remove. That's probably one of the hardest moments ... and so the impact on maternal and physical health is, you know, almost immeasurable.¹³⁸

Dr. Turpel-Lafond's testimony also speaks to the lack of a collaborative, and solutions-based approaches, with parents deemed at-risk.

Health and mental health of apprehended children are also impacted by being deprived of culturally-relevant supports and services. They experience higher rates of suicide, sexual exploitation, substance use, abuse, and poverty.¹³⁹ Cora Morgan shared a staggering statistic relating to education and the incidence of youth aging out of care, who are experiencing homelessness: "You only have a 25% chance of completing your Grade 12 education and you know, our largest shelter in Winnipeg is the Siloam Mission, and they reported a stat that 51 percent of their clients, their homeless clients are children who have recently aged out of the child welfare system."¹⁴⁰

As a result of this evidence, the National Inquiry called for provincial and territorial governments, as well as child welfare services, to end the practice of birth alerts. This was one of the Calls for Justice due to disproportionate number of Indigenous women and children affected by practice, and the contribution, to the overrepresentation of Indigenous children in care.¹⁴¹ In direct response to a June 3, 2019, release of the Final Report, the Minister of Children and Family Development of British Columbia released a statement announcing the end to the practice of birth alerts in the province, on September 16, 2019.¹⁴² Manitoba and Ontario stopped issuing birth alerts in 2020 and have turned to community-based and culturally-safe services to support expectant parents.¹⁴³ The most recent provinces to end birth alerts were Saskatchewan and Prince Edward Island, on February 1, 2021. Birth alerts continue to be issued in New Brunswick, Nova Scotia, Newfoundland and Labrador, and Quebec.

APPLYING CRGBA TO THE EVALUATION OF BIRTH ALERT POLICIES:

Engaging a CRGBA model around birth alerts radically transforms evaluation

¹³⁸ Ibid., 158.

¹³⁹ Lavell and Lavell-Harvard, 904.

¹⁴⁰ National Inquiry into Missing and Murdered Indigenous Women and Girls, Truth Gathering Process, Parts 2 & 3—Transcripts, "Child and Family Welfare," 62.

¹⁴¹ National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place*, Volume 1A, 195.

¹⁴² "Minister's statement on ending birth alerts," Children and Family Development, Province of British Columbia. Available at: <https://news.gov.bc.ca/releases/2019CFD0090-001775>.

¹⁴³ Robertson, "FIPPA Records Excerpts Birth Alerts—Manitoba."





of policy and open doors to new, and culturally-appropriate, solutions reflect Indigenous Knowledge Systems and work to revitalize and reclaim Indigenous practices regarding parenting. As such, the application of a CRGBA framework, versus a GBA+ framework, serves to advance Indigenous inherent rights and self-determination, as well as embraces Indigenous epistemologies and pathways to wellness.

Indigenous literature and evaluation of birth alert policies would entail:

1. Considering holistic impacts of surveillance in the child-welfare system.¹⁴⁴
2. Acknowledging oppressive and harmful effects of colonization, examining shift from traditional Indigenous gender roles and identities of women and gender-diverse individuals through colonization.
3. Revitalizing traditional understanding of Indigenous motherhood(s), as, "Alternative[s] to patriarchal motherhood ... [I] ndigenous women have historically

and continually mothered in a way that is 'different' from the dominant culture, and that is not only empowering for Indigenous women, but is potentially empowering for all women."¹⁴⁵ Practically speaking, this could include further support for home births, long-term nursing, and co-sleeping.¹⁴⁶

4. Encouraging the idea of strength-based supports by considering reassertion of Indigenous women's traditional roles, epistemologies, successes in cultural revitalization, and self-determination in birthing practices and mothering.¹⁴⁷ This includes supporting sovereignty over the body: A theme that has been echoed by scholars working in other areas of study as well. As Jaime Cidro, Caroline Doenmez, Ari Phanloung, and Ali Fontaine, note:

Indigenous women are increasingly returning to culturally based birthing practices to assert their sovereignty over their bodies and their birthing experience generally. The impact of colonization on birthing

¹⁴⁴ See: Lavell and Lavell-Harvard, *Until our Hearts are on the Ground*, esp. *Randi Cull*, "Aboriginal Mothering Under the State's Gaze" and Cheryl Gosselin, "They Let their Kids Run Wild:" The Policing of Aboriginal Mothering in Quebec."

¹⁴⁵ Berrouard, 7.

¹⁴⁶ Anderson, *A Recognition of Being*. See also Renée Elizabeth Mzinegiizhigo-kwe Bédard, "An Anishinaabe-kwe Ideology on Mother and Motherhood," in Lavell and Lavell-Harvard, *Until our Hearts are on the Ground*, 65.

¹⁴⁷ Jaime Cidro and Hannah Tait Neufeld, "Introduction: Pregnancy and Birthing: The Essence of Indigeneity," in *Indigenous Experiences of Pregnancy and Birth*, ed. Hannah Tait Neufeld and Jaime Cidro (Bradford, Ontario: Demeter Press, 2017), 2.



experiences for First Nations women in Canada has been profound and extends into generations of families. First Nations women across Canada have traditionally birthed in their communities surrounded by families and community, observing many traditions around pregnancy and birthing including placenta burying and belly button ceremonies.¹⁴⁸

EMBRACING ALTERNATIVES:

CRGBA is not simply asking questions regarding how a policy impacts Indigenous Peoples. It is about questioning the very framework of what impact is, and what a 'successful' impact would entail. This requires unearthing "cognitive imperialism" regarding a given policy or program. Cognitive imperialism involves, "Cognitive manipulation and symbolic violence [which have] been used to disclaim other knowledge bases and values by denying people their language and cultural integrity by maintaining the legitimacy of only one language, one culture, and one frame of reference."¹⁴⁹ In defining educational success, challenging cognitive imperialism

means broadening the frame beyond the individual's financial attainment to the advancement of the community.

In challenging this frame of reference, and centering Indigenous epistemologies, CRGBA foregrounds the use of Traditional Ways of Knowing, such as Storytelling and Oral Traditions. It acknowledges that any observer must be part of the observation, since statements, "Are not disembodied, but are evaluated in terms of multiple contexts and further evaluated according to where the statements originate."¹⁵⁰ This is disruptive to the Western focus of objective truth and heavy emphasis on data disembodiment. In fact, explicit statements, or claims of facts, are elementary ones in Indigenous discourse.¹⁵¹ The process of CRGBA, focusing on Indigenous epistemologies, allows an assessment of, "Implications of statements on as many levels as possible and to play with levels of metaphor and implication."¹⁵² Metaphor as conveying knowledge is not about a stylistic choice. It enhances quality of the data, because: "An apt metaphor can carry a huge information load with it because it can be interpreted at many different levels and in many different contexts."¹⁵³

148 Jaime Cidro, Caroline Doenmez, Ari Phanlouvang, and Ali Fontaine, "Being a Good Relative: Indigenous Doulas Reclaiming Cultural Knowledge to Improve Health and Birth Outcomes in Manitoba," *Frontiers in Women's Health* 3. 4, (2018): 1.

149 Michelle Pidgeon, *It takes more than good intentions: Institutional Accountability and Responsibility to Indigenous Higher Education*, (Ph.D Thesis, University of British Columbia, 2008), 342.

150 Carl Urion, "Changing Academic Discourse about Native Education: Using Two Pairs of Eyes," *Canadian Journal of Native Education* 23.1 (1999): 10.

151 *Ibid.*, 11.

152 *Ibid.*

153 *Ibid.*





CRGBA is thus expansive--not only necessitating the unearthing of cognitive imperialism in how success is defined, but expansively opening information-gathering processes to involve different pieces of data (e.g. storytelling, metaphor), positioning data and knower in the frame to measure for a multitude of implications.

In applying CRGBA to the birth alert policy, for instance, we might ask and answer the following questions:

DEFINING THE PROBLEM:

⌘ What should be focused on, and who sets this direction?

Focus should be on the well-being of expectant and new parents, and their infant(s), and meeting needs with culturally-relevant and trauma-informed services to strengthen families. An intersectional, distinctions-based, and inclusive approach to services is necessary. Prenatal support teams working with expectant parents should lead in tandem with service providers to identify gaps and deliver appropriate supports, by centering experiential knowledge of families and community service providers.

⌘ If a given problem is the focus, how is it framed? Is it disembodied from historical and present-day impact of colonization?

Within the birth alert system, Indigenous expectant and new mothers are viewed as a set of risk factors requiring monitoring and intervention, without considering their needs in a broader socio-historical context, most notably historical and present-day impacts of colonization and its positioning as part of a community. Rather than identifying and understanding a root cause of a risk factor—where often “cumulative effects of colonization” create conditions for its emergence—to address it with proper culturally-relevant support, birth alerts focus on standard approaches and apprehending infants.¹⁵⁴

¹⁵⁴ Department of Justice—Government of Canada, “Spotlight on *Gladue*: Challenges, Experiences, and Possibilities in Canada’s Criminal Justice System.” Available at: <https://www.justice.gc.ca/eng/rp-pr/jr/gladue/p3.html>.



DETERMINING OPTIONS:

⌘ Who is involved in determining which policies and programs to consider?

In provinces that are still issuing birth alerts, child-welfare service workers determine the policies and programs to consider for a newborn, without obtaining prior informed consent from expectant or new parents. This is significant because it denies inherent value and experiential knowledge of expectant families and grassroots community supports. Provinces that have stopped all birth alerts are seeking to provide early supports, working collaboratively with service providers, expectant parents, family members, and community, to prepare pre-birth and post-birth plans.¹⁵⁵ Doing so allows for building strength-based solutions, rooted in Indigenous Ways of Knowing and parenting.

CHOOSING A DIRECTION:

⌘ Who is involved in determining which policies and programs to consider?

In existing birth alert systems, child-welfare service agencies unilaterally have power to make decisions based on their observations, as well as those of hospital workers who initiated the report for potential safety risk. Affected parties are: expectant parent(s), infant(s), family(ies), and community(ies). This model perpetuates and upholds violence, as it fails to centre the right to self-determination of affected parties. In the collaborative model practiced by provinces that have ended birth alerts, decision-making power is shared with community-based prevention, in partnership with those affected parties. However, since the first province to end birth alerts did so in September 2019, monitoring the process and outcomes of this collaborative method is still required.

¹⁵⁵ Children and Family Development, Government of British Columbia, "Minister's statement on ending birth alerts." Available at: <https://news.govbc.ca/ceases/2019CFD0090-001775>.



ASSESSING IMPACT:

⌘ Who determines indicators and metrics?

Indicators, or metrics, in the application of birth alert policies focuses on deficit-based indicators, or the number of birth alerts issued and acted upon by child welfare agencies.

⌘ How are Indigenous epistemologies incorporated?

Indigenous Ways of Knowing and mothering are scrutinized, marginalized, and stigmatized by the birth alert system. Traditional mothering techniques centered upon freedom and independence for children, such as home births, long-term nursing, and co-sleeping, are examined through a Western patriarchal lens, which values Western medicine and authoritarian parenting, and Indigenous ways of parenting are deemed risky.¹⁵⁶ Examined through a CRGBA lens, birth alerts are not culturally-safe, as they decenter Indigenous epistemologies and deny apprehended children access to culturally safe services.

⌘ Are individual, and collective, impacts examined?

Evidence shared with the National Inquiry shows a high rate of children apprehended and placed in care experience neglect. There is a persistent lack of follow-up from child welfare services, suggesting individual impacts of birth alerts and infant apprehensions are not carefully examined or considered in the best interests of the child, family, or community.¹⁵⁷ Furthermore, there is significant emotional impact on the family and community experiencing deep loss when a child is apprehended and often overlooked.

¹⁵⁶ Berrouard, 7.

¹⁵⁷ National Inquiry into Missing and Murdered Indigenous Women and Girls, Truth Gathering Process, Parts 2 & 3—Transcripts, “Child and Family Welfare,” 100.



ASSESSING IMPACT:

⌘ Are impacts beyond the policy issue highlighted?

The birth alert system not only impacts individuals, but when collective health indicators are examined, Indigenous cultural retention and community strength is also affected. There are significant consequences in health for the community experiencing a child apprehension, often characterized as a death by those most impacted. This policy represents a lost opportunity to pass on culture, and therefore important learning. It also fails to contribute to strengthening, and maintaining, collective identity.¹⁵⁸ Since there are teachings associated with each life stage, the passing of a life stage in care—and away from community—has significant and detrimental impacts on development of the whole person, as well as the child's ability to understand cultural identity, language, and forge familial and community bonds.

⌘ How is this policy and/or program contributing to deep transformational, systemic change?

Birth alerts perpetuate systemic violence and assimilations tactics at the core of Residential Schools, Sixties Scoop, and Millennium Scoop. Ending birth alerts and shifting to collaborative, responsive, and culturally-safe prevention—and early intervention in situations where there is a legitimate risk to the safety of a child—reduces Indigenous children in foster care, separated from their families and communities. It is a step toward deep, transformational, systemic change in acknowledging oppressive, and harmful, effects of colonization as well as the right to self-determination (including in the care of one's children) through strength-based supports. Centering affected parties, and their experiential knowledge, as "Subject matter experts of their own experience."

⌘ What intended, or unintended, impacts occurred?

If intended impact of birth alerts is to ensure safety of a newborn from potential risk, apprehending a baby and placing it in care away from its family and community can also have deep health and well-being consequences. These may include higher rates of suicide, abuse, and poverty.

¹⁵⁸ National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place*, Volume 1A, 120.



CONSIDERING NEW SOLUTIONS:

⌘ What adjustments should be made to the policy and/or program?

Drawing on strengths-based approaches to mothering practices, rooted in cultural revitalization and self-determination, to empower women in their maternal roles.¹⁵⁹ For example, Manitoba's First Nations Children's Advocate Office provides prenatal support teams to work with expectant mothers and offer traditional parenting programs rooted in Indigenous epistemologies. One program teaches how bundles are prepared to honour the arrival of the baby, as well as workshops for women who have experienced violence to help them work through their healing journeys.

A collaborative approach between service providers and expectant families should urgently replace unilateral decision-making by child-welfare workers to increase safety, empowerment, and self-determination. This approach should also be inclusive of other supports, such as grandmothers and community members offering expertise in Indigenous ways of mothering.¹⁶⁰

As this brief exercise demonstrates, birth alert policies are demonstrably harmful and perpetuate racism, stereotyping, and intergenerational trauma. It also fails to acknowledge Indigenous epistemologies, or ways of relating, in important and re-traumatizing ways. Throughout the assessment process, there is a weaving of multiple implications, a centering of the knower and the knowledge within the frame (which always questions objectivity), and a value for multiple Ways of Knowing in determining what knowledge to pull upon. Emphasis must be placed on valuing lived experience in each stage.

Examining alternatives to birth alert policies through the lens of CRGBA can provide an important contrast to harmful policies and serve to highlight what works, and why. Programs that work and contribute to wellness and healing are generally characterized by very different answers to the same questions.



¹⁵⁹ Cidro and Neufeld, 2.

¹⁶⁰ Berrouard, 6.





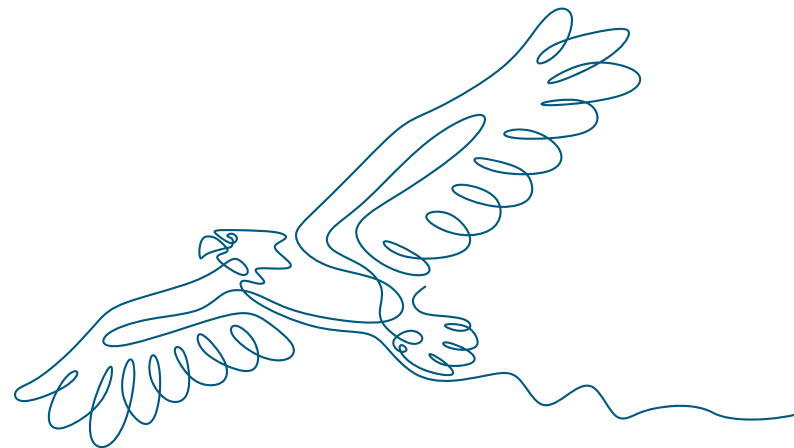
PART 6:

CONCLUSIONS: LOOKING FORWARD, LOOKING BACK, AND RECLAIMING POWER AND PLACE:

Ultimately, this literature review has worked to highlight insufficiencies of GBA+ analysis on issues relating to Indigenous women and 2SLGBTQIA+ individuals, as well as to identify important grounding literatures for successful application of CRGBA in areas such as: Indigenous feminisms, intersectional studies, and studies regarding impacts of colonial policies both historically and contemporarily. Looking forward requires first looking back to assess ways in which GBA+ (though oriented toward intersectional and relevant

analysis) has worked to obscure distinctive Indigenous voices and perspectives. CRGBA contributes to a paradigm shift by addressing historical and current impacts of colonization, as well as unequal relationships that underpin policy.

This is not simply a matter of supporting inclusion; rather, an urgent need to recover Indigenous Ways of Knowing and understanding to apply and centre them in areas of public policy to represent opportunity to generate new and important, and successful, solutions relevant to community. It is a matter of reclaiming power and place by asserting inherent Indigenous rights, as well as the power of Indigenous ways in tackling difficult issues successfully, rather than continuing to apply the same old solutions.



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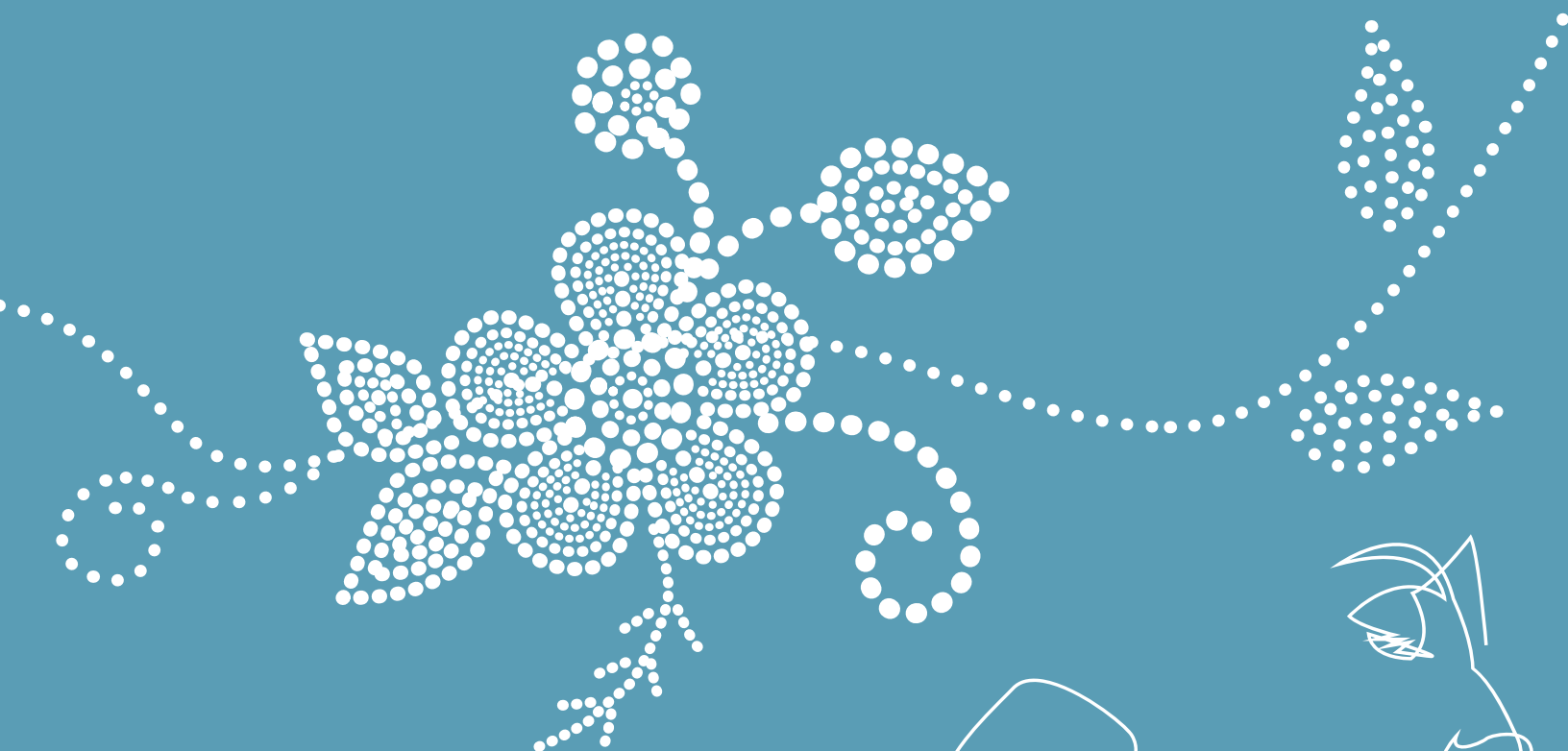
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Evaluating GBA+ and CRGBA: A LITERATURE REVIEW

Prepared by:
Karine Duhamel, AnnaLise Trudell, and Chanel Blouin for:

NATIVE WOMEN'S ASSOCIATION OF CANADA



MARCH 2021