

On July 20th 1979, after a 100-mile trek, a group of protesting native women from across Canada met with federal cabinet ministers in Ottawa to present a position paper. The position paper outlined problems and offered solutions to some of the pressing situations facing native women and their children.

Of these problems, one which urgently demands an immediate resolution is the problem which was created because of the absence of an enforceable regulation which would require a Chief and Council to account for their actions. This lack of accountability has recently been brought into sharp focus by the women of Tobique Reserve in New Brunswick. It appears, however, that demonstrations, occupations and the Native Women's Walk have failed to draw attention to the cause of many of the problems which women encounter on reserves.

During the last decade the Department of Indian Affairs has attempted to give band councils more autonomy in the administration of reserves. It is impossible to argue against this more enlightened approach. However, the problem of lack of accountability which is created as a result of this approach, has not been dealt with.

When power over people's lives is increased without also providing for a system of checks and balances, there is bound to be a serious problem. As it is now, people on reserves do not have any recourse as Indians are not covered under the Human Rights Act, and the Provincial courts do not have jurisdiction over Federal lands such as reserves. The only means of appeal available to Indian people at present is to try and persuade or pressure the Minister of Indian Affairs to use his power to overturn band

council decisions. It must be pointed out that this power is not used, no matter what the circumstances are. For example, when 90% of the voters at Tobique reserve petitioned Warren Allmand, former Minister Department of Indian Affairs and Northern Development, to conduct an investigation into band policies during the 1977 occupation of the band administration building, petitioners did not even receive an acknowledgment of the petition from the Honourable Minister.

The problem is further complicated by the fact that the Department of Indian Affairs will deal only with Councils. Band Chiefs tell the Department what they want, and since it would be unthinkable to tell Indians what to do, their wishes are honored no matter how unjust or senseless. To make it worse, when people on reserves want to object to having their human rights trampled, there is no way to appeal because Indians are not covered under the Human Rights Act. Although the Minister has the authority under the Indian Act, he also refuses to get involved in "internal disputes." The obvious question at this point is, "What about your Provincial and National Indian organizations?"

Suffice to say that the provincial Organization usually has the Chief as the Board of Directors, so it is unlikely he will admit that the problem even exists. As for the National Indian Organization, again the Chief is the representative. Indians do not have the luxury of choosing who will represent them as there is only one government-funded organization at the national level. This lack of representation (for native women in particular) is further entrenched by the government with their policy of dealing only with National Indian Brotherhood on national issues. Some reserve residents have never heard of National Indian Brotherhood, yet claim to represent all status Indians.



On August 14, 1979 the Globe and Mail carried an article which indicated that the Chiefs are to be given more power. Since only the Minister has the power to overturn band councils' decisions and since he will not use this power, we would urge anyone who takes an interest in our affairs to write the Prime Minister to: (1) set up an Indian Human Rights Commission and/or an Ombudsman's office immediately. (2) To include in the Revised Indian Act a body outside of government which would act as an appeal board for discriminated groups on reserves. (3) To insist that women of native background, be included in negotiations on Indian Act.

*Indian Women of Tibique N.B.*

