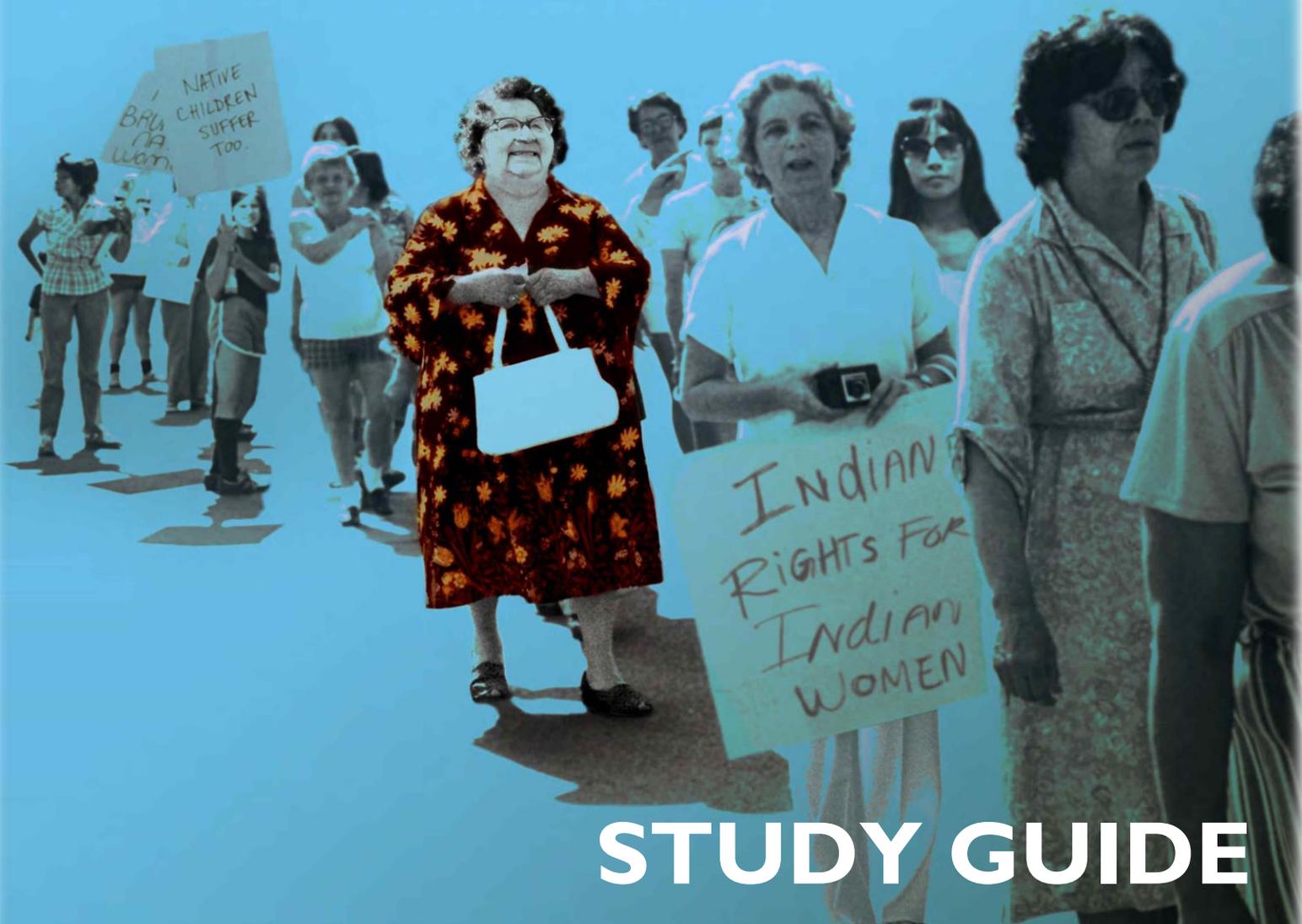


# MARY TWO-AXE EARLEY

I AM INDIAN AGAIN



## STUDY GUIDE

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## MARY TWO-AXE EARLEY: I AM INDIAN AGAIN

### School Subjects:

- **Civics/Citizenship** - Human Rights
- **Indigenous Studies** - Identity, Politics, Society, Culture, Land Claims and Rights, Cultural Identity, Reserves, Women, Social Issues, Indigenous Women

### Recommended Ages: 14 +



<https://www.nfb.ca/film/mary-two-axe-earley/>

Directed by Courtney Montour | 2021 | 34 min

### Keywords/Topics:

First Nations, Sex Discrimination, Indian Act, Indian Status, Missing and Murdered Indigenous Women and Girls, Intergenerational Trauma, Land Claims and Rights, Cultural Identity, Reserves, Women, Social Issues, Indigenous Women

### Overarching Question:

How are Mary Two-Axe Earley's life story and the equality movement she inspired still relevant today?

**Note:** The term "Indian" is outdated. It is used within this document to provide context, as it was a commonly used term at the time of Mary Two-Axe Earley's quest for justice. It continues to be the legal term used by the government and within the Indian Act.

### Educational Synopsis:

Mary Two-Axe Earley was a Kanien'kehá:ka – iakón:kwe (Mohawk woman) who fought for more than two decades to challenge sex discrimination against First Nations women embedded in Canada's Indian Act, and became a key figure in Canada's women's rights movement. Despite attitudes and policies designed to oppress, Mary helped lead First Nations women from all over Canada in a movement to demand sex equality for First Nations women and their children that continues today.

This lesson plan will guide students in discussing and reflecting on the injustices and discrimination that the Indian Act has created for First Nations women. Students will also begin to consider how the injustices have a long-term impact on the lives of Indigenous women and girls. What it means to be an Indigenous person will also be reflected on. After watching this film, students should be able to identify and define Mary Two-Axe Earley as a leader of the Canadian women's rights movement who challenged Canadian laws that discriminated against First Nations women. A follow-up action includes an activity that describes, illustrates, appreciates and honours Mary Two-Axe Earley's contribution and legacy.



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### Activity 1: Reasons and Reactions

Circle Pop-Up: Recall, Reflect, Share (25 minutes)

Begin the activity by watching this clip from the film (timecode: 7:01 – 10:48):



[nfb.ca/m/playlists/a24dd9fdf5c64af9a23c7ee190871309/playback/#1](https://nfb.ca/m/playlists/a24dd9fdf5c64af9a23c7ee190871309/playback/#1)

**RECALL** – Independently reflect on the reasons mentioned in the film as to the Canadian government’s underlying intentions for extinguishing the **Indian status** of First Nations women.

**REFLECT** – Describe the injustices and discrimination that the **Indian Act** has created for First Nations women. Reflect on your reactions to this policy.

**DISCUSS** – With a partner, discuss reactions and reflections.

**SHARE** – As a class, sit in a large circle or U-shape if able to. In consecutive, clockwise order, begin the **Circle Pop-Up Share Activity**. When sharing, students “pop up” out of their chairs and loudly share an impact word, phrase or sentence that relates to their recall and reflections on the Canadian government’s intentions of stripping First Nations women of their **Indian status**.

### Activity 1 Summary:

This clip reveals several reasons as to why the government targeted First Nations women for removal from their communities. First Nations survived and thrived with a way of life that includes connection to land and governance, social, kinship, ceremonial and language systems long before others came to these lands. The Indian Act, which was spearheaded by the Canadian government along with other methods of colonization, was forced onto First Nations to exterminate, acquire land and resources, and proclaim superiority. The Indian Act became the legal document that is used to define who is and is not considered a status Indian. When First Nations women were stripped of their Indian status, they were denied access to health benefits, community support, burial protocols, kinship ties and land. They were not allowed to live among their families on the reserves that were also created by the government to control First Nations.



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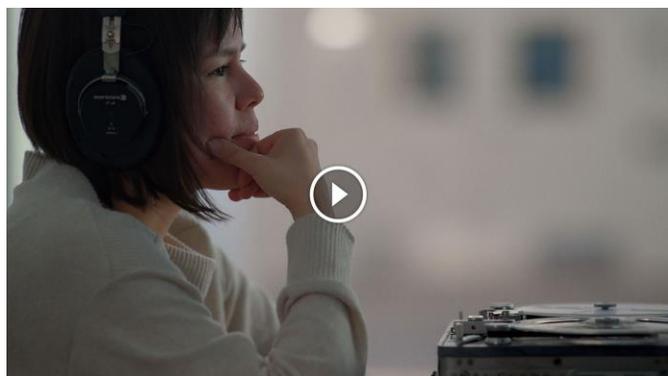
### Activity 2: Long-Term Impacts

Colour Go-Round Gallery Walk (30–35 minutes)

Begin the activity by watching these two clips from the film (timecode: 12:46 – 13:20 and 14:20 – 17:39):



[nfb.ca/m/playlists/a24dd9fdf5c64af9a23c7ee190871309/playback/#2](https://nfb.ca/m/playlists/a24dd9fdf5c64af9a23c7ee190871309/playback/#2)



[nfb.ca/m/playlists/a24dd9fdf5c64af9a23c7ee190871309/playback/#3](https://nfb.ca/m/playlists/a24dd9fdf5c64af9a23c7ee190871309/playback/#3)

#### Activity:

- After watching the clip, students are divided into small groups and are given one different coloured felt pen for their group.

- Chart paper with question prompts associated with how the injustices have historical and ongoing impacts on the lives of Indigenous women and girls are posted on walls around the room. Teachers can choose from the questions to focus on from the list below.
- Each group is assigned a focus question and has 5–10 minutes to research, summarize and provide examples.
- A recorder for the group will write their group's summaries and examples on the large chart paper.
- When signalled, they Gallery Walk by moving to the next large chart paper to read the other groups' focus questions, discuss and add any other thoughts or examples. They continue until they have written on each chart.
- Finally, they return to where they started and discuss the ideas generated.

#### Questions/Prompts for chart paper:

- What are the long-term impacts caused by the Canadian government?
- What are Intergenerational Impacts/Trauma?
- How is MMIWG connected to sex discrimination in the Indian Act?
- How has the Indian Act perpetrated violence and incited hate and racism toward Indigenous women and girls?
- How is sex discrimination in the Indian Act an example of Eurocentric paternalism?
- How does the Indian Act attempt to negate traditional matriarchal society and attempt to destroy traditional cultural ways of being, knowing and doing?

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- How does sex discrimination in the Indian act affect sense of belonging?
- How does sex discrimination in the Indian act affect mental health?
- How has sex discrimination in the Indian act affected connection to the land?

### Activity 2 Summary:

Mary was successful in her efforts, yet there continues to be a legacy of sex discrimination that has caused generations of violence and hate and cultural disconnect. Intergenerational trauma is a result of trauma being passed down through generations. The devaluing of Indigenous women connects with the supremacy of a Eurocentric patriarchal system that disregarded Indigenous women as being integral members of society. Indigenous women have been demeaned, sexually objectified and exploited since contact. Attitudes and tools of oppression became embedded in Canadian law, which has left a legacy of overt and systemic hate, racism and violence inflicted upon Indigenous women and girls. A lack of empathy and compassion toward the abhorrent incidence of MMIWG is a direct reflection of the roots of policies and attitudes that undermine Indigenous women. Despite attitudes and policies designed to oppress and extinguish, many continue to push forward, connect, reconnect and rekindle their inherent rights and cultural identity.



### Activity 3: It's in Your Heart

Fly-Around Visualization/Poetry Reflection (15 minutes)

Begin the activity by watching the clip from the film (timecode: 27:20 – 29:37):



[nfb.ca/m/playlists/a24dd9fdf5c64af9a23c7ee190871309/playback/#4](https://nfb.ca/m/playlists/a24dd9fdf5c64af9a23c7ee190871309/playback/#4)

**Fly-Around:** Students silently reflect on the clip, what it means to be Indigenous and how to connect with cultural identity.

- Teacher writes the word “**identity**” in the centre of the whiteboard or on large chart paper.
- After allowing 1–2 minutes of silent reflection, students can share their reflections.
- Teacher writes students’ answers in point form around the word identity.
- Give 1–2 minutes to reflect on their understanding of what Mary Two-Axe Earley’s son means when he says, “It’s in your heart.”
- Inform students that they will add a few words to complete the following sentence:  
“ \_\_\_\_\_ is in your heart.”



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- Gather in a circle if possible and tell students they will go around the room and share their fill-in-the-blank sentence.
- Teacher directs the activity by asking students to:
  - Close your eyes.
  - Take your right hand and put it over your heart.
  - Keep your hand over your heart and breathe in deep.
  - Breathe out slowly. (Do this a few times until the class is calm.)
  - Begin the shared fly-around poetry.
  - Students can open their eyes but keep their hands over their heart.
  - Teacher begins: “\_\_\_\_\_ is in your heart.”
  - Students take turns in order: “\_\_\_\_\_ is in your heart.”



### Activity 3 Summary:

In this clip, Mary Two-Axe Earley’s son tells Isabella, the young woman at the table, that “it’s in your heart,” while listening to her reflect. First Nations descendants continue to be impacted by sex discrimination in the Indian Act. Indian-status registration provides access to rights and benefits under the Indian Act. It also impacts identity and belonging. Status is often key to inclusion as an active participant in the community, including the right to live in the community, own property, vote in community elections and access cultural and language resources.

It is not the government that controls the deep-rooted connection to being born Indigenous and having a cultural identity. The term Indian is far from the original names First Nations people identify with. For example, Kanien’kehá:ka (Mohawk) translates to “People of the Flint.” The root of being Kanien’kehá:ka extends beyond the government’s control, as they survived and thrived as a people long before the government of Canada was formed. Original Kanien’kehá:ka ways are rooted in matrilinealism, which honours women and holds them up as being integral to a healthy and happy community. Connecting with the First Nations ancestry that is in the heart can help create a sense of belonging and identity, which can contribute to mental, emotional, physical and spiritual well-being. The Indian Act also severed ties to traditional governance, education, land, ceremony and language, yet these attempts at extinction did not sever what is in the heart of First Nations women and children. Mary Two-Axe Earley inspired the light that shines in the heart and continues to radiate.



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### Take Action

- Appreciate and honour the legacy of Mary Two-Axe Earley by creating an infographic art poster about her.
- Option: Use shades of purple which reflect that of a wampum shell.
- On the poster, identify and define Mary Two-Axe Earley as a leader of the Canadian women's movement who challenged Canadian laws that discriminated against First Nations women.
- Include a power statement or word that encourages the empowerment of Indigenous women and girls.
- Take a digital snapshot of the posters if they are not already created digitally.
- Showcase the projects on Twitter, Facebook, Instagram.
- Educate others on the Indian Act and its impacts.

### Credits

This study guide and contextual information is the result of a close collaboration between the following consultants and NFB staff. Special thanks to Sharon McIvor, a lawyer and teacher, for her involvement and recommendations.

**Crystal Clark** is a Cree/Dene Métis mother, Educator, Indigenous Education Consultant, and artist who is dedicated to supporting the Calls to Action. She has a background in New Media from Vancouver Film School, Bachelor of Education, Fine Arts Degree and Masters in Educational Technology, and Indigenous Creative writing and visual arts diploma from the En'okin Center.

She also has extensive experience teaching in First Nations communities, resource development, research, facilitation of Indigenous Education for teachers across the province of Alberta, and experience teaching Educational technology to pre-service teachers.

**Courtney Montour** is Kanien'kehá:ka (Mohawk) from Kahnawake. She works in the documentary film and digital media fields exploring issues of Indigenous identity. She directed, wrote and co-produced *Flat Rocks* (2017), a short documentary revealing how the development of Canada's St. Lawrence Seaway forever changed the landscape and the livelihood of the Kahnawake Mohawk community. Her first documentary *Sex Spirit Strength* won Best of Festival and the Emerging Filmmaker award at the 2016 Yorkton Film Festival. She has directed episodes for several documentary series including *Mohawk Ironworkers* (2016) and *Skindigenous* (2021). Courtney co-created and coordinated McGill University's Indigenous Field Studies course, held in Kahnawake, for 8 years. Passionate about educating, the course surfaces the intergenerational effects of colonization and Canadian policies on contemporary Indigenous society.



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### Contextual Information

Mary Two-Axe Earley: I Am Indian Again shares the powerful story of Mary Two-Axe Earley, who fought for more than two decades to challenge sex discrimination against First Nations women embedded in Canada's Indian Act and became a key figure in Canada's women's rights movement.

Using never-before-seen archival footage and audio recordings, Mohawk filmmaker Courtney Montour engages in a deeply personal conversation with the late Mohawk woman who challenged sexist and genocidal government policies that stripped First Nations women and children of their Indian status when they married non-Indian men.

Montour speaks with Cree activist Nellie Carlson, Mary's lifelong friend and co-founder of Indian Rights for Indian Women and meets with three generations in Mary's kitchen in Kahnawà:ke to honour the legacy of a woman who galvanized a national network of allies to help restore Indian status to thousands of First Nations women and children.

### Mary Two-Axe Earley and the Indian Act

Written by Pamela Palmater

Dr. Pamela Palmater is a Mi'kmaw lawyer and professor. Her area of expertise includes Indigenous law, sovereignty and nation-building. Learn more about Pam here: <https://pampalmater.com/>.

For more than 145 years, the federal government has used the Indian Act to try to reduce the population of Indians, to rid Canada of the so-called "Indian problem." The Indian Act, 1876 defines who is an "Indian" and who can belong to an "Indian band" (now referred to as First Nations). The objective was to assimilate Indians into the general population, so that Canada could acquire the remaining Indian lands and resources, as well as reduce the financial obligations it committed to in the treaties signed with First Nations. The federal government specifically targeted Indian women and their children for removal from their communities, by stripping them of their Indian status (registration as an Indian) if they married a non-Indian man. However, Indian men who married non-Indian women did not lose their Indian status.

Mary Two-Axe Earley helped lead First Nations women from all over Canada in a movement to demand sex equality for First Nations women and their children and to have their Indian status restored. After successful legal challenges to Canada's discriminatory legislation by First Nations women inspired by Mary, amendments have since been made to Indian registration, including Bills C-31 (1985), C-3 (2010) and S-3 (2017). However, full sex equality has not yet been achieved, and many cases are still before the courts. The National Inquiry into Missing and Murdered Indigenous Women and Girls found sex discrimination in Indian registration to be a root cause of violence against First Nations women. This is why Mary's life story and the equality movement she inspired are still relevant today.



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### **Terminology:**

The terms “Indigenous” and “First Nations” are used throughout this study guide. Indigenous has replaced the term “Aboriginal” and is the most current term that is inclusive of First Nations, Inuit and Métis. There are more than 600 First Nations Bands in Canada that fall under the Indian Act.<sup>1</sup> The Indian Act applies only to First Nations who are considered Indians as defined by the Indian Act. The term “Indian” is outdated and considered offensive to many. It is used within this document to provide context, as it was a commonly used term at the time of Mary Two-Axe Earley’s quest for justice. It continues to be used in government legal contexts and within the Indian Act.

### **Indian Act:**

The Indian Act became federal legislation in 1867. It is a form of colonial control over First Nations governance, culture and land, and it has been used to oversee commitments made to First Nations people. The Act was created as an assimilation policy designed to eradicate distinct cultural, social, economic, environmental and political aspects of First Nations groups, and it determines who qualifies as a status Indian. The Indian Act has been amended several times and remains in force today. Major amendments to address discrimination in the Act occurred in 1951, 1985 and, most recently, in 2019 with Bill S-3. The Act has contributed to land displacement and theft, human rights violations, cultural and language degradation, kinship breakdown, language extinction, traditional-governance dismantling, trauma, intergenerational trauma, lateral violence, overt and systemic racism, and violence inflicted upon Indigenous Peoples. The federal government created the Indian Act as a way to maintain control over sovereign First Nations and to secure the seizure of land in what is now Canada.

### **Indian Status:**

The Indian Act defines who is eligible for Indian status (registered Indians). Qualifications for Indian status have changed over time. The Constitution Act of 1982 defines Indians, Inuit and Métis as being three distinct Indigenous groups in Canada, and “Indians” within this Act refers to First Nations; yet not all First Nations are status Indians under the Indian Act. Status Indians are registered in official federal government records and are issued a status card.

<sup>1</sup>“Aboriginal Peoples in Canada: First Nations People, Métis and Inuit,” Statistics Canada, <https://www12.statcan.gc.ca/nhs-enm/2011/as-sa/99-011-x/99-011-x2011001-eng.cfm>.



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### Sex Discrimination:

The Indian Act defined an Indian as “any male person of Indian blood.” Indian status could only be passed on through the male bloodline. Children of Indian status men had status rights under the Indian Act. Status Indian women who married a non-Indian status man would have their Indian status stripped from them. Children of women who were stripped of their status were also not entitled to be status Indians. If an Indian status man married a non-Indian status woman, she would gain Indian status while he also kept his Indian status, as did their children. If a non-Indian woman divorced her Indian status husband, she would continue to be considered a status Indian. Status Indian women who married Métis or Inuit men would be stripped of their Indian status, as would their children, even though Métis and Inuit are also Indigenous.

The Indian Act targeted women as a way to break down families and control land and resources. The band council system that was enforced under the Indian Act excluded women from participating in community governance. A band council system negated traditional governance methods that had been practised by First Nations groups for centuries before colonization. In many cases, traditional governance practices were inclusive of women. Under the Indian Act, women were also prohibited from owning marital property, and if they divorced or their husband passed away, the woman was not permitted to stay in or own their home. This changed in 1884, although an Indian Agent determined if the woman’s moral standing was good enough for her to inherit the husband’s property. There continues to be sex discrimination in the Indian Act, despite the amendments that have been made. Many women and descendants are still waiting and fighting to regain their right to be deemed Indian under the Canadian government’s policy.

### Benefits Denied:

Status Indians are legally entitled to benefits, including rights, services and programs. When Indian Status is stripped or denied, women and their descendants are excluded from accessing First Nations social programs and services such as health benefits and services and post-secondary funding. They are also denied the right to community-based programs, such as access to housing, language programs, daycares and sports and recreation. Without Indian status, women were denied the right to live on reserve, be buried with their ancestors and inherit the family home. Treaty rights such as the right to hunt, fish and harvest are also denied.

Without Indian status, First Nations women and their descendants are excluded from partaking in the governance of their home communities, running for Chief and council, voting in on-reserve elections, or voting in referendums on issues like land-claim settlements, resource agreements or local laws.<sup>2</sup> Women and their descendants are also denied per capita payments, compensation or land-distribution settlements. The benefits of being connected to a community and cultural and ceremonial practices are also annulled, as women are excluded from the community when their Indian status is removed. First Nations women have not been compensated for these injustices, and thousands of cases are still in court.

<sup>2</sup> FAFIA and Pamela Palmater, “Submission to United Nations Committee on the Elimination of Discrimination against Women,” <https://pampalmater.com/wp-content/uploads/2021/06/CEDAWSubmissionDayofGeneralDiscussionFINAL.pdf>.



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### **Missing and Murdered Indigenous Women and Girls (MMIWG):**

Colonialism has perpetuated racialization, sexualization and negative perceptions and actions against Indigenous women and girls throughout history and into the present day, to the point where it has become normalized in the minds of many in society. The Indian Act contributes to the lateral, overt and systemic violence inflicted upon Indigenous women, as it is rooted in the oppression of women evident in the policies that were enforced to disconnect women from their culture and community. Physical, emotional, spiritual and psychological damage has perpetuated a legacy of trauma. Statistics Canada reports that an average of 6 in 10 Indigenous women experience physical or sexual violence.<sup>3</sup> The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls cites sex discrimination as being the root cause of violence towards Indigenous women.

### **Intergenerational Trauma:**

Sex discrimination is one of the many invasive policies that were forced upon First Nations through the Indian Act. Oppressive policies impact the overall well-being of those with first-hand experiences as well as the generations that follow. Intergenerational trauma is a result of experiences that stem from “multigenerational, cumulative, and chronic trauma, injustices, and oppression.”<sup>4</sup> “The effects of trauma can reverberate through individuals, families, communities and entire populations, resulting in a legacy of physical, psychological, and economic disparities that persist across generations.”<sup>5</sup>

### **Matriarchal Society:**

To deeply grasp the devastating impacts of sex discrimination in the Indian Act, it’s important to understand the crucial role of First Nations women in pre- and early-contact communities. While each Nation’s practices varied, women had distinct roles, and they were seen as necessary and invaluable for the healthy functioning of the community.

Many First Nations were matriarchal societies in which ancestral kinship was traced through the mother’s lineage (maternal) rather than the father’s (paternal). In matriarchal societies, women are highly regarded as life-givers and leaders in social, economic, spiritual and political matters. They take active roles in decision-making (including on land-related issues), are viewed as equals and play an important role in family, community and their Nations.

First Nations women appear in many creation stories for their central role as life-givers. They were integral to ceremony and in passing down cultural practices, customs and languages to the next generation. In the political arena, First Nations women had active roles, authority and a say in determining how communities were governed. Decisions were made by consensus, with all voices being heard.

It was due to their central role in First Nations society that women were targeted by colonial and modern governments.

<sup>3</sup> Loanna Heidinger, “Intimate partner violence: Experiences of First Nations, Métis and Inuit women in Canada,” Statistics Canada, May 19, 2021, <https://www150.statcan.gc.ca/n1/pub/85-002-x/2021001/article/00007-eng.htm>.

<sup>4</sup> National Collaborating Centre for Indigenous Health, “Aboriginal Peoples and Historic Trauma,” [https://www.nccih.ca/430/Aboriginal\\_Peoples\\_and\\_Historic\\_Trauma.nccah](https://www.nccih.ca/430/Aboriginal_Peoples_and_Historic_Trauma.nccah).

<sup>5</sup> Ibid.



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### **Eurocentrism:**

Eurocentrism is racial superiority that centres on European peoples' values, worldviews, perspectives, history, education, traditions and experiences while devaluing, excluding or extinguishing other cultural groups.

### **Paternalism:**

The Indian Act is rooted in paternalism. Paternalism is “the policy or practice on the part of people in positions of authority of restricting the freedom and responsibilities of those subordinate to them in the subordinates' supposed best interest.”<sup>6</sup>

### **Cultural Identity:**

The goal of the attempted genocide of First Nations was not only to eliminate but also to define First Nations cultural identity. Sex discrimination in the Indian Act has contributed to a disconnect to cultural identity. Cultural identity includes inclusion in communities, passing down ancestral teachings, stories, ceremonies, songs, rites of passage, and relationships between individuals and to the land and language. Cultural identity is also deeply rooted in the hearts of people, and has contributed to Indigenous women's survival and drive to fight for their connection to their ancestral communities.

### **Sense of Belonging:**

Sex discrimination in the Indian Act contributed to Indigenous women's disconnect from a sense of belonging to place and family. Women who were stripped of Indian status were displaced—forced to move away from the land that they and generations before them had always known. Feelings of not belonging to a place can create mental, physical, emotional and spiritual harm. Kinship ties were severed under the Indian Act. When the family connection is severed, well-being is disrupted due to the breakdown of kinship and family traditions rooted in teachings about oneness, interconnection and child-rearing that emphasize whole-community care and ceremonial rites of passage. Lateral violence, which occurs when oppressed people take on the mindset and actions of the oppressor, also contributed to a lack of feelings of belonging. Sex discrimination in the Indian Act has left a legacy of women and their descendants lacking a sense of belonging to their original ancestral teachings, ceremonies, families and land.

### **Connection to Land:**

“Through the processes of ‘discovery’ and the claiming of the land for European powers, the roles of women in relationship to the land were diminished and, in many cases, erased. Colonization sought to destroy the relationship among women, land and property, as it was understood in First Nations communities, and to replace this structure with a new, disempowering one that placed men firmly in charge of the resources that had, in various times, worked to keep women within their power and their place, and out of danger.”<sup>7</sup> Access to traditional land use is revoked when Indian status is removed. Traditional land use includes hunting, fishing and gathering rights. Connection to land is related to ceremonial practices, teachings, language and individual relationships, all of which are impacted when women are forced to disconnect from the land.

<sup>6</sup> Oxford dictionary.

<sup>7</sup> 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*, p. 165, <https://www.mmiwg-ffada.ca/final-report/>.



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