

Kathleen Jamieson.

**INDIAN WOMEN AND THE LAW IN CANADA: CITIZENS MINUS
Canada: Advisory Council on the Status of Women, 1980,
108 pp.**

The central concern of this book is the development and the maintenance in Canada of legislation which discriminates against Indian women on the basis of race, sex, and marital status. Beginning with an examination of the status of Indian women within their own culture during colonial times, the author traces the evolution of these laws up to the present day. Emphasis is placed on the complex and changing attitudes toward intermarriage between white men and Indian women. Throughout the book she attempts to analyze the development of particular policies towards Indian women in particular within the political and social climate of the time, and the deleterious financial, cultural, social and psychological ramifications of the legislation for Indian women and their children are very sharply brought to the reader's awareness.

A number of issues are considered. The development of discrimination against the Indian women through government legislation based on a European cultural tradition is clearly documented. The increasing restrictiveness of such discriminatory practices by the federal government despite protests from the Indian bands themselves is discussed. Reasons are considered for the recent change in attitude by the National Indian Brotherhood, who wish to preserve the Indian Act intact until all parts of it can be revised, and the author examines the consequent moral dilemma faced by Indian women who do not wish to be unsupportive of the Indian cause but who have no rights and no input in changing the Act. A case is thus made for viewing Indian women as being victimized both by the federal government and by Indian (male) leaders out to serve their own political ends. Finally, court cases are documented that to show the lack of recognition in law of their discrimination against Indian women; considering the outcome of the Lavell case, the author argues that "The consequences of the decision for Indian women were serious, since they were left with no route of appeal by Parliament and they were politically powerless". (p. 86) As noted in the final paragraphs of the book, even minimal requests, made by the National Committee of Indian Rights for Indian Women to the government as an interim measure to alleviate the situation, have been refused.

"One thing is clear — that to be born poor, an Indian and a female is to be a member of the most disadvantaged minority in Canada today, a citizen minus. It is to be victimized and utterly powerless and to be by government decree without legal recourse of any kind." (p. 92)

The manner in which the author has gone about her task of dealing with a very complex issue, carefully documenting information and providing analyses and conclusions based on such documentation, is impressive. There is, however, one area which might be a source of confusion for readers. Throughout the

book, the terms “enfranchisement” and “loss of status” are used. While some efforts are made to describe what each entails, the two are not clearly differentiated. Since such differentiation would seem to be integral to an understanding of the issues, a clarification would be beneficial.

There was an obvious need for a book on this topic, which was undertaken at the request of the National Committee of Indian Rights for Indian Women, with the assistance of the Canadian Council on the Status of Women. I am convinced that it should be read, discussed, and acted upon. It should appeal to a diverse readership. Certainly it will be read by those concerned with the status of women and natives in Canada. It might also be used by those involved in any number of disciplines, including history, law, political science, psychology, education and sociology. It is well worth reading.

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