

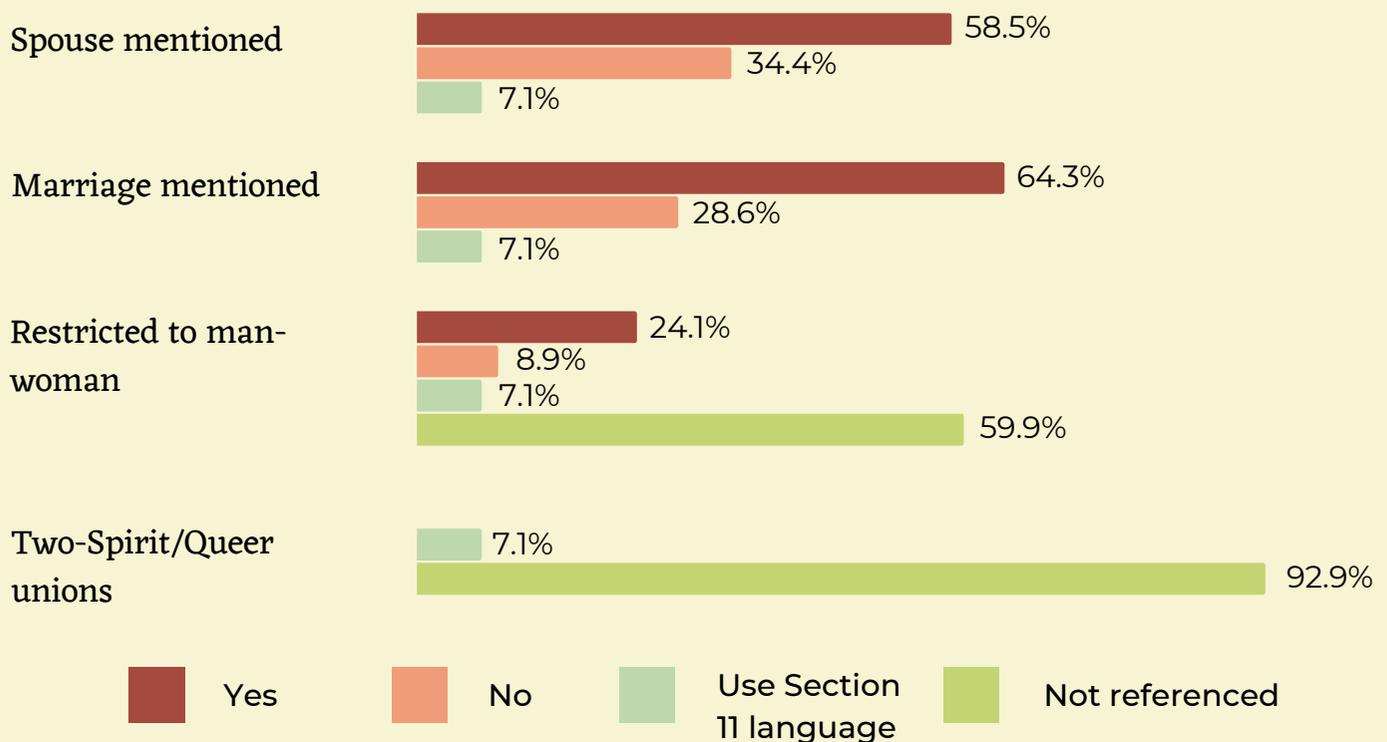
TWO SPIRIT AND QUEER FAMILY MAKING

SECTION 10 MEMBERSHIP CODES

A brief review of the section 10 membership codes on file with Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) as of July 2020 shows that colonialism moves through section 10 codes just as it moves through other aspects of life that started out as solutions to a problem.

Of the 227 section 10 membership codes approved by the federal government to date, **virtually none explicitly make space for queer or two-spirit family unions or marriage** as a basis for band membership.

Two Spirit and Queer marriage and family representation in Section 10 membership codes (n=224*)



RELEVANT QUOTES

"While it remains true that defenders of Indigenous self-determination often fail to adequately factor in the specific roles of Indigenous women and children in urban settings where violence and poverty are widespread, it is also true that self-determination frameworks fail to account for trans and other Two-Spirit people at all (not including those asserted by Two-Spirit advocates themselves, of course)." - Sarah Hunt

"In the Aboriginal political landscape, there is an absence of voices advocating that sexual orientation and transgenderism are significant Aboriginal issues. Instead, they remain subsumed by continuing political and legal battles over Aboriginal rights and title, formal equality rights as set out in the Canadian Charter of Rights and Freedoms, and human rights legislation." - Val Napoleon

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This fact sheet draws on the works of Sarah Hunt [Sarah Hunt, "Embodying Self-Determination: Beyond the Gender Binary," in *Determinants of Indigenous Peoples' Health: Beyond the Social*, Second Edition (Toronto: Canadian Scholars Press, 2018), 32.] and Val Napoleon [Val Napoleon, "Raven's Garden: A Discussion about Aboriginal Sexual Orientation and Transgender Issues," *Canadian Journal of Law and Society* 17, no. 2 (2002): 149].

*Excludes three codes written in French, i.e.: Abenakis de Wolinak, Malecite de Viger, and Micmac de Gaspé.