Gender-Based Analysis and Differing Worldviews

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Cet article examine l’approche du gouvernement fédéral face à l’analyse basée sur le genre qui a cours au Canada et se demande si elle peut contribuer au développement des politiques, des services et des recherches qui répondent aux besoins de la santé des femmes des Premières Nations et de leurs enfants. Il est trop souvent pris pour acquis que parce que le gouvernement fédéral a mis en place une telle politique que les besoins des femmes sont comblés et leurs problèmes résolus. Par ailleurs, en dépit des sessions de formation sur le sujet, les politiques sont presqu’inexistantes. Cet article démontre qu’il est important de reconnaître l’analyse basée sur le genre (GBA) comme un paradigme occidental qui ne serait peut-être pas approprié pour assurer l'égalité et les droits humains en faveur des femmes des Premières Nations qui sont aussi de ligne avec les hommes de leur clan et les autres Canadiens.

Gender-based analysis (GBA) according to the Status of Women Canada (SWC) is a process that assesses the differential impact of proposed and/or existing policies, programs, and legislation on women and men. It makes it possible for policy to be undertaken with an appreciation of gender differences, of the nature of relationships between women and men and of their different social realities, life expectations and economic circumstances. It is a tool for understanding social processes and for responding with informed and equitable options. (2001: 1)

Therefore, GBA is an analysis that is intended to reduce or eliminate gender bias in policies, programs, and services, but is it appropriate to be applied to the First Peoples of Canada? Status of Women Canada¹ is the branch within the federal government that initially developed the GBA training curriculum “using a policy and program development framework familiar to most policy analysts” (Neville 2005: 7) that prepares them to address inequities between men and women. But it is not necessarily an approach that takes other worldviews into consideration and, for this reason, a GBA lens applied to First Nations communities can do more harm than good when policies are not relevant to their life experience and circumstances. This paper will discuss the federal government’s perspective on equality and its inability to achieve it, first for women in general and then specifically for First Nations women in Canada. And, despite commitments to international conventions, the federal government fails in its approach to GBA. In addition, the federal government lacks an understanding of the differential impacts that colonization has had on First Nations people, as demonstrated by its own contradictory policies and legislation to the detriment of First Nations people and their culture.² Additionally, factors involved in the differing worldviews between First Nations culture and the federal bureaucratic culture will be discussed as a means to re-creating a GBA framework that reflects the real needs of First Nations (and Aboriginal) people.

Where Canada is at With GBA

Gender based analysis is not a new initiative. In fact, it has been discussed in various provincial and federal government departments since the 1970s when the Canadian International Development Agency (CIDA) first introduced the idea of GBA (Williams 1999). In the 1980s and 1990s, the government of Canada adopted the principles of GBA, and by 1995 after the Fourth United Nations World Conference on Women, adopted the Beijing Platform for Action. The commitment extended to the “effective integration of a gender perspective throughout their operations, policies, planning and decision-making” (Neville 2). Canada presented
its Federal Plan for Gender Equality that called for the implementation of GBA throughout all federal departments and agencies to inform and guide the federal legislation and policy-making process. This demonstrated Canada’s commitment to act on its endorsements of agreements that also include: the Universal Declaration of Human Rights; the Convention on the Elimination of

is actually achieved (Neville 2005: 33). Although some in government have been focused on applying the tools and techniques of GBA for many years, implementation has been met with resistance in many government departments. According to the Standing Committee on the Status of Women, inequalities still exist in Canada as women have been disproportionately affected by

impact the ability to do further research to reflect the diversity of women and to determine whether or not diversity of women’s experience is reflected in the new policy or program. This is especially important since gender alone is not reflective of women’s lives and experiences. Throughout Canada, diverse groups of women, including Aboriginal women, women with dis-

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All Forms of Discrimination Against Women (CEDAW); and, the United Nations Declaration on Violence Against Women. It was intended that gender-equality analysis automatically become a part of the lens in which future policies are developed for non–Aboriginal and Aboriginal populations in Canada.

Although Canada’s federal departments have a GBA strategy in place, the further development of policies using this tool is almost non-existent. Indian and Northern Affairs Canada (INAC) has had a Gender Equality Assessment Policy (GEA) in place since 1999. In the last few years, a substantial amount of effort has been made by the INAC Women’s Issues and Gender Equality (WIGE) Unit to support staff so that they can conduct a GEA on their own policies, however, implementation has been slow and in some cases absent. Member of Parliament Anita Neville has noted that the status of implementation of gender-based analysis throughout the federal government differs significantly between departments and agencies. Overall, even when gender-based analysis does exist, few staff and few resources are available in the lower ranks of the bureaucracy, having minimal or no mechanisms for ensuring that GBA the lack of economic opportunity, whilst experiencing higher levels of poverty and domestic violence. Yet inequalities are that much greater for Aboriginal women in Canada. The need for GBA continues, to determine whether programs, policies, and laws work for equity, and whether these programs, policies, and laws work as well for women as for men (Neville 2005: 1). Yet there is uncertainty as to whether equality can be achieved in Canada given there is no political will to do so. In less than one year since being elected, Prime Minister Stephen Harper broke his election promise campaign promise to the Canadian Feminist Alliance for International Action (FAFIA) ”to improve the situation of women’s rights in Canada” (2006). According to a FAFIA media release dated January 18, 2007, the operating budget of the SWC was reduced by $5 million dollars (43 percent of its budget) resulting in “the closure of 12 of its 16 regional SWC offices, the elimination of the Court Challenges Program, the termination of funding for all advocacy related work by women’s groups and the removal of the word equality (author’s emphasis) from the mandate of SWC’s Women’s Program.”

Program funding cuts like this abilities, and lesbian women have continued to argue that their experiences, needs, and interests have not been adequately represented or taken up by mainstream women’s movements, by social service providers, by educational and research institutions, or by governments. For example, in the area of health policy, women from various communities have argued for relevant data disaggregated by gender, racial background, sexual orientation, disability, and Aboriginal status (Teghtsoonian). As a result, funding cuts will not allow government departments to respond to the health (and cultural) needs of diverse groups of women despite SWC’s original mandate to address the “different social realities, life expectations and economic circumstances” (SWC 2001: 1). For example, SWC cannot currently provide training to assist in the development of a “culturally-affirming framework” for First Nations women. Therefore, some additional funding would be necessary to conduct research in order to integrate the analysis developed in Aboriginal communities. GBA that includes multicultural and disability factors must also be applied in policy and decision-making processes within the central business of
Historical Roles of First Nations Women

This section will look at the historical roles of First Nations women to show how equality and balance were the norm before contact (colonization). The basic premise of this section acknowledges that First Nations have vast and diverse cultural background and histories and because of this First Nations, Inuit, and Métis women do not comprise one homogenous Native group (Beaver 2001). In many First Nations cultures, the “social makeup [was] based on equality and respect towards all life, including that of the sexes”; in some languages, there are no words that can be translated “to describe genders as in the case of he/she” (Beaver 2001: 7). For example, the Micmac language “does not distinguish between male/female; the distinction is between animate/inanimate.”

Gender equality (inequality) was not an issue during pre-contact eras because each person was valued and held an important role within the community: men, women, elders, and children (Beaver 2001: 7). Jeanette Armstrong shows that in traditional societies, women held “immense power” as it was they who “shaped the thinking of all its members in a loving, nurturing atmosphere within the base family unit. In such society, the earliest instruments of governance and law to ensure social order came from the quality mothering of children (ix).

Darragh Beaver states, “equality-based communities in which Aboriginal Peoples once lived, were rooted in the wisdom of the women” (2001: 8). One nation that was predominantly patriarchal was the Iroquoian society that centred its “familial, social, and political organization of the communities” on women (Beaver 2001: 10). It was the women in Iroquois society who “managed the land, the crops, the longhouses, and women were essential to both the tribal economy and political organization, as demonstrated by their clan systems” (Beaver 2001: 11). Within the clan systems, the women of the long house never moved out like the men. When it was time to marry, the woman and her husband were expected to reside in the long house with her birth family, clan relatives, and clan mother. The ordering of this kin relationship was to ensure that the women of the long house eventually would gain “the prestigious roles of some day becoming clan mothers themselves” (Beaver 2001: 11). George Beaver (1997) explains the role of the clan mothers was that of decision maker for her longhouse and governing the community:

The leading women in villages, as the heads of lineages, exerted their influence through a variety of means, from using their right to appoint, chastise, and dethrone peace chiefs from among a group of eligible hereditary candidates, to demanding that war chiefs avenge the deaths of family members, and to pressing their views in councils, particularly at the lineage and village levels, either directly or through male representatives. (43)

Women created the balance in the leadership and were the “direct representatives of the members of their clans and longhouses, their role on the council of chiefs assured that every citizen was equally represented. In this way, women governing created balance and social order within their society without gender bias (Beaver 1997: 12).

Difference in Worldviews Impact First Nations Women’s Reality

While GBA is seen as a tool to combat gender bias, GBA as it stands is a western paradigm that may not be appropriate to ensure the re-balancing of roles between First Nations men and women. Why? There are differences in worldviews where western society is trying to achieve something that they have never achieved (equality), whereas First Nations (Aboriginal) societies are attempting to reclaim their egalitarian ways and undo the damage done by colonizers. That is why “GBA” is more meaningful to First Nations if it is considered a Gender Balancing Analysis or a Re-balancing initiative. For First Nations, GBA is political in nature given the historical injustices and the legacy of colonization. First Nations are addressing Canada’s discriminatory policies and legislation such as the Indian Act, Bill C-31 and Matrimonial Real Property Rights that we currently live by. In this way, politics cannot be avoided when First Nations must live by a separate rule of law imposed by the government, resulting not only in different life experiences but the expectation that First Nations must live a lower quality of life compared to other Canadians.

Evelyn Zellerer’s research shows that conflict began in Canada when new settlers brought with them a new worldview that opposed the First Nations worldview:

Traders, missionaries, settlers, and government officials brought with them values from a patriarchal, capitalist society which often conflicted with the cultural values of Aboriginal Peoples. For example, traders had difficulty dealing with Aboriginal women who, in some societies, were in charge of fur and whose consent was required before men could complete bargains. Missionaries tried to instill values of a nuclear family with a husband as the authority and where children and wives are to be disciplined. This contrasted with the values of Aboriginal extended families and closely knit clans where individual autonomy was respected.
and children were sacred. (11) With the advent of Christianity and colonization the seventeenth century, the Huron-Montagnais, by taking on a foreign worldview, transformed their society in less than 30 years (Anderson). The Huron-Montagnais society had maintained "egalitarian relations between the two sexes" before the Jesuits arrived (5). The differences between men and women were seen as “both significant and complementary” and Huron-Montagnais society did not, and could not, “exist without the contributions of both sexes” (Anderson 5). That changed however, when the Jesuits were able to transform the delicate balance of society where “women and men, for the most part, occupied different roles, but retained equal capacity to exercise power” to the European worldview that saw women as “inferior” (Anderson 7, 12). The French imposed their Christian doctrine that determined a First Nations woman’s sexuality made her a “[s]eductress, emissary from hell, [and] temptress” since this “posed a threat to the very power relations the Jesuits hoped to instill” (Anderson 86). Jesuits saw First Nations women’s “[f]reedom of sexual expression” as “a lack of control, a certain wildness that appeared to threaten civilization itself” (Anderson 86). Therefore, in order to gain control over the Native populations, the Jesuits targeted the most intimate form of relations and in this way ensured their form of “hierarchal ordering of societal relations” as part of the conversion process. As such, the Jesuits expressed their authority over women and convinced First Nations men on the notion of inequality right from its beginning. For example, Duncan Campbell Scott, Deputy Superintendent of Indian Affairs, pursued the “idea of a ‘monolithic identity’ for Canada; the idea of a ‘white, male, Eurocentric’ society that would eventually emerge and Canadians would ‘never have to apologize again’” (qtd. in Stirbys 15). He ensured the “inherited policy” of assimilation that came before him would become more “repressive” during his tenure (1879-1932) (Stirbys 3,14). For example, Scott stood by the Oliver Act of 1911 that used the government’s “powers of coercion” to amend the Indian Act to take Indian lands “without surrender for roads, railways, and other public purposes” (Stirbys 14). The Indians could be removed at any time for any purpose and Scott saw that while building a new nation, “the government must do what they must do in the name of progress and ‘Indian rights … should not be allowed to interfere with those of the whites’” (Stirbys 14).

Scott’s legacy continues in 2007 in attitudes toward women in which “wifely obedience” is a “key nugget of wisdom contained in the old Christian marriage rites. Unambiguously, a man is told to love his wife, and his wife to obey her husband” (“You’ve Come a Long Way…Maybe”). This attitude can only presume the patriarchal notion that many women’s needs are denied in favour of serving her husband. Also recall Harper’s massive cuts to any organization that advocates on behalf of women. This decision will have an even greater effect on First Nations (and Aboriginal) women who are said to be “the doubly denied or the forgotten minority” and suffer not only discrimination on the basis of race and gender, but are also neglected by both Aboriginal and non-Aboriginal society (Beaver 2001: 2). Compare the clan mothers who represented their long-houses and communities and held prestigious and respected positions to that of a First Nations woman today who is discriminated against because she is forced to live under imposed legislation and policy. First Nations women were greatly impacted by section 12 (1)(b) of the Indian Act due to the fact that if they marry non-Indian men, they lose their status but when an Indian man marries a non-Indian woman, his wife gains status. Kathleen Jameson in “Indian Women and the Law in Canada” outlines the consequences of the Act:

The woman, on marriage, must leave her parents’ home and her Reserve. She may not own property on the reserve and must dispose of any property she does hold. She may be prevented from inheriting property left to her by her parents. She cannot take any further part in band business. Her
children are not recognized as Indian and are therefore denied access to cultural and social amenities of the Indian community. And, most punitive of all, she may be prevented from returning to live with her family on reserve, even if she is in dire need, very ill, a widow, divorced or separated. Finally her body may not be buried on the reserve with those of her forebears. (qtd in Beaver 2001: 18)

The federal government in recognizing the discriminatory aspects of the Indian Act, instituted Bill C-31 to make changes to the Act which followed in 1985. Prior to the revisions however, First Nations women were forced to give up “their cultural ties to their families, land and communities and dictated who was an Indian for the purposes of the Indian Act” (Beaver 2001: 22). The new bill did not result in equality for First Nations women, since the new Act “worked to instill a system of patriarchy in the governance system that went with it” (Beaver 2001: 23). Bill C-31 was to ensure that women who had lost their status under s.12 (1)(b) along with those who had been involuntarily enfranchised would be reinstated. However, sexual discrimination continues today despite the passing of Bill C-31 since the Bill C-31 reinstatee cannot pass her own status onto her children unless born to a father with Indian Status (Beaver 2001: 24). In essence, First Nations women are being denied their basic human rights by not allowing them to practice their cultural matrilineal right to pass descent through the mother. According to Darrah Beaver, claims for the existence of matriarchy are based on three conditions: societies in which women make the major contribution to subsistence; societies in which descent is traced through women (i.e., matrilineal); and, myths of ancient rule by women (2001: 11).

A First Nations women wanting to pursue a human rights complaint, is denied yet again since under the Canadian Human Rights Act, Section 67 “restricts the ability of people living or working in communities operating under the Indian Act to file complaints of discrimination if the discrimination they are complaining about is related to the Indian Act” (Canadian Human Rights Commission 2).

GBA, according to the Status of Women Handbook (2001), is about fairness and justice for both men and women; it is a tool to redress past and systemic discrimination, ensure a relational approach and an accountable process, and of course to legally ensure the human rights of all (23-26). In other words, GBA is a tool to ensure that policies, programs, or legislation does not perpetuate or increase gender inequities. Clearly one may observe that the federal government has developed opposing policies and legislation for First Nations to the extent that it not only increases the gender inequalities but that it absolutely contributes to marginalizing and reducing the quality of life for many First Nations women and their children. And, this is the main reason GBA in its current form should not be applied to First Nations. GBA overlooks the on-going colonization that is reflected in the discriminatory policies, programming, and legislation designed specifically for First Nations people since before Confederation.

Where Aboriginal Organizations are at with GBA

Many non-governmental and Aboriginal women’s organizations are in the process of developing their own culturally-affirming approaches. The Assembly of First Nations (AFN), the national organization representing First Nations citizens in Canada regardless of age, gender, or place of residence, has developed a presentation that looks at the roles of First Nations men and women prior to, during, and post-contact with the goal of addressing the impacts of colonization through decolonizing efforts. AFN is working from a First Nations cultural worldview as a means to “restore and remember historical gender-balanced concepts and working with First Nations to further develop new concepts and mechanisms of gender balancing” in a modern context that includes complex realities. AFN has made various presentations at Indigenous women’s conferences asking for feedback with the intent to begin the formation of a gender-balancing framework. The goal is to re-balance the roles of First Nations men and women to guide not only AFN’s own policies and processes, but to guide those federal departments that develop policy and services for First Nations people.

Other non-governmental organizations like the Native Women’s Association of Canada (NWAC) have also not implemented a GBA framework as yet but have developed a concept for a “culturally-relevant GBA” that also addresses pre-contact male and female roles; colonization and assimilation impacts on individuals, communities and Nations; grieving, healing and restoration with the goal of reclaiming traditional ways by working towards reconciliation. Their guiding principles are to bring together stakeholders to: 1) dialogue in how to merge Indigenous customary legal traditions and domestic legal regimes; 2) determine solutions of access to human rights law for Indigenous peoples and communities; 3) and, develop First Nations institutions and structures to facilitate greater access to justice and human rights protection.

Pauktuutit, a national organization representing Inuit women currently do not have a GBA framework in place. But recently, they have received monies from the federal government to support their efforts to begin their own GBA framework in 2007.
The Aboriginal Women’s Health and Healing Research Group (AWHHRG), a national network of First Nations, Métis, and Inuit women researchers interested in community-based research focused on the health of Aboriginal women, their families and communities, held their inaugural meeting to discuss GBA in February 2007. The intent of the meeting was to begin a mindset that caused the problem in the first place” cannot solve current problems of injustice.

**Cultural Differences in Terms and Definitions**

GBA currently uses terms that do not incorporate a First Nations cultural context. For example, the word “gender” only takes in the western worldview that has a meaning of male/female only. Sexuality in a First Nations context considers multiple genders, “at least three, but up to six” which includes male, female, and not-male/not female (or two-spirited) (Cameron). Michelle Cameron states that the term “two-spirited” is a part of the “counter-hegemonic discourse and reclamation of [Aboriginal peoples’] unique histories” (123). Aboriginal communities embraced two-spirited members who were seen as “integral parts of the community, occupying positions of honour and communal value” (124). Two-spirited people were respected for having a third perspective other than those held by either a man or a woman.

The western paradigm of GBA does not consider a First Nations concept of gender when they define it as “the culturally specific set of characteristics that identifies the social behaviour of women and men and the relationship between them” (SWC 2001). The “modern constructs of gay/lesbian/bi …are based on sexual orientation, whereas two-spiritedness is based on gender orientation” (Cameron 124). In Aboriginal culture sexual orientation and gender orientation are defined in two separate categories. A First Nations (Aboriginal) context sees that sexual orientation “is based on physical sex characteristics” and gender orientation “is not based on physical sex characteristics, but rather on the roles the person chooses to align with” (Cameron 124). Cameron uses herself as an example to make the distinction. She states that whether she chooses to be with a man or a woman, in the context dialogues to assess what a “culturally-affirming framework” might entail. Is a “culturally-affirming framework” different from being culturally-sensitive? However defined, the framework must be built on “fundamental values and principles … of Aboriginal peoples” that includes policy and legal issues (AWHHRG). The group also wanted to redefine or clarify terms currently used in describing GBA, such as “equality, equal outcomes, and equity” (AWHHRG). Knowing the impacts when applying GBA would be beneficial when considering research, politics, and leadership; collective versus individual rights; policy and program development; changing roles and parenting; relationships (two-spirited, male-female, children, and elders); Aboriginal identity and cultural roles; socio-economic conditions; and, community safety (violence prevention). The group took a broad perspective on GBA and questioned whether a foreign concept should be adapted or “Indigenized” for Aboriginal people. No definitive answers emerged. But it might be in the best interests of First Nations and Aboriginal communities to begin developing their own frameworks since “working within the same framework and clearly one may observe that the federal government has developed opposing policies and legislation for First Nations to the extent that it not only increases the gender inequalities but that it absolutely contributes to marginalizing and reducing the quality of life for many First Nations women and their children.
Cameron, two-spirited Aboriginals do not subscribe to or fit into the western dichotomies of human sexuality. She states that “[w]e are not either/or; we are neither/nor” (124). The GBA framework as it stands, is not an “adequate framework for the complexities involved in two-spiritedness” (Cameron 124).

Conclusion

GBA as it is currently defined by the SWC Handbook is adequate in that it addresses the inequalities between men and women. Yet, it is not enough for those working in First Nations (Aboriginal) policy development to use GBA as it currently stands. Civil servants cannot give due diligence to their First Nations clients without knowing the historical and political context of many of the socio-economic hardships especially for First Nations women and their children. It is imperative to have a firm grasp of what a culturally-affirming approach is and how it is defined, otherwise the process becomes meaningless. Challenges remain when a GBA considers homogeneity an ideal by only focusing on one worldview, in addition to the lack of political will to ensure equality in Canada. These approaches must take into account the needs, concerns, and voices of First Nations (Aboriginal) men, women, youth, elders, and two-spirited individuals in relation to cultural diversity; accommodation of colonial impacts; new concepts and terminology to ensure cultural appropriateness (in whatever way this is defined by First Nations and Aboriginal groups); and legal arguments to remove discriminatory and opposing polices and legislation. These considerations can only strengthen the approach. Many non-governmental and Aboriginal women’s organizations are currently working together to develop their own unique approaches. However, given the richness of First Nations and Aboriginal culture, the opportunity is open for Canada to work with these diverse groups and cultures to become a world leader in developing a culturally-affirming gender re-balancing framework that combines worldviews.

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The GBA are the official trainers in GBA for all federal departments in Canada.

The catalyst for writing this paper was in the development of a First Nations culturally-affirming framework. Although there are common concerns around GBA between the three constitutionally-recognized groups—Inuit, Métis, and First Nations—it should not be assumed that these groups fit into one “homogenous” cultural model. First Nations is the group referred to unless stated otherwise.

Author’s personal experience with SWC. The SWC representatives became uncomfortable stating that to do so would “mess with their marketing” of GBA. Although they could not accommodate the request, the group participated in a regular SWC GBA training workshop.

A First Nations participant noted this at the AWHHRG GBA Workshop held February 19, 2007.

See also <http://www.encyclopedia.com/articlesnew/081999.html>.

Author has worked with three groups (AFN, NWAC, and AWHHRG) on GBA in the last year (2006-2007).

As stated by the AFN representative when presenting the Gender-Balancing Framework at Trent University, March 17, 2007.

As derived from NWAC’s March, 2006, presentation on “Access to Justice and Indigenous Legal Traditions.”

Pauktuutit recently contacted the AFN (March 9, 2007) to inform them of this.


As stated by Taiaiake Alfred at a luncheon at Saint Paul’s University, September 21, 2004.

References


Minister of Public Works and Government Services, 2005. 

T. S. LA PRATT

Newo-Haiku

Pisim skips and twirls, 
dances away women’s pain. 
My spirit is whole.

T. S. La Pratt’s poetry appears earlier in this volume.

Mary Anne Caibaisai, “Traditional to Fancy Dancers,” watercolour, 22 x 30”, 2006.

Mary Anne Caibaisai is an Ojibway painter from northern Ontario, whose watercolours and pencil works capture the pride, dignity, and vibrancy of Aboriginal traditions and cultural heritage. Raised in a non-Aboriginal community, her works are inspired by the traditional activities she wasn’t a part of, and incorporates traditional customs such as beadwork as part of her motifs. Mary Anne is currently attending Brandon University’s First Nations and Aboriginal Counselling Degree program. She hopes to include art as a therapeutic model in her community.
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