

## **Murdered and Missing Indigenous Women and Girls: A Discourse Analysis of Gendered Colonial Violence in Canada**

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### **Abstract**

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By closely examining the MMIWG Final Report (2019), this MRP asks the question: What does an analysis of this official document reveal about gendered colonialism in Canada? Canada's 2019 Missing and Murdered Indigenous Women and Girls Inquiry (MMIWG) Final Report identified the "underlying social, economic, cultural, institutional and historical causes contributing to the ongoing violence and particular vulnerabilities of Indigenous women and girls in Canada" (Executive Summary, 2019, pg. 5).

The paper begins by laying out critical Indigenous feminism as the theoretical framework and discourse analysis as the methodology. Sections 1 and 2 of this MRP focus on an analysis of the Final Report. The first section provides an overview of the national inquiry and its expanded definition of violence as gendered and colonial. The second section examines the final report's (2019) framework for ending gendered colonial violence and the report's calls for justice by focusing on how to hold the government and legal institutions accountable. The MRP then concludes with an analysis of mainstream and Indigenous receptions of the final report with a focus on news media stories.

This MRP argues that gendered colonial violence endures because Canadian political and legal institutions have remained committed to (re)producing colonial violence by framing violence against Indigenous women as a cultural or individual problem rather than a systemic problem.

The paper explores how gendered colonial violence continues due to the failure by Canada and its institutions to make the necessary changes required (socially, economically, culturally) in order to end gendered violence against Indigenous women and girls. This has resulted in Canada maintaining settler dominance and allowing for the continued oppression Indigenous women and girls face. By providing an expanded definition of violence as gendered and colonial and through its calls for justice, the MMIWG national inquiry final report (2019) provides a significant opportunity to end gendered colonial violence and map possibilities for substantive social transformation.

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Key Words: Indigenous women and girls, gendered violence, discourse analysis, Indigenous women resistance, MMIWG National Inquiry Report, colonialism

### **THEORETICAL AND METHODOLOGICAL APPROACHES**

#### **Introduction, Research Questions, and Significance of Study**

While Canada suggests and portrays itself to be in favour of decolonization and justice for all, the reality of Canada's state violence proves otherwise. This MRP explores the ongoing gendered violence against Indigenous women and girls. Specifically, it explores what the 2019 Missing and Murdered Indigenous Women and Girls Inquiry (MMIWG) Final Report reveals about gendered colonial violence in Canada. This research paper examines how Indigenous women and girls remain vulnerable and unprotected through the circulation of colonial narratives, the normalization of prejudice and stereotypes, and victim blaming. While this MRP focuses on the MMIWG Final Report of 2019, the timeframe examined in this paper is from 2016 when the MMIWG inquiry first began until 2021 with the delayed national action plan. Through examining the MMIWG Final Report (2019) and analyzing the dominant and Indigenous narratives about the MMIWG final report, this MRP traces how Canadian political and legal institutions continue to (re)produce colonial violence by framing violence against Indigenous women as a cultural or individual problem rather than a systemic problem one.

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Through examining the MMIWG Final Report (2019), this MRP asks the question: What does an analysis of this official document reveal about gendered colonialism in Canada?

This paper argues that gendered colonial violence endures because Canadian political and legal institutions have remained committed to (re)producing colonial violence by framing violence against Indigenous women as a cultural or individual problem rather than a systemic problem. To prove this, this paper is divided into three sections which analyze the MMIWG Final Report (2019). Section 1 provides a detailed overview of the MMIWG Final Report (2019). Specifically, this section examines the urgency that led to the national inquiry being conducted, the expanded definition of gendered and colonial violence, the players involved within the national inquiry and Final Report (2019), as well as the various causes of this violence outlined within the Final Report (2019). The national inquiry itself was the result of a significant amount of pressure from family members and survivors, along with various other grassroots organizations and communities, for Canada to launch a public inquiry into the disproportionate levels of violence against Indigenous women and girls. However, simply conducting another inquiry was not sufficient enough as gendered colonial violence needed to be exposed within structural institutions. The second section of this MRP focuses on understanding the Final Report's (2019) various frameworks and recommendations for ending gendered colonial violence embedded within diverse Canadian institutions. Additionally, this section analyzes the "calls for justice" that focus on holding the government and legal institutions liable. Finally, this MRP concludes with analyzing the dominant and Indigenous receptions and responses to the MMIWG Final Report (2019). The dominant Canadian news media examined includes *The Toronto Star*, *The Globe and Mail*, and *CBC* whereas the Indigenous news media examined includes *APTN News* and *Windspeaker*. This section also examines reaction and responses to the delayed national action plan. By examining official political statements and mainstream news media representations to counter-narratives by Indigenous women leaders and news media, this MRP shows how white supremacist, misogynist, and colonial structures have persisted alongside liberal strategies that recognize yet continue to rationalize violence against Indigenous women and girls.

This paper is significant because it shows that gendered colonial violence has been embedded within Canadian institutions, as demonstrated by the MMIWG Final Report (2019). Therefore significant changes are required in order for Indigenous women and girls to begin to feel secured, empowered, and visible. The MMIWG Final Report (2019) outlines 231 recommendations, or "Calls for Justice" to bring forth actionable and effective changes for Indigenous women and girls. This MRP specifically chose to examine the MMIWG Final Report (2019) because it differs from previous investigations and inquiry in the sense that it is the first ever inquiry with mandates from every province and territory, thus making it truly national. Furthermore, this MMIWG Final Report (2019) is a living, breathing document that consists of various truths and lived experiences of over 2,300 Indigenous people (Final Report, 2019, p.49). Another significance of this research paper is that it analyzes the accountability and guilty actions of dominant players and institutions, such as the Canadian government, police system, criminal justice system, and health care system, through the Final Report's (2019) expanded definition of violence and genocide. The definition of genocide differs from the MMIWG Final Report's (2019) precursor, the Truth and Reconciliation Commission (TRC) of 2015 as the TRC's report (2015) held that Indigenous people suffered a *cultural* genocide, thus not situating genocide within the context of Canadian laws and institutions. However, the MMIWG Final Report (2019) claims genocide extends beyond the cultural and is embedded within the structural agencies. Through analyzing the MMIWG Final Report (2019), this MRP reveals and exposes Canada's history and systemic reproduction of gendered colonial violence.

### **Theoretical Frame: Critical Indigenous Feminism**

A critical Indigenous feminist framework is used in this MRP because it provides a useful lens through which to better understand how gendered colonialism has influenced the lives of Indigenous people in the past, present, and future. This theoretical framework allows scholars to examine and challenge the stereotypes regarding Indigenous people, colonial structures, and how gender appears and is represented in discourses, politics, society, and the media. Critical Indigenous feminism offers tools for this MRP to deconstruct political, legal, and media discourses regarding the systemic violence and racism experienced by Indigenous women, girls, and 2SLGBTQQIA people throughout Canadian history and into the present. Through exploring the various ways in which gender norms shape Indigenous women's lives, critical Indigenous feminists have shown how Indigenous women have been systematically unprotected and threatened by the very system that is supposedly neutral and follows the rule of law. Prioritizing the voices of Indigenous women, girls, and 2SLGBTQQIA people, along with their families, allows this MRP to gain a better understanding of the Indigenous perspectives from those directly part of the communities affected.

This MRP's analysis draws on the work of relevant critical Indigenous and critical race feminist scholars such as Patricia Monture (1995, 1998), Pamela Palmater (2016, 2019, 2020), Leanne Simpson (2012), Sherene Razack (2014, 2016, 2000), and Yasmin Jiwani (2002, 2007). The work of these specific female scholars was drawn upon due to their vast commitment and contribution towards ending colonial supremacy and moving towards Indigenous sovereignty. For instance, Monture (1998, 2003) was a Canadian Mohawk lawyer, activist, and author who strongly promoted Aboriginal sovereignty. In her work, Monture (1995, 1998) suggests that Canadian law is neither a neutral arbiter of justice, nor does it act in ways that are transformative of settler colonialism. She holds that as a discourse of power, Canadian law works instead to maintain and recuperate settler colonialism and to reinstall settler sovereignty. Furthermore, Palmater (2016) and Razack (2014, 2016) help to understand how the police are part of the problem in maintaining gendered violence against Indigenous women. Razack (2000) provides a useful framework to discuss colonial violence through the examination the murder trial of an Indigenous woman, Pamela George, as a way to introduce the idea of gendered racial violence within spatialized justice. Specifically, her research tracks how "a number of factors contributed to masking the violence of the two accused and thus, diminishing their legal culpability and responsibility for the death of Pamela George" (Razack, 2000, p.125) including arguments rationalizing George's murder because she was both Indigenous and a sex worker, thereby disavowing structures of gendered colonial violence. Palmater (2015, 2019) provides insight throughout her talk, "The Law's Role in Canada's Disgrace: Murdered & Missing Indigenous Women & Girls", at the University of Ottawa on how despite various inquiries and reports, little actionable responses have been launched in Canada to prevent this crisis from continuing and eliminate police abuse of power. Palmater draws on Glen Coulthard's (2014) discussion about limits of the politics of recognition or recognition-based models, which elide structural transformation and often reproduce colonialism. By contextualizing symbolic recognition and analyzing the MMIWG report along with other texts and narratives, this MRP takes seriously Coulthard's (2014) idea that the solution to settler-colonialism cannot be found within Western epistemologies.

## **Methodologies**

### **Positionality**

In order to better understand my voice throughout this paper, it is important to acknowledge and share my background. First, I recognize that I write this MRP not as a member of the Indigenous or gender-diverse community, but rather as a Canadian-born South Asian woman and therefore do not represent or speak on behalf of Indigenous communities. As an educator, specifically a high school teacher, I came to this research topic by reflecting on my own educational experiences to identify the significant gaps that existed between my education and the realities of life. I was very briefly exposed to learning about Indigenous communities in the last two years of high school in law class and somewhat during my undergraduate and graduate education. Taking the course "Aboriginal Education" in teacher's college led me to recognize the education system as one of many institutions within Canada that reproduces colonial ideals. This also resulted in the realization that the limited knowledge gained about Indigenous histories in high school was extremely colonial and told from the non-Indigenous settler perspective. This instilled a goal within me as an educator of wanting to learn more about the truths, hardships, oppression, and violence Indigenous people face within Canada as well as centuries of resistance in order to bring this knowledge within my classroom to better educate my students. The colonial violence Indigenous people face is still very much present within Canada and not limited to the past as many Canadians may think. This form of history that encompasses Indigenous voices, truths, and lived experiences should be taught within the classrooms. As a settler, I must accept and do my part in learning about Canada's harsh truths and begin my journey of challenging the colonial story. This fuels me with the ambition to ensure my students come to a similar realization where they do not leave high school indoctrinated by the colonial story. Instead, they should be equipped to challenge the dominant colonial narrative, truly begin to decolonize their learning, and contribute towards a better future free from gendered colonial violence.

### **Discourse Analysis**

Content analysis helps researchers to draw out meaning from texts to understand the underlying political and historical contexts and implications of ideas as they circulate. Discourse analysis is also used to examine data to reveal underlying biases, hidden meaning, and relationships embedded within discourses. These methodologies are used to better understand the relationship between the MMIWG Final Report's (2019) root causes for violence and existing Indigenous and non-Indigenous scholarship and news media sources. For instance, Duclos' (1993) study on the disavowal of combined race and sex discrimination experienced by racial minority women within Canadian tribunals is used to gain insight into the non-Indigenous denial of marginalized groups experiencing what Duclos calls 'multiple discrimination' (Duclos, 1993, p.47).

Duclos' (1993) findings revealed how the various forms of oppression experienced by racialized minorities are "caused by a complex array of economic, psychological, and social factors that operate systematically and structurally" (Duclos, 1993, pp.28-29). This form of content and discourse analysis demonstrates a call for conducting close examinations of discourses that reveal the complex factors which reproduce oppression. Similar to the Final Report's (2019) expanding the definition of violence, Duclos (1993) calls for a new definition of discrimination which is reflective of the complex social reality Indigenous and non-Indigenous people live in. This contributes to examining the definitions and meanings behind important terminologies such as violence, genocide, racism, and discrimination.

Using content analysis and discourse analysis, this MRP examines and challenges the subtle shifts in values and priorities where the language may present a positive agenda, but in reality possess hidden meaning, such as promoting biased colonial perspectives as seen in Harper's 2008 apology. As such, I pay attention to how colonial violence and genocide have been defined. Specifically, the MMIWG Final Report (2019) examines several overlapping root causes of violence including but not limited to the residential school system. I conducted a thorough analysis of the MMIWG Final Report (2019), Canadian news media texts including *The Toronto Star*, *The Globe and Mail*, *CBC*, *APTN News*, and *Windspeakers* of the period after the Final Report (2019) was released (between 2019-2021), as well as with existing scholarship on gendered colonial violence. Since historical and political contextualization is key to discourse analysis, I pay attention to important discourses, namely apology discourse, leading up to the MMIWG inquiry. During his 2008 apology on residential schools, former Canadian Prime Minister Stephen Harper stated that the government "recognizes that the consequences of the Indian Residential Schools policy were profoundly negative and that this policy has had a lasting and damaging impact on Aboriginal culture, heritage and language" (Harper, 2008). However, a content analysis of this statement in relation to what is mentioned within the final report (2019) further reveals how such official narratives by the government assume a narrow definition of colonial violence and wrongdoings by the Canadian government. Additionally, in his speech Harper claimed the "treatment of children in Indian Residential Schools is a sad chapter in our history" (Harper, 2008). Claiming the impact of residential schools to be a 'sad chapter' of Canadian history immediately locates the colonial violence against Indigenous people as a moment in the past ignoring the ongoing present-day violence Indigenous people, including women, routinely experience. Eva Mackey (2013) has found that apology is a ritual which "produces intrinsic modifications in the person who articulates it; it exonerates, redeems and purifies him; it unburdens him of his wrongs, liberates him, and promises him salvation" (Mackey, 2013, p.48). Indeed, one year after issuing his apology, the former Conservative Prime Minister insisted that Canada "has no history of colonialism" (Barrera, 2016). A contextual analysis reveals how isolating colonial violence to the residential school system with no connection to other ongoing practices of violence against Indigenous communities, including systemic encounters in the legal and health care systems and land theft enables colonial violence to continue.

I examine specifically the calls for justice that would hold governments, the legal system, and all Canadians accountable. I then examine how the Final Report (2019) and its calls for justice have been reported in Canadian Indigenous and mainstream news media. It is important to analyze the MMIWG Final Report (2019) because it directly exposes the role Canada and Canadian institutions continue to play in the colonial violence and genocide of Indigenous women, girls, and 2SLGBTQQIA people. Therefore, by conducting a discourse analysis of the MMIWG Final Report (2019) this MRP is able to reveal the truth behind the continued gendered colonial violence within Canada.

### **News Media Analysis**

Through utilizing a news media analysis of Canadian news media and Indigenous media, I examine racial subtext in official government documents and news media that purport to be raceless, as explored by Li (2001) and James (2008). Racial subtext can be understood as the "hiding of racial signification in a benign discourse and conveying it in coded language, represents a sophisticated way of articulating 'race' in a democratic society that makes such articulation socially acceptable" (Li, 2001, pp. 77-78). Racial subtext can be perceived through an examination of "vocabulary, syntax, structure, and implied rationale" (Li, 2001, p.77). For instance, Li's (2001) examination of immigration discourse focuses on the importance of not solely analyzing obvious ideas engaged in language or direct racism, but rather looking at the beliefs and subtle actions and meaning that uphold the racial hierarchy premised on natural differences of people. It is through subtle racist discourse that result in people rejecting the more extreme and obvious position of racism while viewing this more subtle version of racism as natural and acceptable. Understanding Li's (2001) notion of subtle racism is essential to the foundational understanding of how systemic racism and state violence can operate and be promoted in subtle, unnoticeable ways through outlets like news media which society unconsciously accepts.

Furthermore, James' (2008) work was used to create a concrete understanding regarding racism. Specifically, his work draws attention to how the public's awareness of racism is promoted and occurs through individuals' attitudes, ideas, and actions in addition to institutional policies and regulations, which ultimately makes identifying racism more challenging (James, 2008, p.98). This challenge in identifying racism leads to societal norms surrounding violence and racism to be developed and practiced. Therefore, using works of Li (2001) and James (2008) to understand and articulate the hidden aspects of racism within discourses resulted in a more in-depth examination of the MMIWG Final Report (2019), along with the various Indigenous and mainstream Canadian news media, to determine the implications and conclusions that can be drawn from these texts.

I also trace what Jiwani (2007) calls "Discourses of Denial" in official discourses, which examines the denial of the deeply racist structuring of Canadian society; specifically how it informs and impacts girls and women of colour in immediate and crucial ways (Jiwani, 2007, p. xii). Examining the ways in which violence is structured in dominance and how racism works through denial will be applied within the news media analysis as it uncovers how racism, sexism, and violence are all interconnected within the foundations of Canadian society, ultimately shaping and influencing public consciousness. News media that will be analyzed include *The Toronto Star* (1892), *CBC* (1936), *The Globe and Mail* (1844), *APTN News* (1999), and *Windspeaker* (1983). These sources were chosen due to the fact that the first three sources are well-known Canadian mainstream news media that have been in circulation since 1844. *The Toronto Star* and *The Globe and Mail* are ranked as Canada's top two most popular daily newspapers with over a circulation rate of 300,000 (Chepkemoi, 2019). *CBC* was examined due to it being a popular federal crown corporation and one of Canada's oldest broadcasting network. Through analyzing mainstream Canadian news media, this MRP exposes the dominant narratives that further the violence experienced by Indigenous women, girls, and 2SLGBTQQIA people through focusing on the racialized subtext that exists within these narratives. Analyzing Indigenous news media will provide insights into Indigenous understandings of the MMIWG final report and its calls to justice. That is, analyzing dominant and Indigenous news media regarding the MMIWG final report (2019) provides insight into the varied reactions and responses about the effectiveness of the final report (2019), including whether the calls for justice and solutions put forth are substantial enough to bring actionable change.

## Literature Review

### Existing Scholarship Examining Gendered Colonial Violence

The purpose of the literature review is to explore scholarship surrounding the different aspects of gendered violence and colonialism. This review includes drawing on the work of various scholars to effectively analyze what the MMIWG Final Report (2019) reveals about gendered colonial violence within Canada. The majority of the scholars were examined due to their deep understanding of colonial violence and racism against Indigenous people, including Indigenous women. These prominent scholars work focus on the need to end gendered colonial violence and decolonize colonial methods towards achieving Indigenous sovereignty. This literature review is broken down into five subsections: The *Indian Act*, Residential Schools, Policing, Gendered Colonialism and Gendered Violence, and Colonial Law and Education.

It is first important to note for the purposes of this paper, I will be using the term *Indigenouas* articulated in the United Nations definition of Indigenous:

Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories, or parts of them.

The term *Indigenous* will also encompass what the Canadian government has defined as "Aboriginal" peoples of Canada including First Nations, Metis, and Inuit as recognized in the *Canadian Constitution Act* of 1982.

### The *Indian Act*

The *Indian Act*, established in 1876, governs all matters pertaining to the Indigenous populations (Bartlett, 1977, p.581). The very nature of the *Indian Act* was/is to eliminate Indigenous social and cultural practices in order to maintain a culturally "white" Canada (James, 2008, p.103). Many aspects of the *Indian Act* were oppressive and discriminatory leading to Indigenous women being excluded from many rights, and their Indian status terminated for a variety of reasons that were not applied to status men (Cannon, 2014). In many different situations, a woman's status was entirely dependent on her husband's—creating a patriarchal and paternalistic legislative control over Indigenous women (Hanson, 2009). For instance, prior to 1985, the loss of status specifically targeted Indigenous women, creating gendered differences amongst the Indigenous people.

This is because the loss of status applied only to Indigenous women, not Indigenous men, who married non-Indian individuals (Cannon, 2006, p.41). The effects of gendered violence of Indigenous women losing their status can still be seen today. Brodsky (2016) states how to this day, “people of Indigenous descent are still being denied status because the scheme treats the female line as inferior. This ongoing sex discrimination signals to all concerned that Indigenous women are not equal” (p.317). Moreover, the *Indian Act*'s history of sex discrimination is a “root cause of high levels of violence against Indigenous women and the ‘existing vulnerabilities that make Indigenous women more susceptible to violence’” (Brodsky, 2016, p.317). In effect, the *Indian Act* is one structural element that contributes to oppression of Indigenous women in Canada.

### Residential Schools

Canada's first Prime Minister, Sir John A. Macdonald, informed Parliament that it was “the nation's duty to ‘assimilate the Indian peoples in all respects to the inhabitants of the Dominion’” (Milloy, 2008, p.3). One way this was done was through the education system and residential schools. Residential schools, as outlined within the MMIWG Final Report (2019) are a root cause for the ongoing gendered colonial violence Indigenous women face. In order to achieve the desired colonial outcome, “to kill the Indian”, children were removed from their parents and communities, and placed in guardianship of the State and Church (Nelson, 2017, p.14). At residential schools, female students were particularly “subjected to abuse within the schools due to the identity as Indigenous children, [and] also due to their gender within patriarchal society. These abuses did not end when the students left the schools, as the traumas left long-lasting effects of Indigenous women's sense of identities” (Robertson, 2018, p.45). Young Indigenous girls became victims of abuse simply because of their identity as female and Indigenous. This was considered a threat and crime as it was seen as resistance against the white colonialist system. Indigenous girls were “targeted and discriminated against by the school officials and fellow students due to their gender, which also caused them to have difficulty entering into healthy relationships in their adulthood” (Robertson, 2018, p.46). Part of transforming and colonizing Indigenous children included prohibiting the children from speaking their native language and practicing Indigenous spiritual practices such as the Potlatch and the Sun Dance (TRC, 2015, p.7). Within residential schools, children were taught shame and rejection for everything relating to their Indigenous identities, including their bodies, ancestors, culture, families, and spiritual practices (TRC, 2015). As such, residential schools are another example of how colonial violence created a loss of identity and sovereignty amongst Indigenous peoples.

### Policing

Sherene Razack (2014) provides a valuable framework to understand racism and violence within specific institutions such as the criminal justice system through examining the murder trial of Pamela George as well as the police system through examining the freezing deaths in Saskatchewan. Through her work, Razack (2014) demonstrates how Indigenous people are rendered invisible and left to navigate through the colonial society as outcasts. Examining the deaths of Neil Stonechild, Rodney Naistus, Laurence Wegner, and other inquiries regarding this practice have resulted in blaming a few bad officers or denying this practice entirely. This notion relates to David Goldberg's (2000) idea of race and urban location; specifically how the racialized cannot occupy the same space as Europeans. This is due to the former being viewed as irrational rendered invisible within the Third World and Underclass conceptual order, while the latter is considered rational and the city must belong to the rational men and women. Goldberg (2000) alongside Razack (2014) illustrate the mistreatment of and violence against Indigenous people experience based on the colonial attitudes and biases of non-Indigenous people. The normalization of police corruption and victim blaming are some of many ways through which racist practices and institutions have been empowered to ultimately either assimilate or erase Indigenous communities. When police are part of the problem through being racists, corrupt, biased, untrustworthy, violent and more, how can this same body redress the issue and bring justice to Indigenous people? Alongside Razack (2014, 2016), Palmater (2016) challenges the police are not only racist in their conduct of investigation, but also in the lack of responsibility and accountability the police forces take in cases involving Indigenous people. The RCMP, for instance, which is supposed to be a highly respectable police force, consists of officers that continue to exhibit racist behaviours. For example, in 2011, Manitoba RCMP Constable Kevin Theriault arrested a young Indigenous woman for intoxication and later took her to his home with the intent of having a ‘personal relationship’ with her. The consequences of these horrific actions were seven days without pay (Palmater, 2016, p.278). This example of the many examined by scholars further validates what Indigenous communities, along with the Final Report's (2019), have been claiming for years: gendered colonial violence is a systemic issue that persists within Canada and its justice system. Indigenous women and girls are left exposed and unprotected by the institutions and officials that are meant to protect them.

## Gendered Colonialism and Gendered Violence

Understanding Canada's colonization of Indigenous peoples provides a further understanding of how colonialism and violence against MMIWG are interconnected. The colonial and Indigenous methods for approaching violence differ in a distinct manner. The colonial model is very individualistic whereas the Indigenous approach is more restorative and involves "every member of the community affected – the victim, abuser, families of both, and the community witness to violence" (Nelson, 2017, pp.15-16). Indigenous communities hold a strong ideology of motherhood where Indigenous women are seen as "powerful because they birth the whole world" (Bear, 1990, p.136). However, through reinforcing the colonial perception and stereotypes of Indigenous people, Indigenous women have been deemed inferior to non-Indigenous people. Indigenous women and their identities are not valued under Canada's colonialism; instead they are often targeted and depicted in demeaning ways that further categorizes them as "others".

Many researchers, such as Merry (2009) and Aghtai & Ganjoli (2015), examine the significance of the language used to name issues related to gendered violence. The language used has "various social, political, and legal responses to the phenomenon, as each term suggests (Nelson, 2017, p.19). Merry (2009) defines gender violence as "violence whose meaning depends on the gendered identities of the parties" (Merry, 2009, p. 3). It is essential to understand that gender violence is "intimately tied to other forms of violence, including racism, ableism, homophobia, and transphobia" (Harrison et. al., 2015, p.21). This is important to situate within this MRP to better understand the extent of gendered violence taking various forms, all of which are experienced by Indigenous women. This is explored by Frideres & Gadacz (2012) who argue that the greatest obstacle for Indigenous people is society itself through non-Indigenous people normalizing the effects of colonialism. This MRP analyses the various forms of gendered violence experienced by Indigenous women which stem from societal, cultural, and institutional constructs.

Jiwani's (2002, 2007) work has examined how racism is denied and trivialized in Canada and the various impacts that the denial of racism has had on women of colour. For instance, Jiwani (2007) traces the ways in which the "violence of racism and sexism is framed, communicated, and experienced [specifically] in their encounters with the health care system, in the school system, and in representational discourses offered by the dominant media" (Jiwani, 2007, p.xii). This is important due to the fact that the institutions examined by Jiwani (2007), namely health care, education, and dominant media, are all mentioned within the Final Report (2019) as sources of violence against Indigenous women. Understanding Jiwani's (2002, 2007) perspective regarding the everyday common-sense racism helps to frame and strengthen the Final Report's (2019) findings of present-day gendered colonial violence systemically existing within Canada.

## Colonial Law and Education

Patricia Monture (1995, 1998) examines law and education as powerful discourses that maintain settler colonialism and settler sovereignty. This leaves Indigenous people with no supportive system positively empowering their identity (Monture, 1995, p.78). For instance, Indigenous and non-Indigenous students have little to no choice but to learn about Canadian history through a colonized lens. This is problematic because the education systems indoctrinate students through reproducing the colonial story of Canadian history, which insists that Indigenous people are the problem rather than the solution (Monture, 1995, p.78). Moreover, Monture (1998) problematizes the Canadian court's capacity to question and decolonize itself. This stems from the fact that Canadian courts owe their existence to British legal norms and values and therefore do not question the same colonial power that allowed them to exist. Monture's analysis (1995, 1998) shows how long before the MMIWG report (2019) was released, Indigenous scholars have not been voicing their argument of Canadian law being a neutral arbiter of justice, nor does it act in ways that are transformative of settler colonialism. Instead, as mentioned by the Final Report (2019), Monture (1995, 1998), and several other scholars, the law is another institution through which Canada encourages and reproduces violence against Indigenous women through masking culpable violence of non-Indigenous accused, appointing a majority of non-Indigenous judges, reaffirming courts founded on Indigenous-opposing principles such as adversarial relations, and overrepresenting Indigenous people in the criminal justice system.

## SECTION 1: INTRODUCTION TO THE REPORT AND ITS DEFINITION OF VIOLENCE

### Overview up the Inquiry: Who, what, when, where, why, and how

The national inquiry of the MMIWG crisis within Canada officially began on September 1, 2016, just under a year after Prime Minister, Justin Trudeau, assumed office. After three years of research, investigations, speaking to survivors, families, and community members, the Final Report, titled *Reclaiming Power and Place: The National Inquiry into Missing and Murdered Indigenous Women and Girls*, was published on June 3, 2019. After the release of this final report, a national action plan was to be developed by the government addressing the final report's calls for justice.

Leading up to the investigation, there were several calls for justice by the Indigenous community to the Canadian government. The national inquiry (2016) itself is the result of a significant amount of pressure from family members and survivors, along with various grassroots organizations and communities, for Canada to launch a public inquiry into the disproportionate levels of violence against Indigenous women and girls. This urgency intensified leading up to the inquiry through the Native Women's Association of Canada (NWAC) confirming 582 cases over 20 years of MMIWG, this number increased by 2013 (Final Report, 2019, p.54). The Royal Canadian Mounted Police (RCMP) also conducted "their own review, which confirmed 1,181 cases of 'police-recorded incidents of Aboriginal female homicides and unresolved missing Aboriginal females' between 1980 and 2012" (Final Report, 2019, p.54). These staggering statistics demonstrate the danger that Indigenous women and girls face, where their gender and race have rendered them invisible to justice and society.

There were "more than 2,380 people [who] participated in the National Inquiry into Missing and Murdered Indigenous Women and Girls" (Final Report, 2019, p.49). The parties involved within this inquiry include Inuit, Métis and First Nations women and girls, including 2SLGBTQQIA people, survivors, families and friends of Indigenous women and girls, National Family Advisory Circle, and Elders and Grandmothers Circle. Furthermore, there were four commissioners appointed to lead the national inquiry: Chief Commissioner Marion Buller, Commissioner Michèle Audette, Commissioner Qajaq Robinson, Commissioner Brian Eyolfson. To begin with, Chief Commissioner Buller, a member of the Mistaqasis First Nation in Saskatchewan, was the first Indigenous woman to be appointed as a provincial court judge in British Columbia after working in civil and criminal law (Meet the Commissioners, 2018). Next, Commissioner Michèle Audette is a native Innu speaker who became president of the Quebec Native Women's Association and then later president of the Native Women's Association of Canada (Meet the Commissioners, 2018). Furthermore, Commissioner Qajaq Robinson, from Iqaluit, had extensive experience working with judges from the Nunavut Court of Justice as well as working as legal counsel at the Specific Claims Tribunal (Meet the Commissioners, 2018). Finally, Commissioner Brian Eyolfson, a member of Couchiching First Nation, served as a member and co-chair of an Aboriginal advisory group to the Law Society of Upper Canada (Meet the Commissioners, 2018). Additionally, various directors were involved including: Jennifer Moore Rattray, Alexandre Desharnai, Dr. Karine Duhamel, Nicholas Obomsawin, and Catherine Kloczkowski. The Federal government, along with provinces and territories, were also involved as these inquiries were taking place simultaneously within the provinces and territories, thereby truly making this a "national" inquiry.

The Final Report (2019) is a critical avenue through which various experiences of Inuit, Métis, and/or 2SLGBTQQIA peoples of colonialism and gendered oppressions were documented to expose the violence embedded within Canadian institutions. The inquiry (2016) and Final Report (2019) are important as they examined the root causes for systemic and gendered violence within Canada that directly affect Indigenous women and girls. The national inquiry (2016) was necessary to address the generations-long epidemic that further oppressed and stole the lives of Indigenous women, girls, and two-spirited people across Canada. The mandate of the national inquiry (2016) was to "report on the systemic causes of all forms of violence against Indigenous women and girls, including sexual violence. This includes issues like sexual assault, child abuse, domestic violence, bullying and harassment, suicide, and self-harm" (Executive Summary, 2019, p.3). The Final Report (2019) is also significant as it provides an expanded definition of violence as gendered and colonial, which includes systemic cultural, economic, political, and social causes of violence, rather than solely physical violence. Thus, the Final Report (2019) emphasizes the day-to-day encounters with violence including corrupt government and legal systems that Indigenous women and girls continue to confront.



## Understanding Violence against Indigenous Women, Girls, and 2SLGBTQQIA People

The Final Report (2019) expanded the definition of violence to broaden the mandate of the inquiry. Prior to the Final Report (2019), the United Nations defined violence against women as "any act of gender-based violence that results in, or is likely to result in, physical, sexual, or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life"(United Nations General Assembly, 2007, p.3). Following this, the TRC (2008-2015) in its report included domestic, sexual, physical, and spiritual violence its examination of colonial violence regarding residential schools. Additionally, the TRC (2008-2015) concluded that the residential school system amounted to 'cultural' genocide. Palmater (2014) has problematized this to say that colonial violence in Canada meets the United Nation's definition of genocide. According to the United Nation's definition, genocide is committed when:

[...] any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group

Canada only needs to be guilty of one of the five acts outlined within the UN convention in order to be found culpable of genocide under international law. Palmater(2014) argues Canada is guilty of "enacting laws and policies and taken actions that fall under every category of genocide listed above" (Palmater, 2014, p.31). The MMIWG Final Report's (2019) expanded definition holds all forms of violence including physical, sexual, neglect, financial, "family violence, institutional racism in health care, child welfare, policing and the justice system, and other forms of violence that stem from the same structures of colonization" are violence (Final Report, 2019, p.58). The Final Report's (2019) definition of genocide includes:

Deaths of women in police custody; the failure to protect Indigenous women, girls, and 2SLGBTQQIA people from exploitation and trafficking, as well as from known killers; the crisis of child welfare; physical, sexual, and mental abuse inflicted on Indigenous women and girls in state institutions; the denial of Status and membership for First Nations; the removal of children; forced relocation and its impacts; purposeful, chronic underfunding of essential human services; coerced sterilizations; and more.

This expanded definition of genocide and violence is crucial as it emphasizes a wider set of colonial tactics in maintaining gendered colonial violence, which Canada has been unwilling to acknowledge. Therefore, through expanding the definition of genocide and violence, the Final Report (2019) is able to reveal the social, economic, cultural, institutional, and historical causes that have exacerbated the MMIWG crisis.

### Social:

The Final Report (2019) reveals several social causes that "worked to place individuals in situations where they would be targeted by forcing them to make impossible choices" (Executive Summary, 2019, p. 33). Throughout the national inquiry (2016), many experiences were documented by Indigenous survivors, family members, and individuals directly affected. Listening to their truths, the Final Report's (2019) findings outline how social causes include "sexual assault, child abuse, domestic violence, bullying and harassment, suicide, and self-harm" (Executive Summary, 2019, p.6). Moreover, a major social cause is the widespread neglect and disregard for the violence experienced by Indigenous people, especially women, on a daily basis (Final Report, 1a, 2019, p.115). The disregard for violence is due to the prevalent myth that Canada is a "just and principled society, bound by the rule of law and respectful of human rights and human dignity. However, [they] have been blind to the reality that [their] own place and privilege as Canadians is the result of gross human rights violations against Indigenous Peoples" (Final Report, 1a, 2019, p.9). Through promoting itself to be a multicultural and diverse nation, Canadian society has broadly remained in a constant state of denial regarding the nation's deeply colonial roots and ongoing commitment to eliminating Indigenous people (Frideres&Gadacz, 2012). After so much violence has been documented in the TRC final report (2015) and the MMIWG Final Report (2019), all which reveal Canada's history of colonialism is a root cause for the continued violence, what is the government going to do about the countless more Indigenous people whose lives and deaths continue to be undocumented or lost due to colonial institutions?

Another social cause that contributes to the enduring violence is the normalization of violence, including normalizing the loss of safety and security faced by Indigenous women, girls, and 2SLGBTQQIA people. Indeed, a significant number of Indigenous women “who are later sexually exploited or trafficked were sexually abused at an early age, making them easy targets for traffickers who prey on this vulnerability and count on society’s turning a blind eye” (Final Report, 1a, 2019, p.55). This is due to the fact that “there is little, if any, response when Indigenous women experience violence [which] makes it easier for those who choose to commit violence to do so, without fear of detection, prosecution or penalty” (Final Report, 1a, 2019, p.57). Moreover, social exclusion based on gender discrimination and heteronormativity has always been an issue faced by Indigenous women and 2SLGBTQQIA people (Final Report, 1a, 2019, p.156). As addressed by Razack (2014), these acts of violence are a result of the settlers’ need to maintain power and authority within the colonial city and violence is the outcomes of the idea of waste disposal in both law and society (Razack, 2014, p.59). Razack (2014) reveals how Indigenous men and women are in city spaces, but not of them, and move through such colonized space as invisible shadow figures looked down upon (Razack,2014, p.55). This spatial analysis of colonial violence is evident in the various testimonies that have been offered, such as Kohkom, Bernice C., Tamara S., Marilyn W., and Jamie L. H., who personally experienced or knew of an immediate family member that experienced this normalization of violence. This violence includes, but is not limited to, racist and derogatory comments about one’s identity as an Indigenous transwoman, lack of available resources, social exclusion, and barriers in accessing education and support services. Therefore, if non-Indigenous members of Canadian society willfully turn a blind eye to the violence and oppression Indigenous women and 2SLGBTQQIA people continue to face by normalizing stereotypes and prejudice, there is very little chance of substantive change to end this gendered colonial violence within Canada.

#### **Economic:**

The Final Report (2019) also identifies various economic causes that contribute to the persistence of colonial gendered violence against Indigenous women, girls, and 2SLGBTQQIA people. This marginalization takes the form of “poverty, insecure housing or homelessness, barriers to education, training, and employment, and lack of support during critical times of transition in the lives of Indigenous women, girls, and 2SLGBTQQIA people...” (Executive Summary, 2019, p.33). Indigenous people who experience “poverty, lack of housing, food insecurity, unemployment, and other conditions that make it difficult to meet one’s basic needs are at a much higher risk of being targeted for violence” (Final Report, 1a, 2019, p. 114). For instance, Marlene J. shared how her experience regarding her inability to find housing led to multiple experiences of sexual violence: “Because I was homeless they decided that they would take advantage of the situation” (Final Report, 2019, p. 114). There are countless non-Indigenous people who are homeless and/or living in poverty that do not experience gendered violence as Indigenous women, girls and 2SLGBTQQIA people do; this is because violence against Indigenous women is normalized throughout society. It is through the insufficient government funding that allows Canada’s economy to continue to “serve as a systemic barrier to implementing many of these recommendations” (Executive Summary, 2019, p.9).

Moreover, while Canada may be “full of apologies and regrets, [...] the fact remains that federal laws and policies not only put First Nations in their current state of extreme poverty, but the same laws and policies keep them in this state” (Palmer, 2012, p.113). This can be seen not only in the city, but also in Pikangikum which is an impoverished, isolated First Nations community located in Ontario where basic necessities of life have been deprived:

Running water and indoor plumbing do not exist for most residents. Poverty, crowded substandard housing, gainful employment, food and water security are daily challenges. A lack of an integrated health care system, poor education by provincial standards and a largely absent community infrastructure are uniquely positioned against a backdrop of colonialism, racism, lack of implementation of self-determination and social exclusion (Palmer, 2012, p.113)

Due to overpopulated housing and lack of clean water, food, and insecurity, Indigenous people are placed at increased risk of death and disease from illnesses and contaminated water (Palmer, 2012, p.115). This further demonstrates the Canadian government’s contribution towards creating poverty and refusing to provide access to basic necessities, such as clean water, leads not only to homelessness and sexual assault, but also suicide. The Final Report (2019) along with Palmer (2012) expose the control Canada has over Indigenous people through the ongoing funding inequalities of basic social services that results in extreme poverty, “desperate living conditions, poor health, barriers to education and employment, social dysfunction, over-representation in jails and children in care, and premature deaths in First Nations” (Palmer, 2012, p.116).

It is through the creation of poor socio-economic conditions and underfunding of essential human services that render Indigenous women, girls, and 2SLGBTQQIA people more vulnerable to gendered colonial violence as they are forced to leave their communities and find themselves on the street of large urban centers.

### **Cultural:**

Blaming Indigenous culture for the colonial gendered violence they experience has had catastrophic impacts on Indigenous women, girls, and 2SLGBTQQIA people. Cultural violence includes promoting Canada's "Western, white-dominant, mainstream culture, where racist attitudes and forced assimilation policies are both examples of cultural violence, since it stems from racist beliefs deeply embedded in Canadian culture" (Final Report, 1a, 2019, p.77). For instance, colonial patriarchy and male dominance were imposed on matriarchal cultures, targeting the power of Indigenous women as decision makers, leaders and equal members of their community (Inter-American Commission on Human Rights, 2014, p.39). Indigenous women and girls are reportedly twelve times more "likely to be murdered or missing than any other women in Canada, and sixteen times more likely than Caucasian women" (Final Report, 1a, 2019, p.55). Additionally, the Final Report (2019) also mentions how Statistics Canada reported that "even when all other differentiating factors are accounted for, Indigenous women are still at a significantly higher risk of violence than non-Indigenous women" (Final Report, 1a, 2019, p. 56). These statistics reveal that despite representing a small percentage of Canada's population, Indigenous women, girls, and 2SLGBTQQIA people face significant life-threatening, gender-based violence, and disproportionately experience violent crimes because of a genocide based on sexism and racism (NWAC, 2020). As mentioned by Walter (2015), Indigenous women and girls "die because they walk alone on the street and dare to be Indigenous" (Walter, 2015, p.45). Analyzing these statistics ultimately validates a hard truth: simply being Indigenous women makes them a target of gendered colonial violence within Canada.

Indigenous women, girls and 2SLGBTQQIA people are often blamed for the violence they experience. Leslie Spillett, a Cree/Metis member, stated how society holds the perception that Indigenous women have "contributed to their own disappearances, and/or rapes, and/or murders, by their personal behaviours – by the way that they are dressed, by what they were doing, by being Indigenous, and by being women" (Final Report, 1a, 2019, p. 44). For instance, the disappearance of Maisy Odjick and Shannon Alexander, Indigenous teenagers from western Quebec missing since September 2008, was largely blamed on the colonial perception of the Indigenous culture. Specifically, the police officers investigating the disappearance claimed the girls ran away due to "young Indigenous women indulg[ing] in 'at-risk behaviour': hitchhiking, drug abuse, homelessness, prostitution" (Walter, 2015, p.52). Due to these stereotypical colonial perceptions, many crimes against Indigenous women are given limited media attention, evidence is mishandled, and/or cases are often dismissed or left unsolved (Walter, 2015).

Along with the *Indian Act's* marrying-out clause, which stripped Indigenous women of their status for marrying non-Indigenous men (Final Report, 1a, 2019, p.53), the *Act* also declared that all Indigenous people who married non-Indigenous or who "received an education in a Christian residential school would be recognized as 'civilized' and 'fit for white society' (James, 2008, pp.103-104). As Frideres (1993) points out, this was based on "the assumption by many was that the longer native people reside in an urban area, the more likely they will integrate into the dominant white society" (James, 2008, p.104). This further demonstrates legislative gendered violence and disempowerment against Indigenous women as colonialism and patriarchy ultimately devalued Indigenous women through targeting their loss of status and their roles as mothers and caregivers by "creating separate spheres for each sex and placing men as the head of the households. By making men the only voice for Indigenous peoples it created a hierarchy that did not exist before European contact and this new division of power left women voiceless in a society which was designed to discriminate against them" (Robertson, 2018, p.47).

Additionally, Canada banning the use of Indigenous languages in schools, press, and other public spheres was another manner through which cultural erasure of Indigenous people has been linked to the endurance of gendered colonial violence (Final Report, 1a, 2019, p.50). The normalization of Indigenous cultural stereotypes and prejudice has further promoted white supremacist ideals and centres westernized values as the sole index through which society has been organized. To counter these cultural norms and power asymmetries Tuma Young explained that, within his Mi'kmaq world view, the "concept of two-eyed seeing is very important: 'An issue has to be looked at from two different perspectives: the Western perspective and the Indigenous perspective, so that this provides the whole picture for whoever is trying to understand the particular issue'" (Final Report, 1a, 2019, p.132). However, without listening to Indigenous voices, no real meaningful change can occur as the voices of the marginalized community directly affected are not being heard; instead, the voices that are being heard belong to the dominant group who are key players in the persistence of gendered colonial violence.

### Institutional:

This violence is perpetrated by institutions that “operate on specific rules, institutional violence can easily become the ‘status quo’” (Final Report, 1a, 2019, p.77). The Final Report (2019) outlines some key players including police, health care system and hospitals, prisons, criminal justice system, politics, welfare system, in which racism and sexism have been deeply embedded (Executive Summary, 2019, p.6). For instance, Palmater connects how these institutions together have normalized routine violence against Indigenous people. She also connects how the violence seen today is linked with historical violence (Final Report, 1a, 2019, p.53). While the TRC isolated colonial violence to the residential school system, Indigenous feminists and the MMIWG Report (2019) make links across these institutions:

What used to be the theft of children into residential schools is now the theft of children into provincial foster care. What used to be scalping bounties are now Starlight tours (deaths in police custody)... Racism for Indigenous peoples in Canada is not just about enduring stereotypical insults and name-calling, being turned away for employment, or being vilified in the media by government officials – racism is killing our people. (p.53)

It is important to expose the institutional violence embedded within agencies such as the “military, the church, the educational system, the health system, police and emergency responders, and the justice system” (Final Report, 1a, 2019, p.77). In essence, these institutions through their specific rules and actions can personify and normalize violence towards Indigenous women, girls, and 2SLGBTQQIA people, deeming it to be the ‘status quo’. Non-Indigenous Canadians thus often look to these institutions as the solution to social problems rather than the causes of violence. By normalizing colonial violence, these institutions make it increasingly difficult for members of Indigenous communities, or society in general, to challenge the ‘status quo’, resulting in structural violence being rooted and entrenched within the Canadian society.

Furthermore, the Final Report (2019) also largely claims the police as being part of the institutional causes, such as in the case of Deidre and both Cindy’s sisters (Final Report, 1a, 2019, pp.106-108). Police officers rape, kidnap, murder, and dump Indigenous individuals (Razack, 2014) while failing to provide sufficient protection from exploitation, trafficking, and known killers (Final Report, 1a, 2019, p.53). More often than not, police officers face minimal ‘consequences’ such as (un)paid short temporary leave, as seen in the example of Constable Kevin Theriault (Palmater, 2014, pp.277-278). Moreover, after constant negative encounters with the police, many Indigenous women claimed they no longer “felt safe to reach out to the police when they were in danger, fearing that the police themselves might also inflict further violence” (Final Report, 1a, 2019, p.115). If police are part of the problem through being racist, corrupt, biased, untrustworthy, violent and more, how can this same institution redress the issue and bring justice to Indigenous people?

Welfare and human services also play a role in upholding colonial violence through ignoring pleas and cries for justice from Indigenous women and girls. For instance, Cherisse H. who sought help regarding her drug addiction problem was denied services, which resulted in her untimely death a few short weeks later (Final Report, 1a, 2019, p.100). Without having access to services that Indigenous women need to survive, it is difficult for them to live a life of equality, safety, and security. Furthermore, the Canadian criminal justice system works with other institutions to racialize and criminalize specific groups, including Indigenous women, who have been identified as problematic “others” (Jiwani, 2002). For example, throughout the 2019 Alberta case, *Barton v. Her Majesty the Queen*, the deceased victim, Cindy Gladue, was often referred to as a “‘native prostitute’ instead of by her full name, [which] led to reinforcing discriminatory beliefs, misconceptions, or upholding bias by the jury about the sexual availability of Indigenous women and specifically, Cindy Gladue” (Final Report, 2019, p.73). The case of Cindy Gladue further demonstrates that these trial processes and legal decisions portray Indigenous women to be seen as “less believable and ‘less worthy’ victims than non-Indigenous women, and that justice does not serve Indigenous women” (Final Report, 1a, 2019, p.73). The Canadian law “operates to exclude, omit and deny difference [...] it is how courts participate in perpetuating colonialism while ensuring that power - their power - continues to vest in the status quo” (Monture, 1998, pp.9-10). This reveals the many contradictions that exist within the criminal justice system: if the justice system is supposed to be neutral, unbiased, blind to all external factors, how can that same system be trusted or effective if it continues the cycle of targeting Indigenous women through reproducing the never-ending systemic colonial violence?

Furthermore, the Charter promotes colonial settler beliefs by placing individuals in three categories: English-Canadians, French-Canadians, and “Others” (Henry & Tator, 1999, p.92). Placed in this category of “others”, Indigenous women, girls, and 2SLGBTQQIA have thus been rendered peripheral and the undermining of their rights have been normalized. Indeed, Canada has “failed to meaningfully implement the provisions of these legal instruments, including PPCG, ICESCR, ICCPR, UNCRC, CEDAW, and UNDRIP...

The Canadian legal system fails to hold the state and state actors accountable for their failure to meet domestic and international human rights and Indigenous rights obligations” (Final Report, 1b, 2019, p.174). This demonstrates one of various examples of the lack of institutional will to bring about the necessary change required for Indigenous women, girls, and 2SLGBTQQIA people to begin to feel safe and in control (Final Report, 1a, 2019, p.118). The lack of institutional will demonstrates the unwillingness of Canada to relinquish colonial authority. Canadian institutions have been pushing back and depicting themselves as “victims” attempting to redress gendered colonial violence. This is done through Canada insisting it is doing its part through holding inquiries, providing trainings, and apologizing for residential schools. However, this merely demonstrates the government’s stronger will in maintaining the liberal idea that Canada is working towards meaningful positive change when in fact despite the trainings, investigations, and apology the government implemented and conducted, substantive changes are elided.

### **Historical:**

The ongoing history of colonization has affected every aspect of the lives of Indigenous people for generations, and thus, has been a root cause of violence against Indigenous people, including women, girls, and 2SLGBTQQIA people. The national inquiry (2016) is built on the foundation of other previous inquiries conducted including the “Aboriginal Justice Inquiry of Manitoba (1991), the Royal Commission on Aboriginal Peoples (1996), and the Truth and Reconciliation Commission of Canada (2015)” (Executive Summary, 2019, p.5). The Aboriginal Justice Inquiry of Manitoba (AJI) (1991) concluded that the Canadian justice system has failed Indigenous people and that Indigenous people need to have their own police forces and courts. Additionally, there is a call for an increase in participation by Indigenous people at all stages of the Canadian justice system along with taking proactive measures to improve the economic and social conditions of Indigenous people (AJI, 1991). Moreover, in its report, the TRC (2015) concluded that the removal of children from the influence of their own culture with the intent of assimilating them into the dominant Canadian culture through residential schools amounted to cultural genocide. National Indigenous Anglican Archbishop Mark MacDonald stated the reason little change has occurred is because “blocks” remain in people’s minds and hearts. There are “blocks in the way that people are built, in habits of mind and heart and culture—not just in the minds and hearts of Western or white institutions, but also in Indigenous institutions and minds and hearts—that keep things the way they are” (Kidd, 2021). Ultimately, despite all these inquiries, there has not been substantive change. Delaying implementing the recommendations and calls to action demonstrates a need to hold Canada accountable for its progress, or lack thereof, towards fulfilling its promise and obligation to Indigenous survivors and their families.

In the Final Report (2019) there was also an emphasis on various other historical events rooted in colonialism that contributed to the Indigenous communities’ loss of traditional knowledge, intergenerational trauma, and violence: the *Indian Act*, the Sixties Scoop, and residential schools (Final Report, 1a, 2019, p.50). These traumas overlap with institutional causes because while these all involved the Canadian government and other institutions, such as child welfare system and churches, these are also important tragedies that illuminates Canada’s dark history. For instance, the *Indian Act* was a tool used by the Canadian government to normalize patriarchy within Indigenous communities. Subsection 12(1)(b) of the *Indian Act*, the marrying out clause, stripped Indigenous women of their status (Final Report, 1a, 2019, p.374). The Final Report (2019) explores the case of Jeannette Corbiere Lavell, who “married a non-Indian in 1970, [which] resulted in a legal challenge against the Indian Act’s subsection 12(1)(b), alleging it...discriminat[ed] by reason of sex” (Final Report, 1a, 2019, p.373). Ultimately, this amendment is extremely gendered as it specifically targets Indigenous women since an Indigenous woman would lose her status if she married a non-Indigenous man, however, an Indigenous man would not lose his status for marrying a non-Indigenous woman. This provision is evidence of legislative gendered violence against Indigenous women as only it forced Indigenous women to lose their status, discriminated against the children and grandchildren of Indigenous Indian women and allowed society to turn a blind-eye to testimonies that rightfully highlighted the gender discrimination is embedded in the *Indian Act* (Cannon, 2014).

For decades, scholars have documented the intergenerational trauma that has resulted from the “loss of land, forced relocations, residential schools, and the Sixties Scoop, and ultimately set the stage for further violence, including the ongoing crises of over-incarceration and of child apprehension...” (Final Report, 2019, p.113). For instance, Carol B. questioned “how can you possibly learn to love and value yourself when you’re told consistently — daily, that you’re of no value. And that we need to take the Indian out of you?” (Final Report, 1a, 2019, p.113). Through enforcing this colonial violence and belief of Indigenous people being seen as inferior to settlers, Indigenous people were taught to be ashamed of their heritage and lineage and instead adopt western ideals (Partridge, 2010, p.51).

The impact of the residential school system has left families and survivors with emotional, physical, and mental scars that are deeply rooted and intertwined with many aspects such as child and family services, the ongoing dispossession of land through resource development projects, the denial of Indigenous sovereignty, etc.

Alienation from land also plays a historic and ongoing role. This idea can be seen in the landmark decision in *St. Catharines Milling and Lumber Co. v. The Queen* (1888) which “argued that Indigenous Peoples’ land rights are not inherent but ‘dependent on the goodwill’ of the Crown” (Final Report, 1a, 2019, p.134). Moreover, ever since the 16<sup>th</sup> century, British and Canadian institutions claimed that the Indigenous “signatories agreed to ‘cede’ or ‘surrender’ their rights (although the legitimacy of these clauses is highly dubious). Modern Treaties (also called ‘comprehensive land claim agreements’) negotiated between 1975 and 1993 also contained a variant of the ‘surrender’ clause” (Final Report, 2019, p.135). These practices were largely based off the popular European practice of *terra nullius*, which is a Latin expression meaning ‘nobody’s land’ (Konsmo& Pacheco, 2016, p.63). The forced removal, relocations, and lack of control over Indigenous lands deeply impacts Indigenous ways of being/knowing. Battiste (2002) argues that Indigenous knowledge is inherently tied to the land— “to particular landscapes, landforms, biomes where ceremonies are properly held, stories properly recited, medicines properly gathered, and transfers of knowledge properly authenticated” (Battiste, 2002, p.13). This further demonstrates colonial violence as it forcefully creates a disconnect between the Indigenous people, including women, to Mother Earth. Indigenous women were left targets of sexual violence and abuse, environmental violence, unable to take part in ceremonies, etc. Overall, colonial settlers have significantly benefitted from taking away Indigenous rights, resources, and land and utilized this process as a method to exterminate Indigenous people and/or assimilate them into the westernized way of life, furthering colonial violence.

## **SECTION 2: THE REPORT’S FRAMEWORK FOR ENDING GENDERED COLONIAL VIOLENCE**

### **Understanding Gendered Colonialism as Structural**

The Final Report (2019) outlines the various systemic ways through which Canada has maintained a normalized routine of colonial gendered violence, violence which has “resulted in the denial of safety, security, and human dignity [of]...Indigenous women, girls, and 2SLGBTQQIA people” (Final Report, 1b, 2019, p.167). Additionally, the Indigenous encounters with various colonial authorities and institutions has “been used to harm, rather than to honour, Indigenous women, girls, and 2SLGBTQQIA people” (Final Report, 1a, 2019, p.99). This idea of violence is exemplified in mainstream Canadian news media which do not problematize official government statements such as Harper and his government insisting that MMIWG are not deemed to be a high priority and are considered to be responsible for their situation and position in life (Kappo, CBC News, 2014). Such official government narratives demonstrate Razack’s (2014) point on Indigenous men and women being in the city, but not part of it, and move through this colonized space as invisible shadow figures looked down upon. Even after apologizing for residential schools and purportedly recognizing the brutality of colonialism, such statements demonstrate how the Canadian government continued to view Indigenous women as a low priority. Such statements reveal the government’s refusal to understand the problem of violence as a structural one. Trivializing Indigenous women, girls, and 2SLGBTQQIA people who go missing, are murdered, and suffer from police brutality demonstrates that the government prioritizes Canadian sovereignty over Indigenous sovereignty. If the Canadian government continues to envision nation-building as a “development” of land and resources and public safety as security from threats to such development plans, then claims to Indigenous sovereignty, including the rights and safety of Indigenous women, are imagined as barriers to the nation. Calling in the police to contain Indigenous people and protest portrays them to be imagined threats to nation-building. As such, it has been increasingly difficult for Canadians to understand and view the police, the law, and the government as perpetrators of colonial violence. In such context, the murder of Indigenous people has been told as the story of Canadian public safety and economic growth. Indeed, it is this vision of nation-building that imagines the safety and security of Indigenous women as not only “not high on our radar” but as getting in the way of Canada’s sovereignty.

The Final Report (2019) identifies a number of foundational factors that are deemed a violation of cultural, health, security, and justice-related rights. Chief Judy Wilson of the Secwépemc Nation states it is time for Canada to remove the cloak and expose the gendered structural violence where “change will only come by lifting the veil of colonialism and our recognition of our people’s title and rights, so that we can reaffirm our identities and our way of life” (Final Report, 1a, 2019, p. 229). To begin, within the cultural context, some of the horrific rights violations include the “early logic of discovery and the assertion of Canadian sovereignty, the regulation of Indigenous identities and governance, and the attempt to assimilate Indigenous Peoples in the context of residential schools and, later on, within the Sixties Scoop and child welfare systems” (Final Report, 1a, 2019, p.230).

These violations demonstrate how gendered colonial violence is integral to the many horrific practices of violence targeting Indigenous women and girls including being taught the colonial idea of what it meant to be a woman, and being away from families left the Indigenous women with little to no experience on how to have their own family leaving some Indigenous family lines to cease to exist (AJI, 1991, Ch.13). The government's treatment of Indigenous women, girls, and 2SLGBTQQIA people this way created deep and serious distrust of the government and other institutions when those very institutions are the systems oppressing and annihilating them on an everyday basis.

With respect to health, the Final Report (2019) defines health as a "holistic state of well-being, which includes physical, mental, emotional, spiritual, and social safety and does not simply mean an absence of illness" (Final Report, 1a, 2019, p.416). The right to health is intricately connected to other fundamental human rights including access to medical care without the need to travel a significant distance, "access to clean water or adequate infrastructure in Indigenous communities, as well as the right to shelter and food security, which impact all Indigenous communities..." (Final Report, 1a, 2019, p.416). These basic services are essential to establishing the security and safety of Indigenous women, girls, and 2SLGBTQQIA people to ensure they receive the necessary aid, services, and treatment the Indigenous community deems essential to be able to live a mentally, spiritually, physically, and emotionally secure life. The health sector has been solidifying gendered colonial violence through exposing Indigenous communities, especially in the North, to conditions that deteriorate their well-being and life, such as forced sterilization (Final Report, 1a, 2019, p.230). For instance, Alisa Lombard, a lawyer from Saskatchewan, stated how some of the Indigenous women "did not realize that physicians, nurses, other health-care professionals, the government – couldn't make decisions for them about their bodies" (Zingel, 2019). This is a clear example of how institutions maintain gendered colonial violence through coarsely regulating and governing the autonomy of Indigenous women. Disregarding the fact that consent needs to be obtained after being transparent with the information, the health system is able to manipulate Indigenous women, girls, and 2SLGBTQQIA people into forcefully taking part in medical procedures that can alter their entire life, thus taking away their autonomy and freedom to make independent decisions.

The Final Report (2019) examines the right to security, which includes lack of opportunities in areas such as "education, employment, and the failure to provide a basic standard of living are rooted, in particular, in colonial interventions in ways of life and in removal from ancestral or home land" (Final Report, 1a, 2019, p.230). With Canadian education systems being set in its colonial methods and teachings, all which promote and maintain settler values, Monture (1995) mentions how "First Nation children do not leave that system with a positive First Nation identity" (p.78). Monture's (1995) critique along with the Final Report's (2019) analysis illustrate how the colonial education system more broadly, including but not limited to the residential school system, has perpetuated the colonized perspective of Canadian history, which insists that Indigenous people are the problem rather than the solution (Monture, 1995, p.78). This is a manner through which settlers remain in power and continue oppressing and erasing the Indigenous people. Therefore, as emphasized within the calls for justice, what is required is the decolonization of all education systems. That is, learning Canadian history must include understanding that settlers forcefully removed and tried to erase Indigenous people in order to build Canada to be what it is today (Final Report, 1b, 2019, p.199). This includes education about Indigenous life and resurgence including the traditional, grassroots, and activist histories in which Indigenous women, girls and 2SLGBTQQIA people have been integral.

The Final Report (2019) exposes the justice system to be another sector through which gendered colonial violence persists. Barriers Indigenous people have faced include the "isolation of victims through inadequate victim services, the failure to accommodate language barriers, and the way Indigenous victims are either portrayed or ignored in the media" (Final Report, 1a, 2019, p.121). The Canadian legal systems are "based on the principle of adversarial relations, that is to say conflict. First Nations law is not based on a presumption of conflict. Instead, it is based on the principles of relations and consensus" (Monture, 1995, p.80). Palmater (2016), along with many other scholars, have examined the idea of issues surrounding the police system, specifically the lack of accountability and responsibility. These injustices include leaving them vulnerable and alone on the streets, bringing them to an officer's home to have a 'personal relationship' with, and assault them in various ways (Palmater, 2016; Razack 2014). This further demonstrates the Final Report's (2019) claim that gendered violence is a systemic issue as Indigenous women and girls are left exposed and unprotected by the agency and officials who are meant to protect them; instead, this very agency is willing to go to extreme lengths and utilize all resources necessary to protect white settlers, but remain unwilling to do the same for MMIWG (Walter, 2015). Indeed, Indigenous women, girls, and 2SLGBTQQIA people are often represented in ways that rationalize their overpolicing and overincarceration as potential offenders, yet remain under-protected as victims of crime. This demonstrates the disconnect between the experiences of Indigenous people and the Canadian justice system.

Specifically, Indigenous women are constitutionally promised justice, but in reality, are disadvantaged by a colonial system that continues to maintain the racial hierarchy through specifically targeting and portraying Indigenous women as potentially dangerous offenders in need of being locked up and rendered invisible to society.

### **Centring Relationships and Rights of Indigenous Women**

The experiences and testimonies shared within the Final Report (2019) are harrowing and thus demonstrate the importance of understanding the ways in which “geography, culture, tradition, and many other factors must be accounted for in devising meaningful recommendations and community-led change” (Final Report, 1a, 2019, p.94). For many Indigenous women, girls, and 2SLGBTQQIA people the concept of “land ownership is and was foreign to their ontologies: land is never owned. Rather it is a spiritual and material entity to be treasured and cared for as a relative for all those generations of beings who will follow” (Haig-Brown, 2012, p.4). Land is extremely sacred to Indigenous people as it is their way to be connected to their ancestors, “to the land where [they] come from, and to future generations” (Final Report, 1a, 2019, p.95). This illustrates the deep intertwined spiritual, physical, social, and cultural connection Indigenous people have to their land. However, to settlers, land is seen as a commodity, an opportunity to gain and expand their power in order to maintain dominance and supremacy over those they deem as inferior. This further establishes how “in order to understand the causes of violence and to make the changes necessary to ending violence, we must recognize the power and responsibility of relationships” (Final Report, 1a, 2019, p.94). The Final Report (2019) explores this through centering the voices of Indigenous families and survivors in documenting their wisdom and guidance on ending gendered colonial violence; guidance which has been ignored in various relationships, including with the government and legal institutions.

In his work Shawn Wilson, an Opaskwayak Cree researcher from northern Manitoba, argues that Indigenous people are not a single living being; instead, they are the sum of all the relationships and titles they hold which shape their lives (Final Report, 1a, 2019, p.95). This idea relates to the concept of intersectionality articulated by Kimberle Crenshaw (1989) who describes how race, class, and gender “intersect” with one another and overlap to create multiple experiences of oppression and violence that cannot be understood through a single lens (Crenshaw, 1991). Intersectionality involves understanding that sexism, racism, and capitalism simultaneously create different modes of oppression and/or privilege, especially within the legal system (Crenshaw, 1989). Applying Crenshaw’s analysis (1989, 1991, 2013) to the Final Report (2019) reveals how white settler privilege and violence against Indigenous women, girls, and 2SLGBTQQIA people, amongst marginalized communities, is normalized.

The Final Report (2019) listened to the voices of Indigenous survivors and their families, taking into account the various forms of violence and experiences Indigenous women faced. The commissioners leading the inquiry (2016) also provided follow up information to the families and survivors on the progress and outcomes of the report. The follow up kept the focus on Indigenous communities and was mindful of respondent fatigue/distrust, a terminology which stems from “the frustration of speaking out or participating in research without a clear evidence of its utility in improving people’s living conditions” (Andrews & Bawa, 2019, p.2879). Indigenous women have been raising their voices for many years to shed light on the many aggressions and violence they endure; however, it is discouraging when the researchers and authoritative people spoken to promise to bring a difference to the community, but in reality do little or nothing towards the pursuit of positive social and systemic change. Hence, centering the voices and relationships of Indigenous women, girls, and 2SLGBTQQIA people is crucial in understanding that colonialism and patriarchy work together to shape Indigenous experiences.

The testimonies within the Final Report (2019), such as by Cheryl M. and Jamie L. H., along with various other families and survivors, reveal how Indigenous women, girls, and 2SLGBTQQIA people have been “denied the power to participate as equals in defining the terms upon which the relationships that shape their lives are built [upon]...[and] to challenge the terms of this [relationship] would be to put oneself at considerable additional risk” (Final Report, 1a, 2019, p.97). Nevertheless, the Final Report (2019) examines how Indigenous relationships with various colonial authorities and institutions have “been used to harm, rather than to honour, Indigenous women, girls, and 2SLGBTQQIA people” (Final Report, 1a, 2019, p.99). This harmful relation is reflected in the concept of democratic racism, which allows for two competing sets of beliefs to exist and it is through this that differential treatment and/or discrimination is justified (Henry & Tator, 1999, p.89). It is also through these competing sets of beliefs, in this case colonial and Indigenous beliefs, that settlers have been able to uphold their dominance while portraying Indigenous people as anti-Canadian or as outcasted “others” for opposing colonialism. For example, the government defends formal equality through legislation such as the Charter of Rights and Freedoms, allowing for multiple communities to be able to follow their beliefs.



However, while the “Constitution recognized these Aboriginal and Treaty rights, it did not define them” (Final Report, 1a, 2019, p.211). By not defining Aboriginal and Treaty rights, the federal government has room to determine what to include and exclude within the rights based on what is convenient for it.

### **Calls for Justice for Governments and Legal Institutions**

The Final Report’s (2019) calls for justice emphasized the accountability and responsibilities of the federal and provincial governments, legal institutions, and Canadians in general in order to end gendered colonial violence. The calls for justice are legal imperatives that arise from both international and domestic human rights and Indigenous rights including: the Charter, the Constitution, and the Honour of the Crown. That is, Canada has a “legal obligation to fully implement these calls for justice and to ensure Indigenous women, girls, and 2SLGBTQQIA people live in dignity” (Final Report, 1b, 2019, p.168). The calls for justice, specifically the subsection on “justice” outlines changes that need to be made within the legal system in order to eliminate the colonial violence inflicted upon Indigenous women. These changes include reviewing and reforming laws about sexualized violence and partner violence through utilizing perspectives of feminist and Indigenous women, amending the *Criminal Code*, and transforming Indigenous policing to exercise self-governance and self-determination through a new legislative and funding framework developed by the federal, provincial, and territorial governments in partnership with Indigenous peoples (Final Report, 1b, 2019, p.183). Monture (1998) has examined not only the limits of Canada’s institutions in addressing Indigenous peoples’ issues and concerns such as status, citizenship, sovereignty but she has problematized how the law has functioned to affirm Indigenous dispossession. Monture (1998) states:

Canadian courts owe their origin to British notions of when a nation is sovereign. It is from Canadian sovereignty that Canadian courts owe their existence. Courts, therefore, cannot question the very source of their existence without fully jeopardizing their own being. Courts cannot be forced to look at issues about legitimacy (or, more appropriately, the lack thereof) of Canadian sovereignty as against the claims of Aboriginal sovereignties. The result is that Aboriginal claimants (women, men, and nations) can never hope to litigate the issue that is at the very heart of our claims (pp.28-29)

Monture’s (1998) points show how the Canadian legal system must relinquish the very colonial power that allowed the court system to originate. As examined both within the Final Report (2019) and by Monture (1998), Canadian courts require foundational dismantling in order to disrupt colonial power and break the pattern of maintaining and reproducing settler colonialism and Canadian sovereignty over Indigenous women.

Another major call for justice that requires the government to implement, aside from creating new laws and providing adequate funding to support Indigenous women, girls, and 2SLGBTQQIA people, is for Canada and Canadians to recognize “Indigenous languages as official languages, with the same status, recognition, and protection provided to French and English” (Final Report, 1b, 2019, p.179). This is important because establishing English and French as national languages resulted in a dominance of the colonized way of living and thus the creation of categories: English-speaking Canadians, French Canadians, and “Others”. In this dominant framework, Indigenous people continue to be understood as “others” to be managed (Henry & Tator, 1999, p.92). According to this colonial logic, the management of Indigenous people as “others” does not disrupt the myth of the two founding cultures or “races” (Haque, 2010, p.81). To disrupt this common-sense knowledge framework, the calls for justice insist that the education system be used to educate people about Indigenous languages, rights, and security along with the “interrelationship among individual, institutional, and structural racism, and how these racisms have operated and continue to operate in Canada to influence and shape individuals’ participation and achievements in the society” (James, 2008, pp.98-99). Therefore, by establishing Indigenous languages as an official language of Canada, Indigenous people will be able to preserve their culture and heritage and by extent have Indigenous languages be taught within the education systems, thus slowly bringing change to the reproduction of westernized pedagogy and history.

Moreover, the Canadian government must develop, in partnership with Indigenous peoples, a National Action Plan that ensures equitable access to basic rights such as housing, education, safety, and health care is recognized as a fundamental means of protecting Indigenous and human rights (Final Report, 1b, 2019, p.176). The government must take “urgent and special measures to ensure that Indigenous women, girls, and 2SLGBTQQIA people are represented in governance and that their political rights are respected and upheld” (Final Report, 1b, 2019, p.177). The National Action Plan is intended to address the 231 calls for justice mentioned within the Final Report (2019) in order to end the daily colonial violence and genocide Indigenous women face. However, there have been significant delays by the Canadian government in releasing the National Action Plan, which will be further discussed in section 3 of this MRP.

In its calls for justice, the Final Report (2019) examines the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). UNDRIP is an international resolution adopted by the United Nations on September 13, 2007 that outlines individual and collective rights of Indigenous people (Final Report, 1a, 2019, p.193). While 144 states voted in favour of UNDRIP, there were four who voted against but have since all ratified it: Australia, Canada, New Zealand and the United States (United Nations). The TRC (2015) used UNDRIP as a framework for its 94 Calls to Action (Final Report, 1b, 2019, p.61). However, an analysis conducted by *APTN News* revealed the dreadful progress that has “been made on the 94 Calls to Action issued by the Truth and Reconciliation Commission (TRC) of Canada in December 2015 [...and]at this rate, ‘it will be 2057 by the time all the calls are completed’” (Martens, 2019). This demonstrates that Canada has largely trivialized the significance of UNDRIP along with the TRC’s (2015) Calls to Action and has been unwilling to consider Indigenous people, including women and girls, as inherent right holders independent of any statute or legislation. The colonial mindset by which Indigenous “leaders ask for permission and the state gives permission has to end. Further, the exclusion of Indigenous women, girls, 2SLGBTQQIA people, Elders, and children from the exercise of Indigenous self-determination must end” (Final Report, 1b, 2019, p.171). Therefore, it is reasonable to question that since Canada has demonstrated little movement on respecting UNDRIP and the TRC’s (2015) Calls to Actions, would the Canadian government respect by the Final Report’s (2019) 231 calls to justice? Even though Indigenous women should not need to seek permission to enjoy these rights outlined within the various articles in UNDRIP, Canadian colonial society is accustomed to perpetuating a society in which this remains the case. Thus, until the Canadian government fully commits to substantial transformation of its colonial institutions and laws, it is unlikely that Indigenous women, girls, and 2SLGBTQQIA people will be able to live safely and autonomously without the threat of experiencing everyday gendered colonial violence and genocide.

### **Calls for Justice for All Canadians**

All Canadians must commit to ending centuries-long gendered colonial violence. This includes, but is not limited to, major changes to Correctional Service Canada, child welfare system, representation of Indigenous women in media, government funded news corporations and outlets, health and wellness service providers, as well as elementary, secondary, and post-secondary institutions and education authorities needing to inform students about the systemic and root causes of the colonial gendered violence (Final Report, 1b, 2019, pp.187-197). What is required is genuine decolonization, which includes dismantling colonized ideologies and social processes wherein Indigenous peoples have been racialized and criminalized as “others” (Jiwani, 2002). Educating Canadians to understand the root causes of gendered colonial violence is integral to unlearning problematic dominant Canadian history and eliminate gendered colonial violence that has been normalized in Canadian society. Overall, non-Indigenous Canadians must denounce and speak out against routine violence experienced by Indigenous women, girls, and 2SLGBTQQIA people on an ongoing basis. Indigenous sovereignty must be respected.

Additionally, Canadians must implement changes that confront and speak out against white supremacy and heteropatriarchy in various public and private spheres, including questioning what Jiwani (2002) calls ‘common-sense’ racism. According to Jiwani (2002), the “everyday, ‘common-sense’ racism that permeates comments [...] are based on the view that ‘they’ meaning these ‘others,’ need to be taught a lesson, and that ‘they’ need to conform to ‘Canadian’ norms” (Jiwani, 2002, p.69). Therefore, the calls for justice for Canadians are key to dismantle non-Indigenous settler norms and laws. Non-Indigenous people must scrutinize the everyday common-sense racism that exists within Canadian society and speak out against everyday racism that targets Indigenous women, girls, and 2SLGBTQQIA people. Non-Indigenous Canadians must take seriously the testimonies of Indigenous women, girls, and 2SLGBTQQIA people and understand their privilege in benefitting from a system that has continuously oppresses Indigenous people. The Final Report (2019) also calls upon Canadians to become true allies to Indigenous people, including women and girls. According to the Final Report (2019), being a “strong ally involves more than just tolerance; it means actively working to break down barriers and to support others in every relationship and encounter in which you participate” (Final Report, 1b, 2019, p.199). This is important to understand that being an ally does not simply mean tolerating or even claiming one supports the cause or community; instead, an ally needs to work towards eliminating the barriers Indigenous women, girls, and 2SLGBTQQIA people consistently face. Canadians must demonstrate allyship through understanding the part they play in maintaining gendered colonial violence and colonial ways of living as well as their role in promoting settler beliefs and values. This is integral to decolonization of colonial knowledge and structures and towards building a future society which values the lives of Indigenous women, girls, and 2SLGBTQQIA people.

### SECTION 3: MAINSTREAM AND INDIGENOUS RECEPTIONS OF THE MMIWG REPORT

#### Mainstream and Indigenous Receptions of the MMIWG Report

The MMIWG Report (2019) directly calls out Canada for committing genocide against Indigenous women. Due to the national and international ramifications of admitting to genocide, non-Indigenous receptions of the Final Report (2019) have resulted in hesitation and refusal, especially by the Canadian government, in accepting the report's (2019) conclusion of present-day genocide. Although, using the term 'genocide' to name gendered colonial violence Indigenous women, girls, and 2SLGBTQQIA people routinely experience provided a sense of satisfaction to Indigenous people. This can be seen in statements given by many Indigenous people such as Stephanie Harpe, Chief Judy Wilson, Michele Audette, and Marion Buller. For instance, Buller stated her approval of the Final Report's (2019) use of genocide as it is the "only proper word to describe what happened to [Indigenous women]" (Forester & McDougall, *APTNNews*, 2020). Additionally, Audette expressed her agreement and eagerness regarding the calls for justice presented within the Final Report (2019) stating: "We have solutions in the report. We want it now" (Tasker, *CBC*, 2019). The Indigenous community has been battling against colonization to have their voices heard regarding the oppression and violence they experienced; with the Final Report (2019), their voices were documented and contributed to the conclusion that gendered colonial violence and genocide currently existing within Canada.

On the other hand, there have been many remarks made and reported by media outlets, particularly regarding the final report's (2019) findings of the colonial violence being genocide. Forester and McDougall (2020), from *APTNNews*, reported how former commissioner Michele Audette expected backlash from "every media, every person that wasn't sure or not in support of the Indigenous movement, reality, or worldview" (Forester & McDougall, *APTNNews*, 2020). However, the inquiry's commissioners felt it necessary to hold Canada accountable for its violent colonial actions without fear of the backlash the MMIWG report (2019) may receive. The use of the word "genocide" caused alarm and uneasiness with many non-Indigenous Canadians and news media. For instance, *CBC*'s Michael Enright expressed his personal views on the Final Report's (2019) conclusion of genocide claiming "it has become a distraction. We might not be able to cite three recommendations of the report, but we have come to recognize that what happened to these women was supposedly genocide" (Enright, *CBC*, 2019). Looking at this journalist's personal bias, which is embedded throughout his piece, it is evident that Enright's (2019) article does not support the report's (2019) findings through claiming it is "supposedly" genocide when in fact scholars such as Palmater and Monture, the TRC (2015), and Final Report (2019) have all supported the conclusion of the violence being genocide.

Moreover, discomfort and denial in accepting present-day gendered colonial violence against Indigenous women was clearly seen during Prime Minister Justin Trudeau's speech upon receiving the Final Report (2019) through his refusal of using the word 'genocide'. Instead, in his short speech to "survivors, family members of missing and murdered Indigenous women, girls and 2SLGBTQQIA peoples, and Indigenous leaders, Trudeau only went as far as to call the report's findings 'challenging and uncomfortable'" (Brake, *APTNNews*, 2019). These "challenging and uncomfortable" findings are the truths and lived experiences of numerous Indigenous survivors, relatives, and members of the community directly affected by the colonial systemic violence that continues to steal the lives and autonomy of Indigenous people. Therefore, to begin decolonizing, all members of Canada, especially the government, must be willing to genuinely accept the harsh truths the Final Report (2019) has revealed and endeavour towards Indigenous sovereignty.

#### Dominant Political Receptions

Crown-Indigenous Relations Minister Carolyn Bennett claimed in 2021 the "federal government accepted the findings of the inquiry's final report" (Stefanovich, *CBC*, 2021). However, the issue remains of requiring sincere non-Indigenous acceptance regarding present colonial violence experienced by Indigenous people as genocide. While Prime Minister Justin Trudeau initially "refused to use the word, he soon accepted 'the finding that this was genocide'" (Forester & McDougall, *APTNNews*, 2020). However, through using past tense, Trudeau situated the genocide as being a notion of the past rather than present. Two years later in 2021 when Ottawa released the National Action Plan, Trudeau and his government still refused to accept the genocide as a present-day crisis (Wright, *TorontoStar*, 2021). This refusal demonstrates how the state maintains colonial dominance over the narratives surrounding violence against Indigenous women by claiming to accept the Final Report's (2019) conclusion, yet going against it by continuing to refer to Indigenous genocide as a past issue rather than ongoing.

Moreover, using the term "national tragedy" instead of "genocide" in the federal budget to describe MMIWG is the Canadian government's attempt to avoid accountability for its actions along with the legal, social, and political reality and repercussions of admitting to genocide.

Palmater(2019) stated how Canada needs to accept and utilize the term ‘genocide’ in order to “stand as a leader, because if it can’t, then what strength does it have to call on other countries to end their genocides, or their gross violations of human rights?” (Brake, *APTNNews*, 2019). To justify the use of national tragedy rather than genocide within the budget report, Minister Bennett claimed the government had been asked by the “families and survivors for decades to put in place the concrete actions where they would seek justice, receive healing [and] support as well as concrete actions to stop this national tragedy. That was their words” (Stefanovich, *CBC*, 2021). This is a strategic dominant maneuver by the Canadian government to shift the blame for using ‘national tragedy’ instead of ‘genocide’ onto the Indigenous families and survivors claiming it to be their words being used. This is problematic as refusing to accept present-day genocide is ultimately refusing to genuinely accept the Final Report’s (2019) finding, thereby refusal to accept full accountability for the ongoing systemic violence inflicted upon Indigenous women. Instead, this refusal allows for the horrific gendered colonial violence to continue jeopardizing the lives of Indigenous women, girls, and 2SLGBTQQA people.

After the Liberal government accepted the MMIWG Report in 2019, Trudeau made a promise to Indigenous families and survivors to do better: "you have my word that my government will turn the inquiry's calls for justice into real, meaningful, Indigenous-led action ... we must continue to decolonize our existing structures" (Tasker, *CBC*, 2019). The Prime Minister’s use of “continue” suggested that Canada has been in the process of reconciliation and decolonization when countless scholars including Palmater, Razack, and Monture have all concluded that to be false. In order to truly begin to decolonize Canadian institutions, the first step must be for the same colonial institutions to accept, instead of avoiding, their role in committing ongoing genocide against Indigenous women, girls, and 2SLGBTQQA people.

### **Mainstream and Indigenous News Media Stories**

In order to conduct a thorough analysis of Canadian news media stories, a total of approximately 50 news media stories were examined to gain a more holistic perspective and understanding on the various perspectives and implications embedded within the news stories. This section reveals how the national inquiry (2016) and MMIWG Final Report (2019) have been received and portrayed by both dominant and Indigenous communities. News media stories are opportunities for important matters to be exposed to the world and therefore should be presented in a manner that disrupts colonial narratives.

#### Mainstream

Overall, the majority of mainstream media analyzed for this project presented a biased, colonial perspective regarding the reactions and responses to the MMIWG Report (2019). Rather than focusing on the various Indigenous women, scholars, and institutions involved, the significance of the findings and calls to justice, the root causes of the gendered violence, and the government’s response, there was largely a heavy focus on the Final Report’s (2019) use of “genocide”. Whether or not Canada has and is presently committing genocide became the focus in the mainstream news media. Only a limited number of articles examined focused on what Indigenous women wanted from the report (2019), the significance to Indigenous people on naming the violence as genocide, and conflicts between the government and associations representing Indigenous people. This ultimately demonstrates how mainstream media continues to be a major contributor in reproducing colonial gendered narratives and non-Indigenous values by circulating articles that continue blaming Indigenous people for the violence they experience.

#### *CBC*

The Canadian Broadcasting Corporation (*CBC*) largely presented biased articles fully complicit with reproducing colonial narratives. For instance, *CBC* focused on the financial gain and loss Canada would endure in order to address the root causes of violence towards Indigenous women. Deer (*CBC*, 2021), Tasker (*CBC*, 2021), and Stefanovich (*CBC*, 2021) reported the Liberal government’s promise within its federal budget to spend \$2.2 billion over five years and \$160.9 million each year after to address the root causes of violence against Indigenous women. While focusing on the government’s funding plans to address the causes of violence is important, having little to no mention of what those root causes are or the outcome of the Final Report (2019) diverts the true importance of its conclusions regarding Canada being guilty of ongoing genocide. Additionally, with the Canadian government promising \$2.2 billion before releasing the National Action Plan, news reports raised suspicion and uncertainty with how the government assigned a dollar amount to the various initiatives. These feelings were further solidified when even after the release of the National Action Plan, there was no mention of how the \$2.2 billion would be allocated, distributed, and which services would receive funding and be held responsible for which calls for justice (Stefanovich, *CBC*, 2021). Overall, these news article failed to mention the root causes of violence against Indigenous women, what specifically the government will do to address the calls for justice, and how the government will include Indigenous voices in the process of addressing the calls for justice.

The focus on the economic costs rather than Indigenous voices and root causes of violence obfuscates the importance behind what the MMIWG Report (2019) represents and reveals about Canada's role in continuing colonial violence.

As Enright's 2019 article claimed, while non-Indigenous culture has created stereotypes of Indigenous people, especially its women, it does not amount to genocide. Heavily projecting his perspective, the reporter agreed the treatment of Indigenous women "is awful. But is it genocide?" (Enright, *CBC*, 2019). According to this reporter, the only way the Final Report's (2019) conclusion of Canada committing genocide can be true is to "believe that a Canadian government or governments sat down, planned and plotted the methodical slaughter and mass kidnapping of Indigenous women" (Enright, *CBC*, 2019). This opinion demonstrates the failure to understand the Final Report's (2019) definition of violence as horrendous acts do not need to be verbally planned and plotted in order for it to qualify as violence or genocide. In publishing articles, such as Enright's, that significantly refute the Final Report's (2019) conclusion, *CBC* is complicit in perpetuating the colonial narratives that further normalizes violence against Indigenous women. In defending the violent actions of the Canadian government towards Indigenous women by claiming it to be anything but genocide, *CBC* is creating a narrow understanding of the term as being physical mass killings that are strategically planned and plotted. This limited definition reflects settler refusal to accept both the United Nation's and Final Report's (2019) definition of genocide and Canada's complicit role in it.

Through the systemic racism embedded within Canada that discriminates against and disadvantages Indigenous women, it is an "inescapable conclusion[as mentioned by Marion Buller] that genocide was committed against Canada's Indigenous peoples" (Barrera, *CBC*, 2019). *CBC* attempted to provide dominant and Indigenous responses to the inquiry, however, there was an emphasis presented on voices that spoke against the MMIWG Report (2019). For instance, Barrera's article briefly quotes Marion Buller and genocide scholar Andrew Woolford, a sociology professor at the University of Manitoba, who both agree with the Final Report (2019) that Canada has aimed to destroy and colonize Indigenous people. However, Barrera's article focused more heavily on the rebuttals made by various other scholars, particularly by Tamara Starblanket. Starblanket claimed the Final Report (2019) went too far in claiming Canada has committed "Canadian genocide" due to the fact that Canadian genocide does not exist as genocide itself is a crime in international law: "The inquiry is a domestic inquiry and it has no mandate to deal with international legal questions. Their mandate is limited to Canadian law, which is the Criminal Code and Canada reframed genocide in its criminal code to avoid getting caught up in international law" (Barrera, *CBC*, 2019). Further supporting this position, Barrera defined genocide as being limited to physical destruction claiming "under the Criminal Code, genocide includes only 'killing members of the group or deliberately inflicting on the group conditions of life calculated to bring about its physical destruction'" (Barrera, *CBC*, 2019). Therefore, with this definition of 'genocide', the article supports Starblanket's argument that since the Final Report (2019) did not make a recommendation to amend the *Criminal Code*, the Final Report (2019) overstepped its mandate with its genocide conclusion. By not questioning this logic and by providing ample space for comments against the Final Report (2019), the article presents these colonial perspectives to hold more weight than Buller or Woolford. This further upholds colonial dominance and narratives as it persuades readers to agree that the Final Report (2019) is flawed and illogical in accusing Canada of committing genocide.

#### *The Globe and Mail*

*The Globe and Mail* published an article in 2019 titled "Is Canada committing genocide? That doesn't add up" which strictly focused on denying the Final Report's (2019) conclusion of Canada committing genocide. The news media article stated how Marion Buller, chief commissioner of the inquiry (2019), and her commission are "accusing Canada of being in the act of committing one of the most reviled crimes in history. That has inevitably turned the release of their report into a legal and linguistic debate that will do nothing to improve the lives of Indigenous women and girls" (The Globe and Mail, 2019). The article's editor further rejects the Final Report's (2019) conclusion by questioning if the Final Report (2019) is "saying that the deaths of the 38 Indigenous women who, according to Statistics Canada, died by homicide in 2017 should be investigated under Canada's Crimes Against Humanity and War Crimes Act, the law governing genocide?" (The Globe and Mail, 2019). The editor also commented that if it "seems ridiculous, it's because the charge of a continuing genocide in Canada is absurd. It simply does not bear scrutiny in 2019" (The Globe and Mail, 2019). These colonial reactions and responses in *The Globe and Mail* reflect the endless denial settlers continue to believe despite the MMIWG Report (2019) conducting a national inquiry (2016), speaking to countless Indigenous families and survivors, partnering with all provinces and territories, and using statistics and evidence to conclude Canada's violence amounts to genocide. To further persuade readers in denying the Final Report's (2019) findings and defend Trudeau's refusal to use the word 'genocide', Galloway & Stueck reported the "government's acknowledgement of a genocide is unimportant.

“We don’t need to hear the word ‘genocide’ come out of the Prime Minister’s mouth” (Galloway & Stueck, *The Globe and Mail*, 2019). The Canadian media portrayed negative responses to the Final Report (2019) in its articles while ignoring Indigenous reactions and responses to the report (2019) exhibits a lack of neutrality in its reporting. *The Globe and Mail’s* articles, full of satire regarding the findings of the Final Report (2019), ultimately continues the never-ending cycle of colonial violence through the constant circulation of articles promoting colonial superiority and sovereignty.

Moreover, articles within *The Globe and Mail* also claimed that Canada had done its role in taking responsibility and accountability for the dreadful way in which Canada treated Indigenous peoples. Specifically, news media such as Tasker’s (2019) article in *CBC*, *The Globe and Mail’s* editorial piece along with Galloway & Stueck’s article, claim that Canada took accountability for violence against Indigenous people. According to these articles, Canada took responsibility when the Harper government apologized for Canada’s role in the “residential school system that stole children from their parents and which is the direct cause of much of the trauma suffered by Indigenous people today” (*The Globe and Mail*, 2019). These articles draw upon and endorse the conclusion that Canada is absolved from any current issues faced by Indigenous people since the government has apologized for residential schools and therefore Canada has atoned for its detrimental colonial actions. This demonstrates an extremely colonial response towards the MMIWG Report (2019) by having the news media claim there is no need for Canada to accept accountability for crimes against Indigenous women today. Canadian news media continue to promote violence against Indigenous people by claiming the report’s (2019) conclusion of genocide to be nothing more than an accusation, ridiculous, and absurd (*The Globe and Mail*, 2019). Violence against Indigenous women is not a moment in history that has passed; it is ongoing and continues to be genocide – something which the Canadian government and mainstream news media must accept rather than dismiss.

#### *The Toronto Star*

*The Toronto Star* for the most part presented facts from the diverse parties involved. The vast majority of *The Toronto Star* articles more fairly reported information from the MMIWG Report (2019). This includes reporting on the various testimonies from the Final Report (2019) to conclude that “Canada — by way of residential schools, the Sixties Scoop and the *Indian Act*, among other colonial structures — committed a deliberate, race-based genocide against Indigenous people that left Indigenous women and girls particularly vulnerable to violence” (Kennedy, *Toronto Star*, 2021). Additionally, Kennedy’s article did not criticize or negatively portray the Native Women’s Association of Canada (NWAC) for no longer working with the Canadian government. Instead, *The Toronto Star’s* article reported the NWAC “created its own action plan to address the ‘Calls for Justice’ outlined in the MMIWG inquiry’s final report, which was released June 3, 2019” (Kennedy, *Toronto Star*, 2021). Doing its due diligence, this article also reported the Canadian government’s perspective on this. The article reported Ani Dergalstian, Bennett’s spokesperson, admitted there had been “‘some difficult and challenging situations’ in developing the action plan due in part to the government’s ‘inclusive approach,’ which involved more than 100 partners” (Kennedy, *Toronto Star*, 2021). This article offers a more realistic approach to reporting the reactions and responses to addressing the Final Report’s (2019) calls for justice as perspectives from both parties involved were included within the article without devaluing those perceptions.

Moreover, Cora McGuire-Cyrette, the executive director of the Ontario Native Women’s Association (ONWA), wrote a piece for *The Toronto Star* providing an overview of what Indigenous women were hoping to achieve through the national inquiry (2016) and final report (2019). McGuire-Cyrette’s article outlined four fundamental actions ONWA and Indigenous women wanted from the government’s national action plan, which aligned with the report’s (2019) calls for justice (McGuire-Cyrette, *Toronto Star*, 2021). The article also reported how Indigenous women reacted and were pleased the report led to an “inclusive process where Indigenous partners, communities and Indigenous women have a voice concerning not only the issues we face but also for collaborative policy development” (McGuire-Cyrette, *Toronto Star*, 2021). Having a piece written by a member of ONWA included within *The Toronto Star* demonstrates an attempt by the news media source to publish articles that are reliable and representative of those directly involved in the issue; in this case, ONWA representing Indigenous women. The article and author are attempting to disrupt colonial viewpoints by focusing and writing on what Indigenous women reported is necessary to disrupt the gendered colonial violence.

One particular *Toronto Star* article stood out amongst the 50 articles examined. This specific article presented an extremely biased colonial attitude towards the MMIWG report (2019). *The Toronto Star’s* Editorial Board’s article, “We need a new word: ‘genocide’ isn’t it”, argued Canada’s treatment of Indigenous people does not compare to actual genocides such as the Holocaust, the slaughter in Rwanda, and the massacres of Muslims in Bosnia (*Star Editorial Board*, *Toronto Star*, 2019).

The article repeatedly cautioned Canada to consider the “legal, financial and political consequences under international law [of accepting genocide...] Is that a club we want to join?” (Star Editorial Board, *TorontoStar*, 2019). Rather than support the Final Report’s (2019) conclusion of Canada committing genocide against Indigenous people, especially women, this editorial warned Canadians to reject present-day Canadian conduct towards Indigenous women as genocide. This further endorses colonial narratives through upholding Canada’s reputation as a peacekeeping, multicultural nation that can do no harm. Articles and editorials such as this need to understand that the TRC (2015), a full national inquiry, and countless scholars such as Pamela Palmater, Sherene Razack, Patricia Monture, and Leanne Simpson all made similar conclusions to the Final Report (2019). Therefore, rather than write a complete editorial response to the Final Report (2019) on warning the Canadian government and Canadians to not accept genocide, news media can utilize their powerful platforms to break the cycle of violence against Indigenous women. With articles such as *The Toronto Star’s* Editorial Board that completely ignore Indigenous voices, Indigenous people continue to remain targets of oppression and violence through institutions such as the media.

### Indigenous

Alongside mainstream news media, Indigenous news media were also examined. The overall general observation from the Indigenous news media analyzed was that for the most part the articles attempted to present various Indigenous and non-Indigenous perspectives. However, they remained more focused on ensuring Indigenous voices were being reported while simultaneously being critical of the dominant responses to the Final Report (2019).

#### *APTN News*

The first Indigenous news media source examined was *APTN News*, which covers news regarding Indigenous people. In an article by Pashagumskum, it was reported that upon the release of the Final Report (2019), the NWAC agreed with the calls for justice claiming it necessary to immediately begin the process of ending violence against Indigenous women (Pashagumskum, *APTN News*, 2021). However, when it came time to create the National Action Plan, the NWAC lost confidence in the “federal government’s process to address violence against Indigenous women because officials have put politics and not families first [...they] were clearly an afterthought and perhaps even an unwelcome intruder in the government’s process” (Pashagumskum, *APTN News*, 2021). Therefore, while the NWAC was in agreement with the calls for justice, the delay and process in implementing them resulted in the NWAC to create their own plan of action. Moreover, speaking to a press conference on Parliament Hill, *APTN News* reported how Palmater expressed her agreement with the Final Report (2019) stating “there was genocide committed against Indigenous women and girls, and the reasons for that was Canada’s laws, policies and practices were both racist and sexist, which create this framework of violence” (Brake, *APTN News*, 2019). The news article focused on Palmater’s response after the Final Report (2019) in ensuring the Canadian government is held accountable “for continued violence against Indigenous women and girls, created by Canada’s laws and policies” (Brake, *APTN News*, 2019). While *APTN News* reported on Palmater’s response, it also reported Trudeau’s response upon receiving the Final Report (2019) where he claimed his government “will turn the inquiry’s Calls for Justice into real, meaningful, Indigenous-led action” (Brake, *APTN News*, 2019). However, the news media also noted that similar promises were made in his election campaign when the TRC (2015) was released and few calls for actions have been achieved (Brake, *APTN News*, 2019). This demonstrates *APTN News’s* commitment to publishing articles with statements from all sides that include Indigenous and non-Indigenous leaders. This allows *APTN News* to be a reliable source because by reporting both Indigenous and non-Indigenous responses, *APTN News* provides its readers with an opportunity to draw their own conclusions.

Furthermore, *APTN News* reported how federal justice department lawyer Christine Ashcroft stated Indigenous women and girls do not face a specific threat, are not “unique victims of crime and don’t qualify for [...] compensation from Canada” (Martens, *APTN News*, 2020). This comment, made one year after the Final Report (2019) released, further demonstrates the unwillingness of settler leaders to accept the harsh reality of Indigenous women being more susceptible to systemic violence. Comments such as these along with the delay in responding to the 231 calls for justice left Indigenous people hurt and angry. For instance, rather than be hopeful about the release of the national action plan and the change it would bring, Indigenous people were left with yet another additional year of inaction by the government (Martens, *APTN News*, 2020). *APTN News* viewed this delay as another year of Indigenous women still dying, disappearing, being murdered, and “families are still being left in the dark about the loss of their loved ones” (Pashagumskum, *APTN News*, 2020). The government’s lack of timely response to the Final Report (2019) hurt Indigenous survivors and families leaving them to wonder “was my story not important or the recommendations I shared not important?” (Martens, *APTN News*, 2020).

This statement reveals the continued disappointment Indigenous people feel towards the Canadian government's constant delays, which further exemplifies the government's willingness to be complicit in maintaining this violence. Furthermore, *APTN News* reported Palmater's reaction regarding the Final Report (2019) holding the Canadian government accountable. Palmater stated how Canada needs to take accountability by saying: "We did this. Canada, we engaged in long-term acts of genocide through our laws, policies and practices. We created this crisis, we accept full responsibility for it" (Brake, *APTN News*, 2019). This acknowledgement, according to Palmater, would be a steppingstone to have the Canadian government accept the report's conclusions and begin decolonizing its institutions. Overall, *APTN News* published articles that demonstrated how Indigenous people felt towards the Final Report (2019) and delayed response by the government while also including statements from non-Indigenous people, such as Trudeau in order to provide readers with a more balanced viewpoint.

### *Windspeaker*

*Windspeaker*, a Canadian national Indigenous news source, provided a relatively objective perspective but also focused more on the Indigenous voices and reactions. While the mainstream media focused on the report's (2019) use of 'genocide' claiming it to be extreme, *Windspeaker's* articles demonstrated satisfaction amongst the Indigenous community to finally name the violence they have been experiencing. Stephanie Harpe stated that she was glad to finally have Canada's actions labeled as genocide, but questioned how for years "there was the cry of genocide, but where was our uprising? Where was our march? Where was our gathering? Where was the urgency? Everyone played with that name. Everyone ignored that word. And that is the truth. So that was a major let down" (Narine, *Windspeaker*, 2021). Having Harper in his 2008 apology publicly situate the violence and genocide experienced by the Indigenous community as historical left Canadians to believe the violence is an issue of the past. This further reproduces the colonial story and allows for institutions and society to continue ignoring the violence and use of genocide, as mentioned by Harpe. *Windspeaker* also explored the good that came out from conducting the national inquiry (2016). For instance, Narine's 2021 article mentioned that the years spent conducting the inquiry (2016) resulted in a Final Report (2019) being developed that heard the voices of Indigenous women, survivors, and families. Narine also reported on McGuire-Cyrette's response to the national inquiry (2016):

We were able to do engagements with communities, with Indigenous women, with everyone affected by the issue and that took some time. Then we were able to analyze what were those key factors that needed to be in their plan. As the Indigenous Women's Advisory Council we were able to provide those recommendations and the government listened to the recommendations (Narine, *Windspeaker*, 2021)

This illustrates how *Windspeaker* included quotes from important members who participated in the inquiry (2016) that recognized the Canadian government's attempt to keep Indigenous voices as the focus of the inquiry (2016). *Windspeaker* reported how the delay of the National Action Plan resulted in Indigenous people being concerned that despite the government's promise to release a plan, the Final Report would become shelved, left to collect dust (Windspeaker & Fiddler, 2020). The news media also reported insights from Marilyn Buffalo, former president of the NWAC, who called for a reboot of the MMIWG inquiry (2016) due to the significant turnover in key positions (Smith, *Windspeaker*, 2017). This is an important response to the inquiry (2016) as rather than present statements that demonstrate full support for the MMIWG inquiry (2016), *Windspeaker* reported opinions of those who were part of Indigenous-focused organizations, yet did not support the process of the inquiry.

Overall, the Indigenous news media was vastly different than the mainstream news media in presenting reactions and responses. After analyzing Canadian mainstream and Indigenous news media, it is clear that the reactions and responses in mainstream news media focused primarily on non-Indigenous voices while Indigenous news media focused more on Indigenous voices, while also including non-Indigenous testimonies. The dominant responses to the Final Report (2019) were generally upset by the conclusion of Canada committing genocide and attempted to caution the Canadian government and Canadians not to accept it. According to the articles in Canadian mainstream news media, the violence against Indigenous women is situated in the past such as the residential schools, for which the Canadian government has apologized for and therefore is not responsible for any ongoing violence against Indigenous communities, despite the Final Report (2019) concluding otherwise. The Indigenous news media provided a general consensus that illustrated the majority of Indigenous people considered naming the violence against them as genocide a big step towards redressing the crimes against them. However, while Indigenous communities were eager for Canada to finally be held accountable for present-day gendered colonial violence, they were rightfully upset with the constant delays regarding the National Action Plan.



This delay resulted in two years of continued gendered violence against Indigenous women, two years of Indigenous women remaining targets of systemic violence, and two years of the Canadian government doing nothing of substance.

### **Delayed National Action Plan:**

After the release of the MMIWG Final Report in 2019, the Canadian government made a promise to review the 231 calls for justice and release an action plan. The National Action Plan was scheduled to be released by June 2020, marking the one-year anniversary of the MMIWG Report (2019) however, it was released two years late on June 3<sup>rd</sup>, 2021. The Liberal government cited delays to the National Action Plan due to the Covid-19 global pandemic (Kirkup, *Globe and Mail*, 2021). As a response to this reasoning, the NWAC and other “advocates for the families of murdered and missing Indigenous women and girls say the pandemic is worsening violence against Indigenous women and say communities cannot wait any longer” (APTN News, 2020). Furthermore, blaming the pandemic was not a good enough reason for Marion Buller, who would have liked the “government to put the same amount of energy into dealing with violence against [Indigenous] women and girls as it is expending in response to COVID-19” (Troian, *Globe and Mail*, 2020). Palmater, upset with the delayed plan, questioned whether “any level of government been able to reduce the number of murdered or missing?... Has anyone been able to reduce the numbers of human trafficking, homelessness, those who suffer from violence? And the very clear answer is ‘no’” (Narine, *Windspeaker*, 2021). During the Covid-19 pandemic the Canadian government allocated funds and used every resource possible to eliminate or control the virus. This focus of resources suggests that if the Canadian government sincerely wanted to decolonize and end the colonial violence, it could.

Upon releasing the National Action Plan, Prime Minister Justin Trudeau stated the action plan is the first step and will “evolve with more detailed measures over time, with the aim of stopping violence against Indigenous women, girls, and LGBTQ and two spirited people” (Wright, *Toronto Star*, 2021). If after two years the National Action Plan, which is vague and does not provide specifics on funding allocation or timelines, is the first step then how much longer must Indigenous women wait before the federal government releases something meaningful and actionable? Many Indigenous people felt the National Action Plan did not adequately address the calls for justice with the “bulk of the plan being a re-statement of the national inquiry’s findings” (Narine, *Windspeaker*, 2021). Indigenous leaders, such as Chief Judge Wilson, secretary-treasurer of the Union of British Columbia Chiefs, said: “This so-called action plan [as] another slap in the face” (Larsen, *CBC*, 2021). Stephanie Harpe also voiced her thoughts on the delay and national action plan: “it lets us down all over again. It makes us feel continuously failed. It makes us feel we’re not important and that non-action speaks louder than anything to all of us” (Narine, *Windspeaker*, 2021). This lack of timely response shows how members of the community that the action plan is supposedly meant to protect find it ineffective, even after taking an extra year to release the plan. Therefore, despite a national inquiry (2016), which concluded that Canada has committed genocide against Indigenous people, the Canadian government still chose to de-prioritize the National Action Plan. Thus, every day that meaningful decolonizing change is delayed is another day the Canadian government allowed for targeted systemic violence and racism against Indigenous women. However, the National Action Plan did address some of the calls for justice. For instance, following a “recommendation from the national inquiry, the federal government announced in April that Highway 16 will have cellular coverage along the entire route” (Renwick, *Toronto Star*, 2021). The federal government is also “pledging to invest in research and data collection, including establishing national standards for missing persons reports and improving disaggregated data to address the overrepresentation of Indigenous people in the criminal justice system” (Wright, *Toronto Star*, 2021). Examining the initiatives proposed by the Canadian government, it can be observed that they are “general in nature and none have any dollar figures or allocations attached except an overall commitment of \$2.2 billion over five years, citing the need to co-develop these actions with Indigenous communities” (Wright, *Toronto Star*, 2021). Overall, the National Action Plan may have been released two years after the MMIWG Report (2019), however it remains vague and generalized providing no substantial immediate calls to action that would hold the Canadian government accountable for its actions. Canada and its citizens must take “full accountability for their role in the ongoing genocide of our women and children and two-spirited people, and give the crisis that is MMIWG the urgent attention it deserves” (Larsen, *CBC*, 2021). The Canadian government has failed Indigenous people by not coming up with a National Action Plan that meets or satisfies the concerns of Indigenous people.

### **CONCLUSION**

In conclusion, an analysis of the MMIWG Report (2019) and news media coverage of the Final Report (2019) reveals that gendered colonial violence continues to exist within Canada through various structures. These include but are not limited to:

The Canadian government, legal and criminal justice system, policing, health care system, education system, policies, news media, and child welfare. Expanding upon the United Nation's definition of violence and genocide as a framework, the MMIWG Report (2019) concluded that the ongoing systemic violence against Indigenous women, girls, and 2SLGBTQQIA people amounts to genocide. To address these causes of violence and hold the Canadian government accountable for this violence, the Final Report (2019) came up with 231 calls for justice, which are legal imperatives, that the Canadian government and various institutions must abide by and implement within their practices. Analyzing Canadian mainstream and Indigenous news media revealed denial and rejection by non-Indigenous people on the Final Report (2019) naming the colonial violence as genocide, while Indigenous people were in agreement with it. The mainstream news media largely upheld promoting biased colonial perspective through rejecting the MMIWG Report's (2019) findings claiming Canada's violence towards Indigenous women did not amount to genocide. Additionally, many mainstream news media sources claimed Canada to be free from any current crimes against Indigenous women due to the Canadian government having already apologized for residential schools, referring to Harper's 2008 apology, and therefore taking accountability for cultural genocide. However, Harper's apology does not liberate Canada from continuing to inflict systemic violence on Indigenous people, including women. For instance, police corruption is one of many ways Canada uses the system to enforce racist practices and beliefs to ultimately either assimilate or erase the Indigenous community. This can be seen through examples provided by Palmater (2016), Razack (2014, 2016), and Walter (2015) where police officials operate on colonial stereotypes that result in Indigenous women being murdered, kidnapped, and/or have their cases remain unsolved. Overall, the MMIWG Report (2019) ultimately reveals that in order to have a lasting impact towards ending gendered colonial violence, the Canadian government must genuinely commit to substantial transformation of its colonial institutions and laws.

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