THE CANADIAN TRUTH AND RECONCILIATION COMMISSION: HEALING, RECONCILIATION, RESOLUTION?

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by

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Abstract

This thesis assesses the Canadian Truth and Reconciliation Commission (TRC), which was created to redress the legacy of the Indian Residential Schools system. Using discourse analysis, it examines the commission's success in promoting holistic healing within Aboriginal communities and reconciliation as decolonization of settler society and government. This thesis argues that the TRC promoted individual, communal, and cultural healing despite government rhetoric supporting premature termination of healing processes. Although it remains too soon to evaluate the Canadian TRC's effect on decolonization, this thesis contends that the commission has not yet advanced reconciliation. As of the publication of this thesis in 2015, the TRC has been unable to disrupt the dominant narrative that ties reconciliation to resolution, forgiveness of a settler society, neoliberalism, and governmentalism. This research offers a note of temperance in the proliferation of reconciliation discourse and underscores the importance of elucidating concealed economic considerations in transitional justice.

Keywords: transitional justice, restorative justice, Aboriginal, discourse analysis, colonialism, Indian Residential Schools, Truth and Reconciliation Commission of Canada

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Introduction

In the past three decades, more than 40 truth commissions have been held. This fact attests to the ubiquitous influence of transitional justice mechanisms in statewide efforts to reckon with atrocity in states transitioning from authoritarianism and civil war to stable democratic governments. Recently, established democracies, such as Australia and Canada, have also adopted transitional justice measures in attempt to redress their colonial legacies.[1] My interest in the Canadian Truth and Reconciliation Commission (TRC) grew, in part, out of a desire to examine the implications of using transitional justice mechanisms in states with relatively unchanging political, economic, and social power structures. More importantly, I selected the Canadian case because it afforded me the opportunity to meaningfully engage the brokenness of my settler identity and my relationship to Aboriginal people. This thesis examines the multiple constructions of healing and reconciliation in the Canadian TRC to assess its promotion of holistic healing within Aboriginal communities and reconciliation as decolonization of Canada's settler society and government. I found that dominant approaches and discourses of resistance clashed significantly in scope, timing, and authority to significant material implications.[2] This thesis therefore contends that the TRC promoted limited healing in

[1] For information about the Australian context, see Damien Short, *Reconciliation and Colonial Power: Indigenous Rights in Australia* (London: Ashgate, 2008). Other authors have also written about transitional justice in non-transitional societies. For example, see Courtney Jung, "Canada and the Legacy of the Indian Residential Schools: Transitional Justice for Indigenous People in a Nontransitional Society" in *Identities in Transition: Challenges for Transitional Justice in Divided Societies*, ed. Paige Arthur (Cambridge: Cambridge University Press, 2010), 1. See also James Beitler III, *Remaking Transitional Justice in the United States: The Rhetoric of the Greensboro Truth and Reconciliation Commission* (New York: Springer, 2013), which provides a treatment of its use in Greensboro, North Carolina and ensuing theoretical implications.

[2] Courtney Jung predicted these tensions in her article, "Canada and the Legacy of the Indian Residential Schools: Transitional Justice for Indigenous People in a Nontransitional Society," in *Identities in*

Aboriginal communities and failed to advance decolonization of settler society and government. Given the fact that this thesis was written one year after the TRC's final national event, it is unable to make definitive claims about the commission's impact. Sustained research is recommended to account for the TRC's long-term effects on decolonization in Canada.

My first chapter presents discourse analysis as the theoretical orientation of this thesis. I then survey transitional justice, restorative justice, and Canadian TRC literatures to identify central debates and gaps, and briefly discuss how my proposed theory can address these gaps. Specifically, I contend that discourse analysis allows me to interrogate the field's teleology, economic ties, internationalization, and the positive relationship between truth and reconciliation in the Canadian context. Chapter two outlines the use of discourse analysis methodology in the thesis to assess the truth commission's promotion of healing and reconciliation. I focus on survivor testimony from the TRC's Commissioners Sharing Panels, media coverage, government statements, the Indian Residential Schools Settlement Agreement (IRSSA), and truth and reconciliation commission publications for textual analysis.

Chapter three explores the multiple constructions of 'healing' in the TRC to find a split between dominant definitions of healing in reductive, psychotherapeutic language, and holistic, indigenous conceptions of healing. The vocabularies conflicted in scope and timing, wherein healing in therapeutic terms implied a termination of long-term supports and a limit to the range of harms addressed. Yet, in spite of this imposition of closure—that is, the Government's forceful closure of the debate and of any other

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Transition: Challenges for Transitional Justice in Divided Societies, ed. Paige Arthur (Cambridge: Cambridge University Press, 2010), 1.

efforts beyond those of the TRC, and in contrast to my original hypothesis, I found that the TRC promoted personal, intergenerational, communal, and cultural healing within Aboriginal communities.

Chapter four takes as its starting point Zinaida Miller's article, "Effects of Invisibility: In Search of the 'Economic' in Transitional Justice" to examine concealed economic considerations in the Canadian TRC. I argue that, despite the centrality of land and resource restitution in Indigenous definitions of healing and reconciliation, dominant discourses displaced conversation about the material origins and legacy of residential schools. As a result, the government promoted healing without land and reconciliation to the neoliberal economic status quo. Given that this chapter contains discourse analyses of both healing and reconciliation, my findings could have been presented under either or both chapters. My extraction of economic considerations was done in effort to prioritize land and material considerations and to isolate these findings. By locating this chapter between the chapters on healing and reconciliation, I present 'the economic' as the lynchpin in my assessment of the TRC.

In chapter five, I turn to the multiple constructions of reconciliation that exist. My research found that definitions ranged from mobilization, decolonization, and action to dominant formulations of resolution, closure, forgiveness, and governmentalism, defined as an "extension of the sphere and degree of government activity."[3] The significant gulf between approaches and the inability of the TRC to meaningfully challenge dominant constructions of reconciliation leads me to conclude that my original theory was accurate. The TRC, as coopted by government rhetoric, has been

[3]"Governmentalism," Merriam-Webster, accessed August 21, 2015, http://www.merriam-webster.com/dictionary/governmentalism.

unsuccessful in promoting reconciliation as decolonization. I contend that the government's use of reconciliation has bound the concept thus far to an absolution from federal financial responsibility, an ignorance of structural violence, and a reproduction of Aboriginal people as colonial subjects.

My final chapter discusses the implications of these findings and limitations to my research. My methodological weaknesses, insufficient treatment of internationalization, and ignorance of corporate interests are discussed as limitations. I also consider how the presence of power politics in 'truth' and 'reconciliation' challenge core assumptions in restorative justice theory. Next, in light of my contention of the importance of economics, I suggest the need to further include economic theory in transitional justice literature. Finally, given the gap between Aboriginal and government conceptions of healing and reconciliation, and the necessity to continue to advance decolonization, I propose a set of ordinary, radical acts for settler decolonization.

Background

John S. Milloy claimed that the Indian Residential Schools (IRS) system was "arguably the most damaging element" of the broader colonial project in Canada.[4] In colonial history, the French and British settlers relied on tribal partners as guides and military allies in their wars against one other.[5] However, after the war of 1812, the European-Canadian government pursued aggressive assimilation and land seizure policies, due in part to the decreased need for military allies and a proliferation of demand for settler

[4] John S. Milloy, *A National Shame: The Canadian Government and The Residential School System, 1879-1986* (Winnipeg: University of Manitoba Press, 1999), xiv.
[5] Brian Rice, and Anna Snyder. "Reconciliation in the Context of a Settler Society: Healing the Legacy of Colonialism in Canada," in *From Truth to Reconciliation: Transforming the Legacy of Residential*

land and resources. In the 1860s and 1870s, an onslaught of colonial legislation, and notably the Indian Act, was passed, removing land ownership, limiting the movement, and self-government of Aboriginal people.[6] The IRS system was developed as part of these strategic discussions aimed at "extinguishing Aboriginal title to the land"[7] and absorbing Aboriginal people into the Euro-Canadian state. Although it was couched in good intentions and the political discourse of civil and spiritual duty,[8] the IRS system aimed to remove kinship ties that were seen as impediments to land seizure.[9] Inextricably tying assimilation to exploitation, the government imposed a European patriarchal family model "through and against indigenous kinship relations" to produce colonial subjects and support economic and political colonial domination.[10] Residential schools were introduced in Canada in 1879,[11] and Aboriginal children were forcibly removed from their homes and placed in government-funded, church-run boarding and day schools.

In the residential schools, Aboriginal children suffered. The use of Aboriginal names, languages, spiritual and cultural practices was prohibited. Contact and visits with family were severely restricted or forbidden, effectively forcing the dissolution of kinship ties and support networks.[12] The prohibition of education in traditional Aboriginal life also led to intergenerational and cultural harms, through the loss of

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Schools, eds. Marlene Brant-Castellano, Linda Archibald, and Mike DeGagné, (Ottawa: Aboriginal Healing Foundation, 2008), 49-50.

[6] Rice and Snyder, "Reconciliation," 50-53.

[7] Roland Chrisjohn and Sherry Young, *Circle Game: Shadows and Substance in the Indian Residential Schools Experience in Canada* (Penticton, Theytus Books: 2006), 70.

[8] Milloy, *A National Shame,* xiii.

[9] Rice and Snyder, "Reconciliation," 50.

[10] Julia V. Emberley, *Defamiliarizing the Aboriginal: Cultural Practices and Decolonization in Canada* (Toronto: University of Toronto Press, 2007), 3

[11] Milloy, *A National Shame,* xiii.

[12] Emberley, *Defamiliarizing the Aboriginal*, 5.

parenting skills and traditional reserve life skills.[13] As articulated by Julia Emberley, residential schools "were the site of an extraordinary 'policing operation' (qua Foucault) inasmuch as they set out to regulate aboriginal children's bodies to the assimilatory objectives of colonial dispossession."[14] In reports dating to as early as 1907, inspectors also found rampant disease, hunger, overcrowding and disrepair in the schools.[15] Children of all ages were abused sexually, physically, and neglected,[16] and "[m]ore than half the students at certain schools succumbed to early death from unchecked disease, poor nutrition, a lack of proper clothing and shelter."[17] Of the students who survived, many have struggled with alcoholism, depression, and a continuation of the cycle of abuse.[18] The final residential school closed in 1996, but survivors and their communities continue to experience the effects of the IRS system.

In 1990, Phil Fontaine spoke publicly of his experience in residential schools, garnering national attention and opening new spaces for survivors to share their experiences. Over a period of two decades, survivors sought redress from the churches and Canadian government through multiple legal and political channels.[19] In 2006, the many different stakeholder groups finalized an agreement, the Indian Residential Schools Settlement Agreement (IRSSA), the largest class action lawsuit in Canadian

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[13] Kim Stanton, "Canada's Truth and Reconciliation Commission: Settling the Past?" *The International Indigenous Policy Journal* 2.3 (2011): 1.
[14] Emberley, *Defamiliarizing the Aboriginal*, 5.
[15] Aboriginal Healing Foundation, *A Healing Journey: Final Report Summary Points* (Ottawa: Dollco Printing, 2006), 12.
[16] Milloy, *A National Shame,* xiii- xiv.
[17] Andrew Woolford, cited in Robyn Green, "Unsettling cures: Exploring the limits of the Indian residential school settlement agreement," *Canadian Journal of Law and Society* 27.1 (2012): 92.
[18] Stanton, "Settling the Past?" 1.
[19] For a more detailed overview of the attempts of survivors to the pursuit of public inquiries, criminal prosecutions, civil litigation and an Alternative Dispute Resolution, see Kim Stanton, "Truth commissions and Public Inquiries: Addressing Historical Injustices in Established Democracies" (PhD Diss., University of Toronto, 2010).

history.[20] The IRSSA outlined a five-pronged response: a Common Experience Payment for survivors of boarding schools; an Independent Assessment Process for cases of "serious" abuse; the creation of commemorative projects; the institution of the Canadian Truth and Reconciliation Commission; and the provision of an additional 125 million dollars to the Aboriginal Healing Foundation,[21] which was established in 1998 to "renew the relationship between Aboriginal peoples and the Government of Canada."[22]

In 2008, Stephen Harper formally apologized for the Indian Residential Schools system and the Canadian TRC was convoked with three Commissioners in place: Harry LaForme, Claudette Dumont-Smith and Jane Brewin Morley. Due to what LaForme cited as a failure of the other commissioners' respect of his authority, as well as restrictive ties to the government, Laforme resigned,[23] which later resulted in the dissolution of the entire commission, as it had first been constituted. The commission restarted in 2009 with the appointments of Commissioners Justice Murray Sinclair, Wilton Littlechild and Marie Wilson. From 2009-2014, the commission held seven national events in effort to fulfill its mandate to gather statements, promote public awareness, generate a record of the IRS legacy, and create a recommendations report.[24] On June 3, 2015, the TRC held its closing ceremonies in Ottawa.

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[20] Stanton, "Settling the Past?" 4.
[21] Indian and Northern Affairs Canada, Indian Residential Schools Settlement Agreement, 2006; accessed May 29, 2015. http://www.residentialschoolsettlement.ca/IRS%20Settlement%20Agreement-%20ENGLISH.pdf
[22] Aboriginal Healing Foundation, *A Healing* Journey, 2.
[23] Linda Diebel, "'Clean slate' for truth panel: Breakthrough talks save reconciliation commission probing abuses of children at residential schools," *Toronto Star*, January 31, 2009, 2.
[24] Canadian TRC, Mandate, accessed June 1, 2015; available from http://www.trc.ca/websites/trcinstitution/File/pdfs/SCHEDULE_N_EN.pdf

Chapter One
Literature Review and Discourse Analysis Theory

This literature review locates discourse analysis theory within transitional justice, restorative justice, and Canadian Truth and Reconciliation Commission (TRC) scholarship. In all three literatures, I identify salient debates and gaps, and provide avenues for discourse analysis theory to address them. The first section on transitional justice outlines the field's disputes on accountability, survivor support, and methods for instilling peace. It then considers how this thesis can contribute to the theorization of transitional justice teleology, economic considerations, and the relationship between international and local contexts. In my restorative justice literature review, I examine the concepts of 'truth' and 'reconciliation,' and the relationship between the two. This project proposes discourse analysis theory to muddy the putatively positive relationship between truth and reconciliation. Finally, I discuss this relationship in the Canadian context, and explore existing theories about the Canadian TRC's success in promotion of healing and reconciliation.

Discourse Analysis as Theory

As predicated on the work of Nelson Phillips and Cynthia Hardy, this thesis uses discourse analysis, not only as a methodology, but also as "a compelling theoretical frame for observing social reality."[1] Discourse analysis makes claims about the nature of reality and what is knowable, and thus conceptualizes the scope and findings of any research project. "Without discourse, there is no social reality, and without understanding discourse, we cannot understand our reality, our experiences, or ourselves."[2] Discourse is more than a tool to represent an independent social world; it actively creates social realities. People's experiences, identities, and relationships are formed through discourse. Drawing on Ian Parker's definition, this thesis defines discourse as "an interrelated set of texts, and the practices of their production, dissemination, and reception, that bring an object into being."[3]

Discourse analysis is the study of the relationship between discourse and the realities it animates. It asks, for example, how certain discourses become privileged and others decrease in significance to become marginalized, as well as how words can be used to strategically shape political reality. As noted by Murray Edelman, "The critical element in political maneuver for advantage is the creation of meaning: the construction of beliefs about the significance of events, of problems, of crises, of policy changes, and of leaders."[4] To hold the power to shape common understandings is to control social reality. Discourse analysis examines competing constructions of beliefs to understand

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[1] Nelson Phillips and Cynthia Hardy, *Discourse Analysis: Investigating Processes of Social Construction* (London: Sage Publications, 2002), 2.
[2] Phillips and Hardy, *Discourse Analysis,* 2.
[3] Ian Parker, *Discourse Dynamics: Critical Analysis for Social and Individual Psychology* (London: Routledge, 1992), 3.
[4] Murray Edelman, "Political Language and Political Reality," *American Political Science Association* 18.1 (1985): 10.

why certain concepts, such as colonialism and transitional justice, persist and become entrenched.

Transitional Justice

The term "transitional justice" was coined in the late 1980s and popularized through scholarly work in the 1990s.[5] A rise in intrastate wars and regime collapses created a set of unique practical concerns for politicians, lawyers, activists, and scholars facing violent legacies. From modest beginnings in discussion fora to established policy centres, journals, and a permanent International Criminal Court, transitional justice has developed into an important interdisciplinary field. The central question of how to reckon with atrocity continues to ignite vigorous debate amongst theorists, dividing proponents of retributive, restorative, and reparative justice. Retributive justice relies on practices of legal mechanisms to restore social equality,[6] encourage deterrence, incapacitation, rehabilitation, and to ensure that misdeeds are appropriately punished.[7] Restorative justice focuses primarily on uncovering what occurred and why, and prioritizes the rebuilding of social bonds between victims, offenders, and communities.[8] Reparative justice is both material and moral.[9] It responds to the consequences of

[5] In her article, Paige Arthur argues that Neil Kritz's four-volume work, *Transitional Justice: How Emerging Democracies Reckon with Former Regimes*, Argentine sociologist Juan E. Corradi's edited volume, and Ruti Teitel's acceptance of the term, were crucial to the crystallization of 'transitional' justice in the 1990s. See Paige Arthur, "How 'Transitions' Reshaped Human Rights: A Conceptual History of Transitional Justice," *Human Rights Quarterly* 31.2 (2009): 329-331.
[6] Jennifer Llewellyn and Robert Howse, "Institutions for Restorative Justice: The South African Truth and Reconciliation Commission," *The University of Toronto Law Journal* 49.3 (1999): 376.
[7] Jon Elster, "Retribution," in *Retribution and Reparation in the Transition to Democracy,* ed. Jon Elster, 33-58 (New York: Cambridge University Press, 2006), 34.
[8] Llewellyn and Howse, "Institutions for Restorative Justice," 356-373.
[9] Naomi Roht-Arriaza, "Reparations Decisions and Dilemmas," *Hastings International and Comparative Law Review* 27.2 (2004): 159.

oppression through restitution of possession, land, and/or money,[10] and offers symbolic gains and acknowledgment of atrocities through official apologies and commemoration.[11] A survey of the literature in all three theoretical bodies revealed contrasting approaches to accountability, responses to survivors' needs, and methods for instilling peace and stability.

Retributive, restorative, and reparative approaches prioritize individual and collective accountability differently. Restorative justice emphasizes individual responsibility in the context of community proceedings, making it well suited to address complex networks of complicity and broader patterns of oppression.[12] Its proceedings allow for the exploration of agency and choice, affirming the possibility of free will in situations of seemingly deterministic group evil, Jennifer Llewellyn and Robert Howse argued.[13] Consequently, restorative justice encourages interrogation of the methods by which systems themselves produce evil citizens by avoiding diminutive framing that portrays individual acts as aberrations on otherwise just societies. Reparative justice also offers a strong theoretical framework for structural accountability, linking specific abuses, such as violent land seizure, to broader histories of economic dispossession. Yet, as Naomi Roht-Arriaza noted, a historic discrepancy "between word and deed" in the pursuit of reparative justice exists.[14] Reparative justice lacks the mechanisms to enforce accountability.

Retributive theorists point to the tradeoff between collective and individual accountability in restorative justice, citing that too much attention is given to the big

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[10] Joanna R. Quinn, "Transitional Justice," in *Human Rights: Politics and Practice,* ed. Michael Goodhart, 328-343 (Oxford: Oxford University Press, 2013), 336-337.
[11] Martha Minow, *Between Vengeance and Forgiveness* (Boston: Beacon Press, 1998), 91-93.
[12] Minow, *Between Vengeance and Forgiveness,* 9.

picture at the expense of individual accountability. Dan Markel argues that restorative justice's emphasis on voluntary involvement provides no incentive for perpetrator participation.[15] Restorative justice can also lead to drawbacks in precision, resulting in the punishment of innocent parties and the creation of opportunities for unrestrained partiality in social expressionism.[16] Yet, this critique applies equally to retributive justice, as exemplified in the showy, dramatized nature of the Adolf Eichmann trials,[17] and widespread trials in post-1945 Germany.[18] More convincingly, scholars criticize restorative justice for being ill-equipped to redress widespread and high rates of perpetration, noting that it is better suited to private justice.[19]

In contrast, retributive justice treats perpetrators as moral agents capable of making judgments and reinforces legal rule by asserting that no one is above the law.[20] Retributive justice also avoids the risk of social expressionism, in that it does not matter who the perpetrator is, by communicating directly to the wrongdoer and not to the public, Markel claims. Retributive justice restores the government's "usurped authority" to establish property, liability, and inalienability rules.[21] This desire to reinstate faith in various state apparatuses is misguided, however, in contexts where legal bodies were also the agents of oppression. Retributive justice's focus on specific acts of violence and

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[13] Llewellyn and Howse, "Institutions for Restorative Justice," 361.
[14] Roht-Arriaza, "Reparations Decisions and Dilemmas," 158.
[15] Dan Markel, "The justice of amnesty? Towards a theory of retributivism in recovering states," *University of Toronto Law Journal* 49.3 (1999): 404.
[16] Markel, "Justice of Amnesty," 404-411.
[17] Hannah Arendt, *Eichmann in Jerusalem: A Report on the Banality of Evil* (New York: Penguin Books, 2002).
[18] David Cohen, "Transitional Justice in Divided Germany after 1945," in *Retribution and Reparation in the Transition to Democracy*, ed. Jon Elster (New York: Cambridge University Press, 2006), 61.
[19] Alex Boraine, "Truth and Reconciliation in South Africa: The Third Way," in *Truth v. Justice: The Morality of Truth Commissions,* ed. R.I. Rotberg & D. Thompson (Princeton: Princeton University Press, 2000), 141-157.
[20] Minow, *Between Vengeance and Forgiveness,* 1-8.
[21] Markel, "Justice of Amnesty," 411.

mens rea is equally problematic, as it can divorce individual culpability from the broader socio-political context.[22] Where restorative and reparative justice are arguably lacking in individual accountability, retributive justice is lacking in structural accountability.

Debates between justice theorists also center on the most appropriate way to support survivors of mass atrocity. In her book *Unspeakable Truths*, Priscilla Hayner prefaced debates with a note of temperance, highlighting the fact that victims in different contexts have expressed varied wishes and needs.[23] Martha Minow also importantly noted that no response is adequate in redressing loss.[24] Beyond these comments, restorative justice scholars have asserted that survivors need an adequate platform to share suffering in order to regain self-respect,[25] and a sense of peace with the past.[26] Contrary to the claim that trials allow victims to begin to heal, confront their perpetrators, and share their stories in court,[27] many scholars, such as Kim Stanton, have shown that the adversarial culture of courtrooms can have a re-victimizing effect.[28] Courts offer few opportunities for victims to tell their stories.[29] Furthermore, as Mark Osiel has claimed, the legal pursuit of neutrality is fundamentally misguided; the provision of platforms for all affected to voice their experiences ought to be the preeminent priority.[30]

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[22] Llewellyn and Howse, "Institutions for Restorative Justice," 363.
[23] Priscilla B. Hayner, *Unspeakable Truths: Confronting state terror and atrocity* (New York: Routledge, 2001), 1-4.
[24] Minow, *Between Vengeance and Forgiveness,* 5.
[25] C.S. Nino, *Radical Evil on Trial* (New Haven: Yale University Press, 1996), 147.
[26] This is a central argument in Archbishop Desmond Tutu's book entitled *No Future Without Forgiveness.* Desmond Tutu, *No Future Without Forgiveness* (London: Ebury Publishing, 2012).
[27] Llewellyn and Howse, "Institutions for Restorative Justice," 369.
[28] Kim Stanton, "Canada's Truth and Reconciliation Commission: Settling the Past?" *The International Indigenous Policy Journal* 2.3 (2011): 19.
[29] Llewellyn and Howse, "Institutions for Restorative Justice," 364.
[30] Mark Osiel, *Mass Atrocity, Collective Memory, and the Law* (New Brunswick, NJ: Transaction Publishers, 1997), 279-287.

Paul Gready and Simon Robins have elucidated that, even in restorative justice processes, survivors often participate in highly prescribed ways.[31] Yet, this criticism of the practical difficulties of introducing non-adversarial platforms fails to dismantle the sound logic behind their provision. Markel also denounced restorative justice processes for placing burdens on victims at a time when victims least desire to act.[32] I contend that this concern is mistaken, however. Rather, by inviting involvement from victims, restorative mechanisms communicate a respect for their agency and affirm the fact that survivors are the experts of their own grievances.

Reparative justice theory offers a more convincing critique of both retributive and restorative justice, highlighting how survivors often prioritize justice in material terms, such as land or income. The lengthy proceedings in retributive justice often delay and inhibit survivors from receiving their settlements, or their due justice. Restorative justice theory is also vulnerable to this critique, arguably placing too much emphasis on theories of social relations, respect, and dignity, to the detraction of immediate material claims. Restitution remains a core tactic in addressing survivor needs, albeit an insufficient response to root causes of economic repression.[33] Though good in theory, reparative justice approaches have also consistently failed to yield the necessary gains for survivors, as "governments have been slow to act on their proposals."[34]

Another important criticism of restorative justice is its putative tradeoff between truth and justice. Equating legal punishment to justice, authors argue that the act of granting amnesty problematically removes the right of victims seeking their own justice

[31] Paul Gready and Simon Robins, "From Transitional to Transformative Justice: A New Agenda for Practice," *The International Journal of Transitional Justice* 8 (2014): 342-343.
[32] Markel, "Justice of Amnesty," 398.

through criminal or civil lawsuits.[35] Survivors are able to learn and acknowledge what occurred during the atrocity, but they forfeit their access to "justice" in the process. Scholars such as Alex Boraine and Andre du Toit have exhibited how the choice between truth and justice is not a simple one; countries face pragmatic constraints in the pursuit of widespread trials, such as resource shortages, lack of available evidence, lack of political clout due to a transitional government, and weak judicial systems.[36] Trials, even if they are ideal, can bankrupt a transitioning country, which requires resources to redress economic disparities, invest in infrastructure, and enact policies. Restorative justice measures thus serve as a second best option, but the correct one in a transitional context.

Challenging the "second best" label, Minow argued that restorative justice offers the more appropriate approach to justice, which she defined as a macro category encompassing all three paradigms.[37] Problematizing the truth/justice dichotomy from the restorative justice paradigm, Hayner has also maintained that, in certain cases, truth inquiries have directly strengthened subsequent prosecutions and contributed to other accountability measures.[38] Most radically, however, proponents of restorative justice, such as Llewellyn and Howse, challenged the fundamental assumption that "justice" is advanced through perpetrator sacrifice. Arguing that retributivism is "a distortion of the

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[33] Nancy Fraser and Axel Honneth, *Redistribution or Recognition: A Political-Philosophical Exchange,* trans. Joel Gold, James Ingram, Christian Wilke (London: Verso, 2003), 11.
[34] Naomi Roht-Arriaza, "Reparations Decisions and Dilemmas," 158.
[35] Hayner, *Unspeakable Truths,* 87.
[36] Both commentaries are available in the respective authors' chapters in the edited work, *Truth v. Justice: The Morality of Truth Commissions,* ed. R.I. Rotberg & D. Thompson (Princeton: Princeton University Press, 2000).
[37] Minow, *Between Vengeance and Forgiveness,* 5.
[38] Hayner, *Unspeakable Truths,* 87.

underlying intuition about justice," the authors proposed that restorative justice offers truer insights about the contents of justice.[39]

Retributive, reparative, and restorative justice approaches converge in their aim to restore an equality of rights in a liberal democratic state, but differ in their prescriptions to achieve it. Retributive scholars emphasize trials as tools to promote the value of legality, communicating a hope that legal institutions can address substantive problems without sacrificing neutrality to political pressures.[40] To achieve a liberal democracy and the "fashioning of a liberal political identity," subservience to the law remains key, argued Ruti Teitel.[41] The rigour of evidential proof also creates an incontrovertible record of what happened, combatting the possibility of inflammatory, future denial.[42] Furthermore, a well-functioning legal system is invaluable to a pluralistic, tolerant society.[43] Retributive scholars have claimed that the symbolic aspect of criminal trials can reduce survivors' temptations to enact vengeance and begin the work of overcoming divisions,[44] and deter future violations. As argued by Kathryn Sikkink, the creation of an unbiased and automatic system of deterrence was realized in the establishment of the International Criminal Court, a "decentralized, interactive system of global accountability."[45]

While ideal in theory, many scholars have shown that, in practice, the deterrence effect is overstated. Prosecutions are "slow, partial, and narrow,[46] and successful trials

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[39] Llewellyn and Howse, "Institutions for Restorative Justice," 357, 376.
[40] Minow, *Between Vengeance and Forgiveness,* 26.
[41] Ruti Teitel, *Transitional Justice* (New York: Oxford University Press, 2000), 225.
[42] Llewellyn and Howse, "Institutions for Restorative Justice," 359.
[43] Ibid.
[44] Minow, *Between Vengeance and Forgiveness,* 8.
[45] Kathryn Sikkink, *The justice cascade: how human rights prosecutions are changing world politics* (New York: W.W. Norton & Co., 2011), 96-98.
[46] Minow, *Between Vengeance and Forgiveness,* 9.

are uncommon, usually few in number, and unable to prosecute the most senior perpetrators.[47] The absence of convincing witnesses also impedes the possibility of convictions, watering down deterrence.[48] Chandra Sriram has also argued that international justice is asymmetrically applied, often coinciding with the political interests of Western countries.[49] Trials are embedded in political calculation and can even create incentives for top-tier perpetrators to bolster frameworks of evil, given that the maintenance of political, social, and economic power is "the most effective means of eluding apprehension."[50] Trials are also unable to transform perpetrators into "common criminals or even extraordinary psychopaths,"[51] and thus fail to provide sufficient explanations for the breakdown of moral fabric. In contrast, trials sidestep the important work of wrestling with the moral complexities of compliance, an exercise necessary to secure stability.[52] Moreover, perceptions of victor's justice might encourage future violence, and successful prosecutions rarely satisfy the desire for vengeance.[53] Finally, even if trials are successful in deterring future offenses, retributive theory offers little to help move beyond the perpetrator-victim binary.

Reparative justice reintegrates both the marginalized and offenders through resource restitution, and invites them to participate in the rebuilding of the country.[54] Restorative justice also seeks to transcend divisions and imagine a new status quo by

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[47] Hayner, *Unspeakable Truths,* 89.
[48] Llewellyn and Howse, "Institutions for Restorative Justice," 359.
[49] Chandra Sriram, "Justice as Peace? Liberal Peacebuilding and Strategies of Transitional Justice," *Global Society* 21. 4 (2007): 579-591.
[50] Hayner, *Unspeakable Truths,* 89.
[51] Llewellyn and Howse, "Institutions for Restorative Justice," 361.
[52] Osiel, *Mass Atrocity,* 279-287.
[53] Minow, *Between Vengeance and Forgiveness,* 8.
[54] Roht-Arriaza, "Reparations Decisions and Dilemmas," 160.

rehabilitating offenders and instituting relationships based on trust and respect.[55] Arguably, criminals and victims might have little interest in building relationships of trust, and restorative justice processes cannot be monitored and guaranteed in efficacy.[56] Yet, both restorative and reparative justice approaches provide at least a theoretical orientation toward a future with fewer divisions. Given the uncertainty of success, some scholars have suggested a context-dependent approach that draws on a mixture of "prosecutions, truth-telling, restitution, and reform of abusive state institutions."[57] In their large-scale, quantitative research project, Tricia D. Olsen, Leigh A. Payne, and Andrew G. Reiter aimed to resolve the question. They posited a holistic approach that combines mechanisms as the most effective method to strengthen democracy and reduce human rights violations.[58]

These advances have contributed to the evaluation of transitional justice mechanisms in promotion of stable, liberal democracies. Yet, scholars have insufficiently interrogated the intrinsic value of liberal democracy, a key gap in the literature. Scholars Gready and Robins showed how this under-theorized foundational limitation leads to harmful ties to marketization, and the creation of unresponsive institutions.[59] The teleology of 'transition' also remains under-theorized in transitional justice,[60] and continues to shape the way actors understand and frame the dilemmas they

[55] Trudy Govier, *Forgiveness and Revenge* (New York: Routledge, 2002).
[56] Markel, "Justice of Amnesty," 23.
[57] Arthur, "How 'Transitions' Reshaped Human Rights," 326.
[58] Tricia D. Olsen, Leigh A. Payne, and Andrew G. Reiter, *Transitional Justice in Balance: Comparing processes, weighing efficacy* (Washington: USIP, 2010), 131-161.
[59] Gready and Robins, "From Transitional to Transformative," 341-342.
[60] David Hoogenboom problematized the ways in which justice has become subservient to the "transition" in transitional justice, structuring policies and actions in harmful ways. Empirical studies grounding his theory would helpfully test this important insight. See David Anton Hoogenboom, "Theorizing 'Transitional Justice'" (Ph.D. Diss., Western University, 2014).

face.[61] To address these gaps, discourse analysis can analyze the normalization of the field's core tenets. Specifically, analysis of transitional justice vocabulary in the Canadian TRC allows me to ask if and how key concepts have become tied to liberal, statist teleology. Furthermore, discourse analysis of "transitional justice" in a "non-transitional" state is well suited to probe the significance of the transition and the implications of its use.

Any discussion of economics has also been largely absent in transitional justice literature. Specifically, Zinaida Miller elucidated that the neoliberal economic undercurrent of transitional justice remains invisible and shielded from scrutiny.[62] David Hoogenboom also argued that the subservience of concerns of 'transition' to 'justice' has resulted in the privileging of legal and political injustices at the expense of socioeconomic and structural injustices.[63] The centrality of land in the history of the Indian Residential Schools system requires a focus on material and structural aspects of transitional justice and opens channels to explore economic considerations. Discourse analysis of key terminology and its relationship to neoliberalism will help uncover economic assumptions undergirding transitional justice concepts.

Next, the extent to which transitional justice mechanisms have become formulaic, fixed, top-down, and externally imposed, requires further study. A small number of scholars have chronicled the damaging effects of the globalization of transitional justice on local populations, positing that the "normative frame of

[61] Arthur, "How 'Transitions' Reshaped Human Rights," 325.
[62] Zinaida Miller, "Effects of Invisibility: In Search of the 'Economic' in Transitional Justice" *International Journal of Transitional Justice* 2.3 (2008): 266-291.
[63] Hoogenboom, "Theorizing 'Transitional Justice.'"

transitional justice floats above… in the realm of the transcendent,"[64] and crystallizes global governance.[65] Internationalization can result in cultural imperialism and divorce theory and decision-making from the lived experiences of survivors.

Discourse analysis has the potential to contribute to these arguments by revealing the power dynamics in the proliferation of vocabularies.[66] Discourse analysis theory problematizes Sikkink's characterization of the field as inevitable and self-propelling, and asks how the language of inevitability can mask inherent power imbalances between states, and local and international actors. Specifically, my thesis is well positioned to interrogate the relative power of UN and international human rights discourse, in relation to local Aboriginal self-determination movements. Additionally, discourse analysis can explore the tension between the putative openness and context dependency of restorative justice proceedings, as argued by Llewellyn, and the potential fixity of transitional justice mechanisms, as critiqued above.

Restorative Justice

Restorative justice prioritizes the social dimension of harms committed. As explicated by Llewellyn, justice is "concerned with the harms to people and relationships resulting from wrongdoing,"[67] and responds to the question of how a divided society, grappling

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[64] Rosalind Shaw, Lars Waldorf, and Pierre Hazan, eds., *Localizing Transitional Justice: Interventions and Priorities After Mass Violence* (Stanford: Stanford University Press, 2010), 4.
[65] Moses Chrispus Okello, "Afterword: Elevating Transitional Local Justice or Crystallizing Global Governance?" in *Localizing Transitional Justice: Interventions and Priorities After Mass Violence,* eds. Rosalind Shaw, Lars Waldorf, and Pierre Hazan (Stanford: Stanford University Press, 2010), 275-284.
[66] Teun A. Van Dijk, "Critical Discourse Analysis," in *The Handbook of Discourse Analysis*, eds. Deborah Schiffrin, Deborah Tannen, and Heidi E. Hamilton (Oxford: Blackwell Publishers, 2001), 355.
[67] Jennifer Llewellyn, "Bridging the Gap between Truth and Reconciliation: Restorative Justice and the Indian Residential Schools Truth and Reconciliation Commission," in *From Truth to Reconciliation: Transforming the Legacy of Residential Schools*, eds. Marlene Brant-Castellano, Linda Archibald, and Mike DeGagné (Ottawa: Aboriginal Healing Foundation, 2008), 188.

with a violent legacy, can heal. Restorative frameworks are varied, designed to be open and context-driven, and to invite participation from all affected parties.[68] Restorative justice provides no blueprint for healing, but offers a compass to work toward relationships of trust.[69] Its principles have been applied in multiple contexts, ranging from local, group contexts to statewide commissions for countries undergoing regime transition. Arguably, the most popular mechanism used is the truth commission, which has been employed in over 40 instances.[70] My review of recent publications in the restorative justice subfield revealed debates in the definitions of 'truth' and 'reconciliation,' as well as contestation of the relationship between the two concepts. Departing from the dualistic terminology of "minimalist" and "maximalist" conceptions of reconciliation,[71] I conceptualize theories of truth and reconciliation along a spectrum.

Definitions of truth vary greatly in transitional justice literature. Robert Rotberg described truth commissions as fact-finding bodies, tasked with uncovering the precise details of human rights abuses.[72] He equated truth to fact, forensic and verifiable, as in a court of law. Yet, as elucidated by both Trudy Govier and Joanna Quinn, what is often required is not discovery of the facts surrounding acts of violence, but rather the acknowledgment that violence occurred. In many contexts, such as in Argentina and South Africa,[73] abuses were widely known, but officially denied and covered up for

[68] Llewellyn and Howse, "Institutions for Restorative Justice," 373.
[69] Howard Zehr, *The Little Book of Restorative Justice* (New York: Good Books, 2002), 1-5.
[70] Rosemary Nagy, "Truth, Reconciliation and Settler Denial: Specifying the Canada-South Africa Analogy," *Human Rights Review* 13 (2012): 349.
[71] Ernesto Verdeja, *Reconciliation in the Aftermath of Political Violence* (Philadelphia, Temple University Press, 2009),12-20.
[72] Robert I Rotberg, "Truth Commissions and the Provision of Truth, Justice, and Reconciliation," in *Truth v. justice: The morality of truth commissions,* eds. R.I. Rotberg & D. Thompson (Princeton: Princeton University Press, 2000), 3.
[73] Alexandra Barahona de Brito, "Truth, Justice, Memory, and Democratization in the Southern Cone," in *The Politics of Memory: Transitional Justice in Democratizing Societies* eds. Alexandra Barahona de Brito, Carmen Gonzalez Enriquez, and Paloma Aguilar (Oxford: Oxford University Press, 2001), 119-160.

extended periods of time. "Adversive acknowledgment," or the acknowledgment of something harmful or unwelcome is required.[74] Furthermore, as emphasized by Osiel, conceptualization of truth in positivist terms excludes subjective, narrative truths, which hold moral relevance.[75] Focus on forensic or "legal truth" necessarily removes the complexities and subjectivity in survivors' stories for arbitration purposes.[76] To avoid the tailoring of survivor experiences that occurs in courtrooms, inclusion of "relational truth"[77] is needed.

Definitions of truth in the South African context utilized a four-pronged approach, which combined fact-finding truth with narrative or personal storytelling truth, social truth or the collective sharing of stories, and healing truth, which "places facts and what they mean within the context of human relationships."[78] This four-pronged conceptual framework was also flawed, however, as its focus on specific harms decontextualized violence, and perpetuated denial of continuities of violence and white privilege.[79] To link instances of violence to broader structures of oppression, Rosemary Nagy presented an "institutional approach to truth."[80] Differentiating between "micro-truth," the specific details of human rights violations, and "macro truth," the broader system and history of subjugation,[81] she contextualized abuse along a "continuum of

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[74] Trudy Govier, "A Dialectic of Acknowledgment," in *Reconciliation(s): Transitional Justice in Postconflict Societies,* ed. Joanna R. Quinn (Montreal: McGill-Queens University Press, 2009), 39-41.
[75] Osiel, *Mass Atrocity,* 279-287.
[76] Jennifer Llewellyn, "Bridging the Gap between Truth and Reconciliation: Restorative Justice and the Indian Residential Schools Truth and Reconciliation Commission," in *From Truth to Reconciliation: Transforming the Legacy of Residential Schools*, eds. Marlene Brant-Castellano, Linda Archibald, and Mike DeGagné, (Ottawa: Aboriginal Healing Foundation, 2008), 191.
[77] Jennifer Llewellyn, "Bridging the Gap," 190.
[78] This quotation was taken from the first volume of the Truth and Reconciliation Commission of South Africa found in Lewellyn, *Bridging the Gap,* 192.
[79] Rosemary Nagy, "Truth, Reconciliation and Settler Denial: Specifying the Canada-South Africa Analogy" *Human Rights Review* 13 (2012): 349-357.
[80] Nagy, "Settler Denial," 349.
[81] Nagy, "Settler Denial," 356.

violence."[82] Beyond this expansion to the definition of truth, Pascha Bueno-Hensen's research in Peru uncovered the need for truths that stretch common conceptions of time.[83] As survivors of many decades of abuse have shown, multiple experiences of violence compound and intersect in ways that belie Western conceptions of time.[84] Adequate conceptions of truth must make space for accounts that do not follow linear patterns or occur in even metrics of time. Robins and Gready also cautioned against binding theoretical models and prescriptive forms of survivor engagement.[85]

Yet, what constitutes truth is often divorced from theoretical debates. Instead, mandate guidelines in decrees and legislation, personalities and leadership priorities, and predetermined methodological practices set the definition.[86] This has resulted in a limited framing of truths, and consequently, in a disproportionate focus on acute accounts of violence. It has also ignored international actors' involvement in political violence and the abuse experienced by women.[87] These empirical findings serve as a reminder that practice often strays from idealized theories. The findings also highlight the significant consequences of differing approaches to truth, thus encouraging scholars to continue to debate and work to influence future mandates.

Theories of reconciliation and how it relates to truth are also diverse and contested. At one end of the spectrum, scholars advocate for a policy of social amnesia. Time is believed to be the only viable mechanism for healing deep wounds and

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[82] Nagy, "Settler Denial," 358.
[83] Pascha Bueno-Hensen, "De-colonizing Transitional Justice: A Feminist Analysis," a paper presented at York University, October 2014. Due to the fact that Dr. Bueno-Hensen has not yet released her upcoming book, she has withheld publication of these findings. Her research will be made available in Summer 2015 with the publication of her book documenting her research in Peru.
[84] Bueno-Hensen, "De-colonizing Transitional Justice."
[85] Gready and Robins, "From Transitional to Transformative," 342-343.
[86] Hayner, *Unspeakable Truths,* 72-75, 80.
[87] Hayner, *Unspeakable Truths,* 73-80.

remembering is claimed to be too risky or precarious, as discussion of the past reignites tensions and reopens old wounds. Bruce Ackerman has argued that remembering will not only fail to achieve the desired outcome of restored relationships, but can also further entrench divisions.[88] However, these arguments for social amnesia often contradict the expressed desires of survivors who seek to reckon with the abuses they suffered.[89] Moreover, social amnesia can be unstable and result in future violence.[90] As David Crocker suggested, the aim to forget often results in repressed emotions of rage, humiliation and fear, which re-emerge in undesirable and harmful ways.[91]

In comparably skeptical terms, Michael Ignatieff claimed that truth commissions are able to minimize the number of lies, but unable to promote healing.[92] Rajeev Bhargava also espoused only modest hope in the work of commissions, arguing that commissions serve as the bridge between "barbarity" and the creation of a "minimally decent" society.[93] Building on Stuart Hampshire's conception of procedural justice, Bhargava proposed a definition of reconciliation that reinstates confidence in procedural justice, which requires no common ground between previously antagonistic individuals and groups.[94] Problematically, this account offers no tools for transcending antagonism. Amy Gutmann and Dennis Thompson's proposed shift toward reconciliation as deliberative democracy offers a similarly bare bones approach but requires at least minor rapprochements between divided parties. In their proposed economy of moral

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[88] Bruce Ackerman, *The Future of Liberal Revolution* (New Haven, Yale University Press, 1992), 71-72.
[89] Hayner, *Unspeakable Truths,* 5.
[90] Verdeja, *Reconciliation in the Aftermath,* 8.
[91] David Crocker, "Transitional Justice and International Civil Society: Toward a Normative Framework," *Constellations* 5.4 (1998): 496.
[92] His position was summarized in Verdeja, *Reconciliation in the Aftermath,* 8.
[93] Rajeev Bhargava, "Restoring Decency to Barbaric Societies," in *Truth v. Justice: The Morality of Truth Commissions,* eds. R.I. Rotberg & D. Thompson (Princeton: Princeton University Press, 2000), 45-67.
[94] Ibid.

achievement, citizens justify their positions by seeking a rationale that minimizes opponents' rejection, necessitating some consideration of the "opponent" and his worldviews.[95]

Yet, this theory, as well as the previous two, still fails to address the oppressive past. As Ernesto Verdeja argued, victims have a moral interest in publicizing abusive histories in order to achieve "legitimate demands for moral recognition."[96] Furthermore, the lack of historical scrutiny in these reductive definitions risks protecting power structures from accountability and reifying economic power imbalances. Honest reckoning with oppressive histories is necessary for individual and social healing. As articulated by Joanna Quinn:

> In order for any society to begin to move forward… people must be called to account for past events. In facing the details of history, past events can be revisited, evidence uncovered, people and institutions potentially held accountable… The combination of coming to terms with the past and one's emotional response to it hinges upon memory and the remembering of past events.[97]

Truth as acknowledgment reassures victims that they will not be wronged again and implies accountability for certain actions. It serves as a public statement that specific offenses are wrong and offers a commitment that they will not be committed again, proposed Govier.[98] For Quinn, acknowledgment does not produce forgiveness but removes barriers to it, as well as to reconciliation, defined as social cohesion or the absence of latent conflict and the presence of strong social bonds.[99] Govier and

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[95] Amy Guttman and Dennis Thompson in *Truth v. justice: The morality of truth commissions,* eds. R.I. Rotberg & D. Thompson (Princeton: Princeton University Press, 2000), 22-44.
[96] Verdeja, *Reconciliation in the Aftermath,* 13.
[97] Joanna R. Quinn, "What of Reconciliation? Traditional Mechanisms of Acknowledgment in Uganda" in *Reconciliation(s): Transitional Justice in Postconflict Societies* ed. Joanna R. Quinn (Montreal: McGill-Queens University Press, 2009), 179.
[98] Govier, "A Dialectic," 36-52.
[99] Joanna R. Quinn, "What of Reconciliation?" 179-182.

Llewellyn also defined reconciliation in terms of social repair, assuming an indirect, causal relationship between truth as acknowledgment and reconciliation. In short, these scholars support Rotberg's claim that "getting the facts provides closure, at least in theory."[100]

Offering a note of caution, Minow argued that the relationship between individualized notions of therapy and societal-level healing is under-examined and requires future inquiry before it can be considered conclusive.[101] Scholar Claire Moon also criticized restorative justice theories of social healing. In her analysis of amnesties and Post Traumatic Stress Disorder (PTSD) vocabulary in post-conflict states, Moon found that the discourse allowed new governments to base their legitimacy on the ability to enact social healing, which problematically individualized social problems and pathologized human behaviour.[102] Konstantin Petoukhov supported this finding and argued that an exclusive focus on social rebuilding fails to account for the correction of other power imbalances that can impede reconciliation. Building on Nancy Fraser's tripartite theory of justice, Petoukhov proposed a framework for reconciliation that also encompassed economic and political considerations.[103]

In even more expansive and demanding terms, a subset of scholars frames reconciliation as forgiveness. In his book, *No Future Without Forgiveness*, Archbishop Desmond Tutu proposed a theory of reconciliation adapted from principles of Ubuntu and Christian theology. Tutu's reconciliation assumes a direct and causal relationship

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[100] Rotberg, "Truth Commissions", 3.
[101] Minow, *Between Vengeance and Forgiveness,* 127.
[102] Claire Moon, "Healing Past Violence: Traumatic Assumptions and Therapeutic Interventions in War and Reconciliation," *Journal of Human Rights.* 8.1 (2009): 71, 82-83.
[103] Konstantin S. Petoukhov, "Locating a Theoretical Framework for the Canadian Truth and Reconciliation Commission: Charles Taylor or Nancy Fraser?" *The International Indigenous Policy Journal* 3.2 (2012): 1-17.

between truth and reconciliation. The perpetrator acknowledges the harms committed and repents, he/she then requests forgiveness, which is granted by the survivor.[104] The process of repentance is demanding and lengthy, specified Rodney Petersen, and requires deep interrogation of one self and a vulnerability to reproach.[105] Yet, these theorists are open to the valid criticism that Christian practices are inappropriate for government-instituted mechanisms. In reply, scholars have advanced theories of thick reconciliation that do not require Christian faith. For example, Daniel Philpott proposed a thick reconciliation akin to Tutu's. He extracted the overlapping concepts of forgiveness and justice in the three major monotheistic world religions and applied the points of convergence to political theory.[106] His interfaith definition and other secular theorists' approaches maintain that truth can intrinsically "unify and reconcile by exposing the horrors that past oppressors had denied or hidden."[107]

Reconciliation as forgiveness is problematic for several reasons. While none of its theorists claim that states can serve as the agents of forgiveness, demanding definitions of reconciliation still institutionalize forgiveness and pressure victims to pardon pre-maturely. As Verdeja noted, thick reconciliation is also overly context-driven and does not translate well beyond immediate circumstances.[108] Additionally, Moon aptly exposed how thick reconciliation reconstructs narratives in terms of "*re-*

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[104] Tutu, *No Future,* 271-272.
[105] Rodney L. Petersen, "A Theology of Forgiveness: Terminology, Rhetoric, and the Dialectic of Interfaith Relationships," in *Forgiveness and Reconciliation: Religion, Public Policy and Conflict Transformation,* eds. Raymond C. Helmick and Rodney Petersen (Philadelphia: Templeton Foundation Press, 2001), 11-13.
[106] Daniel Philpott, *Just and Unjust Peace: An Ethic of Political Reconciliation* (New York: Oxford University Press, 2012).
[107] Deborah Posel, "History as confession: The case of the South African Truth and Reconciliation Commission," *Public Culture* 20.1 (2008): 121.
[108] This argument was taken from Verdeja but does not reflect his approach to the concept of reconciliation. Verdeja, *Reconciliation in the Aftermath*, 20.

conciliation" to a prior, blissful state, which ignores histories without prior harmony.[109] It also lacks a vision of post-atrocity politics and risks de-legitimizing justifiable, political contestation in its silence.[110] Finally, many empirical studies have elucidated complexities in the relationship between truth and forgiveness, challenging the direct, causal link espoused by proponents of thick reconciliation.[111]

Scholars have widely debated the nuances of the journey from truth to reconciliation, but they have yet to significantly interrogate the conditions by which one ceases to correlate to the other, an important gap in the literature. To begin, the corruptibility of testimony and the myriad mechanisms that tailor its contents remain under-represented in restorative justice research. Discourse analysis considers the ways in which testimony can become subservient to power relations, or cognitive imperialism, as labeled by Rice and Snyder.[112] Discourse analysis theory interrogates how power dynamics and contradictory aims materialize in all parts of truths. It provides a framework to explore the dialogic struggles within testimony and the complex ways in which truths have been packaged and neutralized to distort the stories that reach the public. Discourse analysis theory builds on Nagy's critique and provides a paradigm to analyze the "dynamics of social construction that produce"[113] and secure content frames. Discourse analysis allows for the examination of how power politics permeate even the "truth" in testimony.

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[109] Claire Moon, *Narrating Political Reconciliation: South Africa's Truth and Reconciliation Commission* (Lanham: Lexington Books, 2008), 118.
[110] Verdeja, *Reconciliation in the Aftermath*, 20.
[111] Authors including Verdeja, Hayner, Llewellyn, and Govier have documented the messy and at times antithetical relationship between truth and reconciliation.
[112] Brian Rice and Anna Snyder, "Reconciliation in the Context of a Settler Society: Healing the Legacy of Colonialism in Canada," in From Truth to Reconciliation: Transforming the Legacy of Residential Schools, eds. Marlene Brant-Castellano, Linda Archibald, and Mike DeGagné (Ottawa: Aboriginal Healing Foundation, 2008), 55.

A discussion that moves beyond a debate of the "true" contents of reconciliation to consider how reconciliation can be coopted as a political tool is also required. Discourse analysis theory responds to this gap in restorative justice literature by focusing on how reconciliation can also become subservient to asymmetrical power relations. Discourse analysis explores how beliefs about reconciliation can be strategically constructed and deployed. It offers a lens to examine the processes by which multiple constructions of the term become entrenched or marginalized in popular discourse and allows for the exploration of political interests undergirding varying definitions. Discourse analysis also elucidates the potential for unilateral reconciliation to represent the most appropriate definition. Unilateral reconciliation places the burden on one party, and is best captured by the alternative definition of 'reconciliation,' which denotes: "to cause to submit to or accept something: bring into acquiescence with."[114] Discourse analysis theory, in its examination of the benefits and corruptibility of truth and reconciliation, creates space to challenge to the purportedly positive connotations of each term and the relationship between the two concepts.

The Canadian Truth and Reconciliation Commission

Since the convocation of the Canadian Truth and Reconciliation Commission (TRC), scholars have assessed its success in myriad ways. In my review of this literature, I found that key debates centered on the TRC's ability to promote accountability, healing, and reconciliation between Aboriginal people and settlers. I observed a general consensus on the Canadian TRC's failure to enforce individual accountability, and some

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[113] Nelson and Hardy, *Discourse Analysis,* 14.

contestation surrounding the TRC's potential to encourage personal and interpersonal healing. Finally, the survey revealed significant discrepancies regarding the subject of the commission's ability to foster reconciliation between settlers and Aboriginal people. The positions assumed depended highly on whether the advancement of collective accountability and the TRC's adoption of survivor recommendations ultimately occurred. I conclude by elucidating how the proposed discourse analysis theory will allow me to interrogate these theorized points of contention.

Individual accountability figures centrally in restorative justice theory but only peripherally in the Canadian TRC's mandate outlined in the Indian Residential Schools Settlement Agreement (IRSSA), an observation that united scholars. Matt James argued that the prohibition of survivors' naming their perpetrators inhibited individual accountability. This ban absolved perpetrators and their families from the intensive moral work of wrestling with and apologizing for unthinkable acts, he claimed.[115] Scholars also highlighted the challenge of holding perpetrators of specific abuses accountable, given the fact that the majority of them are deceased.[116] Moreover, as explained by Stanton, the commission was not given subpoena powers, in order to avoid replicating courtroom functions.[117] She hypothesized that as a result, living perpetrators and their descendants would have little incentive to participate in TRC proceedings. Given the restrictive TRC framework outlined in the IRSSA, scholars converged in their criticism of the commission's potential to hold individual perpetrators accountable.

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[114] Philip Babcock Gove, ed., *Webster's Third New International Dictionary of the English Language Unabridged* (Springfield: Merriam-Webster Inc. Publishers, 1961), 1897.
[115] Matt James, "Uncomfortable Comparisons: The Canadian Truth and Reconciliation Commission in International Context," *The Ethics Forum* 5.2 (2010): 23-35.
[116] Ibid.
[117] Kim Stanton, "Canada's Truth and Reconciliation Commission: Settling the Past?" *The International Indigenous Policy Journal* 2.3 (2011): 5-6.

In contrast, scholars debated the TRC's ability to foster survivor healing. Importantly, as highlighted by Stanton and Nagy, many survivors requested the commission's hearings.[118] Given the adversarial nature of courtroom proceedings, the TRC hearings provided space for survivors to voice their experiences without the pressure to prove the factual bases of their memories, Stanton argued.[119] The centrality of Aboriginal practices in the hearings also allowed for healing without re-colonizing, Naomi Angel suggested. She noted that the commission created culturally sensitive spaces for healing.[120] Yet, the freedom of TRC spaces from harmful, external influences is likely overstated, argued Ronald Niezen. He contended that statements have been distorted and controlled through priming videos, prompts, and audience reactions.[121] Healing must also extend beyond internal processes, emphasized Brian Rice and Anna Snyder. They specified that in order for the TRC to adequately promote healing, it must afford survivors the opportunity to speak to their own family members, to redress "internalized colonization/ self-hatred and ongoing abuse" in Aboriginal communities.[122]

The TRC's promotion of reconciliation between Aboriginal people and the broader settler society is even more precarious, and dependent on its openness to survivor suggestions. Prior to its inception, Llewellyn hopefully theorized that the TRC could lay the groundwork for reconciliation by discovering past wrongdoing, its implications for relationships, and requirements for redress.[123] In equally positive terms,

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[118] Nagy, "Settler Denial," 349-367.
[119] Stanton, "Settling the Past?" 5-6.
[120] Naomi Angel, "Before Truth: The Labors of Testimony and the Canadian Truth and Reconciliation Commission," *Culture, Theory and Critique* 53.2 (2012): 199.
[121] Ronald Niezen, *Truth & Indignation* (Toronto: University of Toronto Press, 2013), 83-103.
[122] Rice and Snyder, "Reconciliation in the Context of a Settler Society," 49.
[123] Llewellyn, "Bridging the Gap," 185-188.

Franklin Oduro stated that Canada is better positioned to respond to the implications of the hearings, given its access to high levels of resources. The Canadian TRC therefore has the ability to respond to recommendations and to avoid disappointing survivors, he argued.[124] Stanton also pointed to the TRC's large budget for public education and its ability to combat settler myths as potential areas of success. The adoption of a TRC in a stable democracy has the increased potential to promote social accountability through the creation of an incontrovertible public record of testimonies, she claimed.[125] Finally, James illuminated the intrinsic subversive potential of testimony and victim-centered proceedings. Prioritizing Aboriginal practices, testimony has the potential to communicate a reversal of colonial power relations and further reconciliation, he claimed.[126]

Scholars have warned against overstating the subversive gains of testimony for reconciliation, however. Testimony can be a double-edged sword, reifying colonial power structures. Bounding testimony in a Western PSTD framework can individualize violence and abate the statements' radical potential for widespread critique, Nagy argued.[127] Additionally, the aforementioned testimony controls can affect the potential for testimony to disturb settler identity. Testimony has been mediated through audience expectations, Niezen claimed.[128] Limitations on truth and testimony have significant impact for reconciliation, given that the accountability of settlers and the broader Canadian power structures remain crucial to the process.

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[124] Franklin Oduro, "The Canadian Truth and Reconciliation Commission: Lessons from Comparable Experiences in Nigeria and Ghana," *The Canadian Journal of Native Studies* 32.2 (2012): 103-105.
[125] Stanton, "Settling the Past," 8.
[126] Matt James, "A Carnival of Truth? Knowledge, Ignorance and the Canadian Truth and Reconciliation Commission," *The International Journal of Transitional Justice* 6 (2012): 182.
[127] Nagy, "Scope and Bounds," 52.
[128] Ronald Niezen, *Truth & Indignation* (Toronto: University of Toronto Press, 2013), 59-60.

Expectations for reconciliation are also tempered by the TRC's mandate and location. Residential schools created intergenerational effects, yet the TRC mandate does not mention them, noted Courtney Jung.[129] The mandate is also nebulously constructed;[130] it leaves reconciliation largely undefined and proposes mechanisms in amorphous and ill-defined terms.[131] Rice and Snyder also cited the recovery of Aboriginal language, culture, and identity as key to the process of decolonization and reconciliation,[132] which does not figure prominently in the mandate. Most significantly, several authors argued that the commission's mandate problematically ignores structural violence. The mandate failed to punish the institutions that upheld the IRS system.[133] Ongoing issues that stem from colonialism are also absent. For example, Jula Hughes noticed that unjust pipeline negotiations and the epidemic of missing and murdered Aboriginal women were ignored in the mandate.[134] Finally, the commission's location in relation to the Canadian public poses problems for checks on colonial power relations.

Public awareness and meaningful challenges to settler identity are necessary to redress colonialism, argued Paulette Regan.[135] However, several scholars noted that meaningful engagement with settler privilege remains unlikely due to the separation of the TRC from common consciousness. Nagy and Gillespie noted that only 50% of Canadians polled in a 2008 Environics benchmark survey "had read or heard something"

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[129] Courtney Jung, "Transitional Justice for Indigenous People in a Non-transitional Society," *International Center for Transitional Justice,* research brief, October 2009.
[130] Petoukhov, "Locating a Theoretical Framework," 1-2.
[131] Stanton, "Settling the Past," 10.
[132] Rice and Snyder, "Reconciliation," 56-58.
[133] James, "Uncomfortable comparisons," 23.
[134] Jula Hughes, "Instructive Past: Lessons from the Royal Commission on Aboriginal Peoples for the Canadian Truth and Reconciliation Commission on Indian Residential Schools," *Canadian Journal of Law and Society,* 27.1 (2012): 101-127.
[135] Paulette Regan argued this in her book, *Unsettling the Settler Within: Indian Residential Schools, Truth Telling, and Reconciliation in Canada* (Vancouver: UBC Press, 2010).

of the IRS system.[136] Moreover, the TRC's roots in courtrooms and legal settlements led to little public interest from the beginning. This lack of grassroots support creates a unique and challenging need to prompt Canadians to participate in a commission they did not request, Stanton argued.[137]

Jung elucidated a potential clash in aims for the commission, in which the government might try to use the commission to draw a line between the past and legitimate the present, whereas Aboriginal Canadians might attempt to use a history of harms to leverage critiques on current injustices.[138] As Glen Sean Coulthard explicated, "Where there is no formal period marking an explicit transition from an authoritarian past to a democratic present—state-sanctioned approaches to reconciliation tend to ideologically fabricate such a transition by narrowly situating abuses of settler colonization firmly *in the past.*"[139] Colonial structures are left intact and reconciliation emerges unilaterally, which continues the subjugation of colonial subjects.

In light of these contrasting commentaries on the Canadian TRC, a need exists for a comprehensive assessment of the commission's success in promoting structural and social accountability, healing, and reconciliation. Discourse analysis allows me to interrogate the theorized points of contention proposed by these scholars and identify truths and experiences upheld at the expense of others. My thesis will examine whether media coverage focuses on the broader historical context of the IRS system or isolates occurrences of abuse.[140] Using discourse analysis theory, which prioritizes diverse approaches to truths about the residential schools system, I will interrogate the frames

[136] Nagy and Gillespie, "Representing Reconciliation," 3.
[137] Stanton, "Settling the Past," 4.
[138] Jung, "Transitional Justice," 2.

used by different journalists and the portrayal of harms elicited by their articles. My thesis will examine public discourse to assess the TRC's ability to produce a "radical… new history," which holds settlers accountable and avoids Eurocentric ideals.[141] Discourse analysis theory can achieve this by uncovering the origins and presuppositions of the language used in discussion of the TRC, its putative privileging of Indigenous practices, and consequently, its pedagogical, and "decolonizing potential."[142]

Given that several scholars noted the dependency of the TRC's success on its responsiveness to survivor recommendations, my discourse analysis will trace the relative flexibility or rigidity of government responses to testimony. The brief theoretical construct I develop here equips me to trace disruptions to dominant government discourses, as institutionalized in public statements and policy changes.

Discourse analysis will also allow me to investigate hypotheses about the government's clash with Aboriginal people in temporal dimensions. My proposed theory enables me to interrogate how TRC descriptors become tied to temporal bounds. It provides the space to ask whether the TRC furnished a platform for Aboriginal people to raise current concerns and reevaluate the residential schools legacy, or if it served as closure on the past. My methodology chapter contains further elaboration on my proposed procedure for assessing temporal dimensions of the TRC, as well as the aforementioned competing theories.

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[139] Glen Sean Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis: University of Minnesota Press, 2014), 22.
[140] Nagy and Gillespie, "Representing Reconciliation", 3-5.
[141] Nagy, *Settler Denial,* 357-359.
[142] Rosemary Nagy, "The Scope and Bounds of Transitional Justice and the Canadian Truth and Reconciliation Commission," *International Journal of Transitional Justice* 7.1 (2013): 72.

Chapter Two
Methodology

Case Selection

My thesis focuses on the Canadian Truth and Reconciliation Commission (TRC). I selected this case study due to its timeliness, balance of uniqueness and comparability within transitional justice literature, and my relationship to it as a Canadian settler. Given the conclusion of the TRC in June 2015, this case study provides a well-timed assessment of its achievements. Furthermore, this study's findings aim to contribute to future conversations about the state of Aboriginal-settler relationships, and to frame next steps in policy.

A case study is arguably most useful when it strikes a balance between "uniqueness" and "comparability" to other cases.[1] Within transitional justice research, the Canadian case is distinct in its legal roots and context. The Canadian TRC is one of the first instances of a statewide commission in a stable democracy,[2] and the first case created as a result of a class action lawsuit. As a result, the Canadian case elucidates the persistence of violence in stable, liberal democracies. Consequently, it challenges the field's teleology to establish liberal democracies in transitional states and raises theoretical questions about the value of 'transition' as a category of justice.

The Canadian TRC is unique in its 'non-transitional' setting, yet sufficiently commensurate with other truth commissions to offer insight into a variety of contexts. A

[1] John Gerring, "What is a Case Study and What is it Good for?" *American Political Science Review* 98.2 (2004): 351-352.
[2] Australia's "Stolen Children Inquiry" was the first. For more information, please see Damien Short's book entitled *Reconciliation and colonial power: indigenous rights in Australia.*

small number of truth commissions have been introduced in liberal democracies. For example, within the United States, both the Greensboro Truth and Reconciliation Commission and the Metropolitan Detroit Truth and Reconciliation Commission on Racial Equity were instituted to address deep-seated histories of racial violence and inequity.[3] Additionally, the Maine Wabanaki-State Child Welfare Truth and Reconciliation Commission[4] and Inuit-led Qikiqtani Truth Commission[5] represent examples of regional, Indigenous commissions. My findings on the appropriateness of discourses of reconciliation in stable democracies are potentially valuable to commissions such as these. Additionally, as argued by Courtney Jung, the use of a commission to reckon with histories of indigenous oppression represents a nascent, yet growing trend.[6] Analysis of the Canadian TRC's successes and failures could contribute to discussions in other countries with substantial indigenous populations.

Importantly, I did not select the Canadian case based on any presumed findings of success in promotion of healing and reconciliation.[7] Consistent with any constructivist inquiry, my implication in the Canadian TRC as a beneficiary of colonialism led me to focus on this commission. As a white person, I represent settlers

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[3] For more information on the Greensboro TRC, see David Androff, "Narrative Healing Among Victims of Violence: The Impact of the Greensboro Truth and Reconciliation Commission." For more information on the Detroit commission, see race2equity.org.

[4] The Maine Wabanaki-State Child Welfare truth commission was created to "uncover and acknowledge" the experiences of Wabanaki communities with the welfare system. "Goals of the TRC," Maine Wabanaki-State Child Welfare Truth and Reconciliation Commission, accessed August 27, 2015, http://www.mainewabanakitrc.org/.

[5] The Qikiqtani Truth Commission was created to " investigate facts, interview witnesses, hold public hearings and report… the truth surrounding the alleged dog slaughter, relocations and other decisions made by the Canadian government up until 1975, and to consider the effects of these decisions on Inuit culture, economy and way of life." This description and further information are available at "FAQs," Qikiqtani Truth Commission, accessed August 28, 2015, http://qtcommission.ca/en/faqs.

[6] Courtney Jung, "Canada and the Legacy of the Indian Residential Schools: Transitional Justice for Indigenous People in a Nontransitional Society," in *Identities in Transition: Challenges for Transitional Justice in Divided Societies*, ed. Paige Arthur (Cambridge: Cambridge University Press, 2010), 1.

in colonial history and have benefitted from both external colonialism, the expropriation of Indigenous lands, "worlds, animals, plants and human beings" to build settler wealth, and internal colonialism, "the use of particularized modes of control… to ensure the ascendency of a nation and its white elite."[8] Furthermore, as an Anglican, the involvement of the Anglican Church in the staffing and management of Indian Residential Schools (IRS) binds me to its legacy.

Hypothesis

I hypothesize that discourse analysis will reveal a power struggle between Aboriginal and governmental aims, and that the Canadian TRC promoted limited healing and a unilateral reconciliation. I hypothesize that government and popular discourse will reify neo-colonial power structures as revealed in testimony and the packaging of testimony. As articulated by Murray Edelman, "The key tactic must always be the evocation of meanings that legitimize favored courses of action and threaten to reassure people so as to encourage them to be supportive or to remain quiescent."[9] I hypothesize that the government's maneuver for political advantage will involve the creation of meanings and employment of transitional justice vocabularies of healing and reconciliation to mollify citizens into compliance with a colonial history and current neocolonial policies.

Definitions of Healing and Reconciliation

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[7] Barbara Geddes writes about the weakness of research projects designed based on presumed findings on the dependent variable. For more information about case selection on the dependent variable see: Barbara Geddes, "How the cases you choose affect the answers you get."

[8] Eve Tuck and K. Wayne Yang, "Decolonization is not a metaphor," *Decolonization: Indigeneity, Education & Society* 1.1 (2012): 4-5.

[9] Edelman, "Political Language," 11.

To explore whether the TRC promoted healing and reconciliation, this thesis assesses the material implications of dialogical struggles to define 'healing' and 'reconciliation.' The word 'promote' is not meant to assume or allude to a natural progression of history or an upward trajectory. Rather, it is used to avoid the oversimplified and probable conclusion that full reconciliation and healing have not been achieved, and to account for meaningful material changes that result from the dialogical struggle. This thesis both attests to the constructed nature of reality and draws upon a tenable, elected definition for each term. Given that the TRC focuses on the legacy of the IRS system, this project defines healing and reconciliation in terms that are consistent with indigenous thought.

This project defines healing broadly to encompass spiritual healing, internal healing, healing of kinship relationships, and healing to land.[10] Indigenous conceptions of healing are multifarious and complex.[11] As elaborated in the Aboriginal Healing Foundation's report entitled *Aboriginal Healing in Canada: Studies in Therapeutic Meaning and Practice*, healing involves an ongoing process of "reparation of damaged and disordered" relationships with "family, friends, community, and even his or her heritage."[12] Renee Linklater has also exposed the inaccuracy of neat divisions between

[10] This definition was adapted from the statement of identity given by Chief Robert Joseph, the leader of the IRS Survivor's Society, as made available in Rosemary Nagy's article, "The Scope and Bounds of Transitional Justice and the Canadian Truth and Reconciliation Commission." Nagy cites Chief Joseph, who states: "You've got to set the dialogue in a spiritual context… It's amazing when you say, 'Who are we?' It's just a basic question, and when the Aboriginal person answers, he gives you a whole description about who he is, where his first ancestor is, where the sacred territory is, his friends, his grandpa, his mom and dad, his clan, a whole lot of history and information about who we are as Aboriginal people.' And so when we have that kind of dialogue, the newcomers might just understand us a little more and maybe just appreciate us a little more, who we are as people." Rosemary Nagy, "The Scope and Bounds of Transitional Justice and the Canadian Truth and Reconciliation Commission," *International Journal of Transitional Justice* 7(2012): 69.

[11] James B. Waldram, "The Models and Metaphors of Healing," in *Aboriginal Healing in Canada: Studies in Therapeutic Meaning and Practice,* ed. James B. Waldram (Dollco Printing: Ottawa, 2008), 6.

[12] Ibid. For more nuanced and context-specific formulations of and experiences with healing in different Aboriginal communities, please see Naomi Adelson and Amanda Lipinski's New Brunswick Study with youth: Naomi Adelson and Amanda Lipinski, "The Community Youth Initiative Project," in *Aboriginal*

the concepts of healing and decolonization.[13] Given the interconnectedness of healing and reconciliation as decolonization, the entirety of my analysis could arguably focus of on one of the two terms. My delineation between concepts is not done to ignore Linklater's insight nor uphold substantive differences between them. Rather, the use of separate categories allows me to account for healing within Aboriginal communities without having to adopt the term "internal reconciliation,"[14] which problematically implies that rapprochements internal to Aboriginal communities can constitute reconciliation in the Canadian TRC. The use of 'reconciliation' as a separate category of analysis in this thesis requires the implication of settler society and government, as well as their relationships to Aboriginal people.

This thesis defines reconciliation as decolonization, following Rosemary Nagy in her article, "The Scope and Bounds of Transitional Justice and the Canadian Truth and Reconciliation Commission." Included in her definition are a return of land and power to Aboriginal communities, a commitment to remedy life gaps between Aboriginal and non-Aboriginal people, and a disturbance of the settler logic that continues to plague both policy and relationships.[15] Reconciliation denotes a meaningful disruption of

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Healing in Canada: Studies in Therapeutic Meaning and Practice, ed. James B. Waldram (Dollco Printing: Ottawa, 2008), 9-30. For further information on the "holistic balance" of healing and its process, I recommend Joseph P. Gone's case study in Manitoba. Joseph P. Gone, "The Pisimweyapiy Counselling Centre: Paving the Red Road to Wellness in Northern Manitoba," in *Aboriginal Healing in Canada: Studies in Therapeutic Meaning and Practice,* ed. James B. Waldram (Dollco Printing: Ottawa, 2008), 131-203. Finally, for further discussion of the models and metaphors of healing, please consult Jo-Anne Fiske, "Making the Intangible Manifest: Healing Practices of the Qul-Aun Trauma Program," in *Aboriginal Healing in Canada: Studies in Therapeutic Meaning and Practice,* ed. James B. Waldram (Dollco Printing: Ottawa, 2008), 31-91.

[13] Renee Linklater depicts colonialism as integral to understandings of trauma in her book entitled *Decolonizing trauma work: Indigenous Stories and Strategies.* Renee Linklater, *Decolonizing trauma work: Indigenous Stories and Strategies* (Winnipeg: Fernwood Publishing, 2014).

[14] This distinction has been made publicly by important figures such as Justice Murray Sinclair. Justice Sinclair, Presentation at Church of the Redeemer- In For the Long Haul: From Truth to Reconciliation, 1 May 2015, Toronto, Canada.

[15] Nagy, "Scope and Bounds," 62.

colonial dominance in the creation of Aboriginal political realities, a redress of the "economic, gendered, racial, and state"[16] discursive and non-discursive facets that produce colonial dispossession. Reconciliation as decolonization challenges the settler hegemony in "the creation of meaning and the construction of beliefs"[17] about the IRS system. This definition is more appropriate in the Canadian context than definitions of reconciliation as social cohesion, procedural fairness, or forgiveness. Reconciliation as social cohesion and procedural fairness leave state government intact, and inadequately account for the central issue of land restitution. Furthermore, reconciliation as forgiveness is damaging, as it incorporates theological language that was also used in religious education at residential schools.

Data Analysis

This research employs discourse analysis, and draws on a framework developed by Norman Fairclough, Foucauldian textual analysis proposed by Lindsay Prior, and tools provided by Nelson Phillips and Cynthia Hardy. Discourse analysis is a three-dimensional methodology that relates text to discourse and situates them both within a broader historical, social context.[18] The first dimension of the methodology involves a close reading of text, an analysis of "the origins, nature and structure of the discursive themes by means of which the text has been produced."[19] It provides a genealogy of the

[16] Glen Sean Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis: University of Minnesota Press, 2014), 7.
[17] Murray Edelman, "Political Language and Political Reality," *American Political Science Association* 18.1 (1985): 10.
[18] Nelson Phillips and Cynthia Hardy, *Discourse Analysis: Investigating Processes of Social Construction* (London: Sage Publications, 2002), 4-5.
[19] Lindsay Prior, "Following in Foucault's Footsteps: Text and Context in Qualitative Research" in *Approaches to Qualitative Research: A Reader on Theory and Practice,* ed. Sharlene Nagy Hesse-Biber and Patricia Leavy (New York: Oxford University Press, 2004), 320.

various elements in the text, identifying aspects such as the timing of the introduction of new terminology and concepts.

To examine individual texts, I manually annotated print versions of public documents, newspaper articles, and self-transcribed videos. Specifically, my annotations focused on aspects such as syntax, grammar, the cadence of the text, verb tenses, timing of word choice, literary devices, and the implications of these selections. Textual analysis in this thesis focused on vocabulary and structure to observe, "the political meaning and symbolism attached to words"[20] such as 'healing,' 'legacy,' 'Indian Residential Schools system,' and 'reconciliation.' These terms represent a sample of key words, rather than an exhaustive list.

Discourse is "an interrelated set of texts, and the practices of their production, dissemination, and reception, that bring an object into being."[21] Analysis of the relationship between text and discourse considers how "texts are made *meaningful* through these processes… and also how they contribute to the constitution of social reality."[22] This second dimension of the methodology focuses on the modes of production and assembly of texts, considering its relationship to power. In conversation with Foucauldian contributions, this methodology looks for "the disunity, discontinuity and limits to discourse, especially in terms of locating and following challenges to dominant discourses."[23] This thesis focuses on the dominant discourses of the state and media and the counter-discourses of resistance and Aboriginal self-determination. A sample set of questions exploring the relationship between text and discourse, as adapted

[20] Ariadne Vromen, "Debating Methods: Rediscovering Qualitative Approaches" in *Theory and Methods in Political Science,* eds. David Marsh and Gerry Stoker (London: Palgrave Macmillan, 2010), 264.
[21] Ian Parker, *Discourse Dynamics: Critical Analysis for Social and Individual Psychology* (London: Routledge, 1992), 3.

from Prior, includes the following questions: What image of "reality" does the text project? How do certain discourses limit and arrange what survivors can and cannot say about colonialism, IRS schools, and its legacy? How does the dominant discourse empower survivors to speak about certain aspects of the IRS system and disempower them to speak on others?[24]

This second dimension of the approach builds on my observations within a single text to consider how these findings fit within the larger set of texts and their technologies of production. This stage examines how Aboriginal people, healing, residential schools, colonialism, reconciliation, and the like are constructed in the specific text. To accomplish this, I noted how these terms were framed to portray different images of reality and imbued with specific connotations. To ask if these expressions corroborate or disrupt dominant portrayals in the larger body of texts, I used content analysis, not in terms of mathematical methodology, but "in a more interpretive form" that "connects content"[25] within one text to a larger set. I observed consistency and reemergence of formulations and framings in multiple texts. These dominant portrayals then comprised my categories of analysis as I continued to process more data. To safeguard against arbitrariness, I reread the entire body of individual texts with the addition of each new analytical category.

The third dimension of discourse analysis locates text and discourse within the historical and social context. Using a content analysis of relevant sources outlined below, this research relates text and discourse to the broader context of colonialism,

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[22] Phillips and Hardy, *Discourse Analysis,* 3.
[23] Vromen, "Debating Methods," 264.
[24] Prior, "Following in Foucault's Footsteps," 317-333.
[25] Phillips and Hardy, *Discourse Analysis,* 3.

Canadian politics, and international transitional justice. Given that this thesis exists within the discipline of Political Science, greater attention will be paid to Fairclough's third stage of "macro analysis,"[26] than to the close textual study. This stage emphasizes the "processes of social construction that lead to a social reality that is taken for granted and that advantages some participants at the expense of others."[27] It involves study of how certain depictions become entrenched and others become marginalized and/or forgotten. Looking to the policy landscape, education standards, and other markers of the historical and current status quo, the third stage examines how specific discourses have or have failed to become naturalized.

To ensure systematic analysis, all data in this thesis was analyzed chronologically. Chronological analysis also allowed for the observation of any progression in themes within the TRC. Additionally, applying the "Folk Bayesian" approach to discourse analysis, this research aimed to respond to criticisms of the seemingly random order of some constructivist inquiry. The Folk Bayesian approach requires the researcher, or "interactive processer," to "move back and forth between theory and data."[28] To create my categories of analysis, I consulted a subset of data. This allowed me to draft theory that was able to account for the expansive purview of content raised in texts. Throughout my research, the frequent reevaluation of theory with new data allowed for the "revision of prior beliefs"[29] and reduced my temptation to discount findings that did not fit within my original hypothesis.

[26] Vromen, "Debating Methods," 264.
[27] Phillips and Hardy, *Discourse Analysis,* 15.

Data Selection

The textual analysis in this thesis encompasses survivor testimonies, media coverage, truth and reconciliation commission publications, government statements, and the Indian Residential Schools Settlement Agreement (IRSSA). The sum total of individual texts and attention to their methods of production and dissemination forms the discourses to be analyzed. To elucidate the dominant, governmental approach to healing and reconciliation, I primarily draw on textual analysis of Stephen Harper's 2008 apology and the IRSSA. I then supplement these texts with transcripts of quotations given by government officials in TRC video footage and quotations from creators of the IRS system, as made available in John S. Milloy's *A National Crime*. My focus on the IRSSA as a primary document is due to its provisions for the establishment of the TRC. I also prioritize Harper's apology for its significance to many survivors as a foundational step toward improved relations between government and Aboriginal people.[30]

To interrogate dominant, public understandings of the TRC, I draw on the sum of media output. Given the correlation between media coverage and public perception, this approach is appropriate. A 2008 Environics Benchmark Survey concluded that Canadians "were most likely to cite mass media when asked how they heard about Indian residential schools."[31] It is important to note that a plurality of voices exists in the media. Therefore, bifurcation of the sum of news coverage represents a false dichotomy. The articles analyzed in this thesis contribute to both dominant governmental

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[28] Timothy J. McKeown, "Case Studies and the Statistical Worldview: Review of King, Keohane, and Verba's *Designing Social Inquiry: Scientific Inference in Qualitative Research,*" *International Organization Foundation* 53.1 (1999): 180.
[29] Ibid.
[30] Truth and Reconciliation Commission of Canada, *Truth and Reconciliation Commission of Canada: Interim Report,* Winnipeg, 2012, 9.
[31] Nagy and Gillespie, "Representing Reconciliation," 6.

approaches and discourses of resistance. To accurately categorize media coverage, I rely on the policy landscape and large-scale media studies to contextualize the data.

Selection of individual articles for discourse analysis is adapted from Nagy and Emily Gillespie's methodology, in their analysis of media framing and the TRC. This project examines 49 newspaper articles each over 500 words in length, as made available by ProQuest's Canadian Newsstand Major Dailies. This database includes "national and leading regional papers"[32] from across Canada. From "an 'all text' search of 'Indian residential schools' AND 'residential schools' AND 'truth and reconciliation,'"[33] this research focuses on 7 articles published per year beginning in 2008, the year of Stephen Harper's apology, and concluding in 2014, with the conclusion of the national events. For each year, I culled every fourth article listed in the search results until a total of 7 articles were selected. In the instance of 2011, I analyzed articles beyond the original 7 to compensate for the fact that one popular article came up multiple times in my data selection.

This thesis analyzes testimony given by survivors. Originally, I had intended to select every second, fourth, and sixth testimony given at each of the seven national events to simulate randomness. However, owing to the TRC's transfer of all its documentation, including taped testimony, to the website of the new National Research Centre, the testimonies I had hoped to cite were simply not available—and my requests for access were eventually denied by the Director of the National Research Centre, Ry Moran, because they could not be made available during the transition. To compensate

[32] "Canadian Newsstand Major Dailies," ProQuest, accessed August 25, 2015, http://search.proquest.com.proxy1.lib.uwo.ca/canadiannewsmajor?accountid=15115.
[33] Rosemary Nagy and Emily Gillespie, "Representing Reconciliation: A news frame analysis of print media coverage of Indian residential schools," *Transitional Justice Review* 1.3 (2015): 15.

for this restriction, I instead adopted a patchwork approach and collected available testimonies from four of the national events as made available on the Canadian TRC YouTube channel. Specifically, I drew on three complete testimonies from the first, second, fifth, and sixth national events that were posted on the TRC YouTube channel. Where possible, I listened to the first, second and fourth testimony from each of these events. Otherwise, I consulted the three testimonies that were posted. In addition to these complete, unedited testimonies, I also transcribed and analyzed direct survivor quotations from the fourth national event in Saskatoon and TRC videos from multiple events that featured excerpts of survivor statements. I was able to review 18 testimonies from across all national events except the Alberta National Event, totaling over 100 pages of testimony transcript.

The compilation of these individual testimonies, in addition to statements given by TRC commissioners at events, forms the counter-discourses for study. To clarify, this small data set is in no way representative of the myriad channels of activist, artistic, and scholarly resistance. Certainly, interviews with Aboriginal activists, coupled with analysis of Aboriginal art, film, and literature, would have further clarified discourses of resistance. This thesis prioritizes testimony as the locus of resistance due to its specific focus on the TRC. Given that there is no single survivor experience and that testimonies and TRC events are also constituted by power dynamics, these texts cannot be neatly delineated as part of discourses of resistance. To account for this fluidity and to identify the fundamental content of discourses of resistance, I contextualize testimonies and TRC statements within broader Aboriginal activist scholarship.

Finally, to connect specific content to the discursive historical and social context, this research draws on related literatures and textbooks, United Nations (UN) documents, relevant legislation, and court decisions. A subset of literature on the political, legal and UN documents can be found in the thesis bibliography.

Chapter Three
Truth and Healing

Robyn Green's article, "Unsettling cures: Exploring the limits of the Indian Residential School Settlement Agreement," differentiated between indigenous and Western conceptions of healing. In my discourse analysis of healing in the Canadian Truth and Reconciliation Commission (TRC), I observed a similar split between holistic, Aboriginal approaches and dominant, Western constructions. For some within the Aboriginal community, healing signifies "an ongoing process that first require[s] the expression of individual agency in the form of personal commitment."[1] It is a journey in which "no one is ever completely healed."[2] Holistic healing is "community-oriented (that is, that it goes beyond the individual)," "more spiritually based than Western healing practices,"[3] and is connected to healed relationships to land and ancestors.[4] In contrast, healing in Western terms denotes "psychotherapeutic metaphors,"[5] a

[1] Joseph P. Gone, "The Pisimweyapiy Counselling Centre: Paving the Red Road to Wellness in Northern Manitoba," in *Aboriginal Healing in Canada: Studies in Therapeutic Meaning and Practice,* ed. James B. Waldram (Dollco Printing: Ottawa, 2008), 185.
[2] James B. Waldram, "The Models and Metaphors of Healing," in *Aboriginal Healing in Canada: Studies in Therapeutic Meaning and Practice,* ed. James B. Waldram (Dollco Printing: Ottawa, 2008), 6.
[3] Naomi Adelson and Amanda Lipinski, "The Community Youth Initiative Project," in *Aboriginal Healing in Canada: Studies in Therapeutic Meaning and Practice,* ed. James B. Waldram (Dollco Printing: Ottawa, 2008), 28.
[4] This definition was adapted from the statement of identity given by Chief Robert Joseph, the leader of the IRS Survivor's Society, as made available in Rosemary Nagy's article, "The Scope and Bounds of Transitional Justice and the Canadian Truth and Reconciliation Commission." Nagy cites Chief Joseph, who states: "You've got to set the dialogue in a spiritual context… It's amazing when you say, 'Who are we?' It's just a basic question, and when the Aboriginal person answers, he gives you a whole description about who he is, where his first ancestor is, where the sacred territory is, his friends, his grandpa, his mom and dad, his clan, a whole lot of history and information about who we are as Aboriginal people.' And so when we have that kind of dialogue, the newcomers might just understand us a little more and maybe just appreciate us a little more, who we are as people." Rosemary Nagy, "The Scope and Bounds of Transitional Justice and the Canadian Truth and Reconciliation Commission," *International Journal of Transitional Justice* 7 (2012): 69.
[5] Claire Moon, "Healing past violence: Traumatic assumptions and therapeutic interventions in war and reconciliation," *Journal of Human Rights* 8.1 (2009): 78.

diagnosable "unhealthy body politic," which a treatment period can cure.[6] I contend that these vocabularies conflict in scope and timeframe and result in material implications, wherein healing as cure implies the termination of healing supports and reduces the range of residential school harms to be addressed. Despite the dominance of the Western, 'healing as cure' framework, and multiple closure-inducing government acts, I found that the TRC promoted individual, intergenerational, and spiritual healing within Aboriginal communities, as well as cultural restoration, all of which strengthened self-determination movements.

Individual Healing

The Canadian TRC promoted individual healing and offered survivors supportive spaces to share their testimony. Many survivors attested to the honour of speaking at national events, reinforcing the fact that the TRC was "a hard-fought gain resulting from over twenty years of struggle."[7] Expressions of "appreciation"[8] "for th[e] opportunity"[9] to speak to "the Commissioners and… supporters,"[10] and the sentiment survivors expressed to the commissioners "for allowing [me] to be here,"[11] were pervasive in the testimonies. Expressions of gratitude bordered on declarations of healing for some survivors; as one comment at the Winnipeg National Event epitomized: "It puts my

[6] Green, "Unsettling Cures," 136.
[7] Rosemary Nagy and Emily Gillespie, "Representing Reconciliation: A news frame analysis of print media coverage of Indian residential schools," *Transitional Justice Review* 1.3 (2015): 20.
[8] Peter Airo, Online Testimony- Quebec National Event, Truth and Reconciliation Commission of Canada, 26 April 2013, Montreal, Canada; accessed 15 May 2015; available from https://www.youtube.com/watch?v=xUHsYKm5EBE.
[9] Clips from National Sharing events
[10] Leonard Alexi, Online Testimony- British Columbia National Event, Truth and Reconciliation Commission of Canada, 18 September 2013, Vancouver, Canada; accessed 30 April 2015; available from https://www.youtube.com/watch?v=7rn6rhFYFuk.

spirit a little lighter, very light really… to have all these different people participating, it feels good."[12] Public participation provided symbolic gains for personal healing. As explained by Brian Rice and Anna Snyder, many survivors prioritize an affirmation that "you are right, you were damaged, and it was wrong."[13] The TRC provided the platform for the acknowledgement of harms, which helpfully combatted IRS denial and promoted individual healing.

Prime Minister Stephen Harper's Statement of Apology, which many survivors viewed as an important step on their healing journeys, also publicly acknowledged the residential schools legacy.[14] In the apology, Harper stated, "The burden of this experience has been on your shoulders for far too long. The burden is properly ours as a Government, and as a country."[15] His apology mentioned a transfer of the burdens that survivors have carried 'for far too long,' and implies a long-awaited relief from the decades of effort required to procure an adequate response to the residential schools legacy. Harper's words signal a new beginning in which survivors no longer have to advocate for themselves to receive healing support and restitution. Yet, the sincerity of his statement is challenged by the discrepancy between his words and the experiences of survivors who continue to face barriers imposed by government actions. For example,

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[11] Margaret Commodor, Online Testimony- British Columbia National Event, Truth and Reconciliation Commission of Canada, 18 September 2013, Vancouver, Canada; accessed 29 April 2015; available from https://www.youtube.com/watch?v=7rn6rhFYFuk.

[12] Unnamed IRS Survivor, online interview, Winnipeg National Event, Truth and Reconciliation Commission of Canada, 16 June 2010, Winnipeg, Canada; accessed 29 April 2015; available from https://www.youtube.com/watch?v=UnhxtnSxqVQ.

[13] Brian Rice, and Anna Snyder. "Reconciliation in the Context of a Settler Society: Healing the Legacy of Colonialism in Canada," in *From Truth to Reconciliation: Transforming the Legacy of Residential Schools*, eds. Marlene Brant-Castellano, Linda Archibald, and Mike DeGagné, (Ottawa: Aboriginal Healing Foundation, 2008), 47.

[14] Truth and Reconciliation Commission of Canada, *Truth and Reconciliation Commission of Canada: Interim Report,* Winnipeg, 2012, 9.

survivors faced unnecessary difficulties in pursuit of their promised restitution in the Common Experience Payment program.

Survivors bore both emotional and logistical burdens as they sought to obtain their payments negotiated in the IRSSA. The Common Experience Payment (CEP), as outlined in the Indian Residential Schools Settlement Agreement (IRSSA), offered survivors compensation for enrollment in the schools. Successful applicants were granted $10,000 for their first year, or partial year, of attendance and an additional $3,000 for every subsequent year.[16] The CEP also included a reconsideration request process for unsuccessful applicants seeking a revision of their CEP decision. A comprehensive study of the CEP process found mixed results, with some positive gains.[17] Yet many survivors faced emotional difficulties because they were "forced to disclose difficult personal information" and comply with sensitive application requirements, which triggered traumatic memories.[18] Difficulty locating the necessary contact people created a "frustrating" application process,[19] and survivors reported that long wait times produced "anxiety."[20] Moreover, many survivors faced the burden of

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[15] Aboriginal Affairs and Northern Development Canada, *Indian Residential Schools Statement of Apology,* Stephen Harper, Ottawa, 2008; accessed 15 May 2015; available from http://www.aadnc-aandc.gc.ca/eng/1100100015677/1100100015680.

[16] Article Five, Indian Residential Schools Settlement Agreement, May 8, 2006; accessed April 6, 2015; available from http://www.residentialschoolsettlement.ca/IRS%20Settlement%20Agreement-%20ENGLISH.pdf, 44.

[17] The qualitative study of 281 Aboriginal people found that, for applicants under 60 who were fluent in English or French, the process was straightforward. The report notes that almost half of the respondents cited both positive and negative sides to their experience. The positive experiences were attributed to "relieved financial stress" and new opportunities to "share with family or to make necessary and desired purchases."

[18] Green, "Unsettling Cures,"140.

[19] Green, "Unsettling Cures,"138-140.

[20] Gwen Reimer *et al*., *The Indian Residential Schools Settlement Agreement's Common Experience Payment and Healing: A Qualitative Study Exploring Impacts on Recipients*, *The Aboriginal Healing Foundation Research Series* (Ottawa: Dollco Printing, 2010), xiii.

proof in the reconsideration processes, citing that "they were made to feel like liars"[21] as they recounted their stories. Applications were denied due to lost school records,[22] and the inability of some applicants', predominantly the elderly but also those suffering from extreme psychological distress, to recall the myriad names and numbers, the details of which would corroborate their memories of IRS school days.[23] Contrary to Harper's apology, inconsistencies in CEP payments continued to place the burden of healing on survivors, and mirrored the colonial, residential school experience of being "at the mercy of an outside agency in control of yet another aspect of [Aboriginal] lives."[24]

Commissioner Marie Wilson's comments at the Winnipeg National Event mirrored Harper's language of the release of a burden and revealed the commission's perceived link to psychological approaches to healing. She said, "Healing is the hidden word in our mandate. Healing is the purpose behind truth... As our mandate says so very powerfully: Truth and reconciliation activities will promote the healing that will set our spirits free."[25] Wilson's comment apparently presupposes that "repressed memory causes untold and ongoing psychological problems; that 'revealing' the truth leads to healing" and closure.[26] Her words problematically imply a direct, causal relationship between truth telling and the release of burdens that sets spirits free. Wilson's statement also assumes a particular pace to the healing process, suggesting that truth and reconciliation activities will provide the period of treatment to cure burdened spirits. In his apology, Harper used similar language and described the IRS as a "sad" chapter;

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[21] Reimer *et al.*, *Common Experience Payment*, xiii.
[22] Reimer *et al*., *Common Experience Payment*, xiii.
[23] Justice Sinclair, Presentation at Church of the Redeemer- In For the Long Haul: From Truth to Reconciliation, 1 May 2015, Toronto, Canada.
[24] Reimer *et al*., *Common Experience Payment*, 31.
[25] Marie Wilson, Opening Statement- Winnipeg National Event, 16 June 2010, Winnipeg, Canada; accessed 29 April 2015; available from https://www.youtube.com/watch?v=UnhxtnSxqVQ.

"sad legacy," which "tragically," caused great "harm."[27] He characterized the IRS system in terms of emotion: it was 'sad.' Furthermore, his repetition of 'sad chapter' also assumes time limits to the healing process. He explicitly tied the psychological, emotional language of cure to 'closure,' framing residential schools as part of a historical chapter of trauma.

This therapeutic approach to healing was also prominent in media coverage. Articles mentioned "horrible tales" and "Canada's shame,"[28] which were buried "deep within ourselves" and are now being "uncovered."[29] One popular article, which was printed in six national newspapers,[30] typified definitions of healing as cure. Journalist Andrew Stobo Sniderman stated that, "For most survivors, this is the first time they have told their stories."[31] He argues that the TRC provides the treatment, revealing "truths about the past to heal the present," soliciting "the secrets festering in so many closets," and causing "relief, if not catharsis."[32] His writing depicts IRS harms as festering wounds in need of healing, and once exposed, provide the survivors with catharsis and relief, tantamount to a cure.

The implications of dominant approaches to 'healing as cure' are significant, marginalizing voices and tacitly supporting efforts to enforce closure. Problematically, the narrative presents an overly simplified process that depicts healing as a unified, tidy experience, which obscures the experiences of survivors who do not fit into the

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[26] Moon, "Healing past violence," 79.
[27] Aboriginal Affairs and Northern Development Canada *Indian Residential Schools Statement of Apology,* Stephen Harper, Ottawa, 2008; accessed 15 May 2015; available from http://www.aadnc-aandc.gc.ca/eng/1100100015677/1100100015680.
[28] Joanna Smith, "The truth about Indian schools: There will be more horrible tales to absorb as networks across the country attempt to build a national archive of Canada's shame," *Toronto Star,* July 21, 2013.
[29] Ethan Baron, "'Trauma and loss' exposed; Residential School Abuses," *The Province*, June 16, 2010.
[30] Nagy and Gillespie, "Representing Reconciliation," 24.
[31] Andrew Stobo Sniderman, "A Shameful Chapter in our History," *Vancouver Sun*, June 25, 2011.

prescribed arc, specifically survivors who are not yet ready to speak. Furthermore, 'healing as cure' frames the process as one of closure, situating abuses in the past, and drawing a line between historic and ongoing struggle.[33] This temporal framing carries important material ramifications, supporting the conclusion of healing supports. The IRSSA established a termination of CEP funding on the fourth anniversary of the settlement implementation date, which fails to extend to the conclusion of the TRC.[34] Moreover, in 2010, the government discontinued funding for the Aboriginal Healing Foundation (AHF), an Aboriginal-managed not-for-profit created to support local, Aboriginal-led healing initiatives, and thus "deprived former students and their families of a highly valued and effective resource."[35] Survivors voiced anger and sadness at the pre-mature termination of funding, as epitomized by survivor Andre Deldout's response to the AHF cuts: "Well, we were just starting."[36]

The healing journeys described in testimony problematize the fixed healing timelines implied in 'healing as cure.' Survivors attested to the fact that their healing journeys pre-dated the TRC, and would continue far past its conclusion. Some survivors shared their testimony for the first time at the TRC, but for many survivors, the Commissioners' Sharing Circle marked a single, albeit important, moment along a much more extensive healing journey. These two stories are representative: Mr. Deldout has

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[32] Ibid.
[33] Green, "Unsettling Cures,"136.
[34] Indian Residential Schools Settlement Agreement, May 8, 2006, Article 1 Interpretations; accessed April 6, 2015; available from ://www.residentialschoolsettlement.ca/IRS%20Settlement%20Agreement-%20ENGLISH.pdf, p10.
[35] Truth and Reconciliation Commission of Canada, *Truth and Reconciliation Commission of Canada: Interim Report,* Winnipeg, 2012, 10.
[36] Andre Deldout, online testimony, Northern National Event, Truth and Reconciliation Commission of Canada, 30 June 2011, Inuvik, Canada; accessed 10 May 2015; available from https://www.youtube.com/watch?v=egAJwXIXd8E. The names of most of the survivors did not appear on the videos, and I was therefore forced to transcribe them phonetically. I sincerely apologize for any errors in the spelling of any of the survivors' names, including Andre Deldout's.

been "telling (his) story over the years about residential school abuse."[37] Survivor Margaret Commodor has also told her story before. When she applied for compensation, she "had to tell [her] story in a personal way."[38] Their statements parallel the TRC interim report, which found that most survivors had already "started on their healing journey—usually with no help and no support."[39]

IRS survivors directly addressed their own healing timelines, unsettling neat assumptions about the relationship between truth and healing. Many survivors embodied the lengthy healing process in their unwillingness to stay within the imposed twenty-minute time limit, and stated that they could have "gone on for three hours."[40] Their narratives depicted Indigenous conceptions of healing, which do "not arrive at an end."[41] One survivor, Jerry Dan Linney, told the commission that it took him from the time he was "nine years old" to the time when residential school abuses were "exposed to the public" to acknowledge his own experiences and his need for healing.[42] The process of confronting the impact of residential school took years. One residential school survivor identified only as "Agnes" declared that she still does not "belong," and is still not doing

[37] Andre Deldout, online testimony, Northern National Event.
[38] Margaret Commodor, online testimony, British Columbia National Event.
[39] Truth and Reconciliation Commission of Canada, *Interim Report,* 7.
[40] Margaret Commodor, online testimony, British Columbia National Event.
[41] Green, "Unsettling Cures,"130.
[42] Jerry Dan Linney, online testimony, Northern National Event, Truth and Reconciliation Commission of Canada, 30 June 2011, Inuvik, Canada; accessed 10 May 2015; available from https://www.youtube.com/watch?v=egAJwXIXd8E.

well, "even at this conference."[43] At present, survivors "are still in the process of healing,"[44] and as emphasized by Starli Grass, "We still have a long way to go."[45]

What some survivors see as an interminable healing process also manifested itself in the cadence and grammar of their statements. Survivor Margaret Commodor underscored the need to continually address the pain she felt: "You can't go there just once. You can't go there just once and expect the pain to leave you. It's something you have to deal with more than once."[46] Repeating "once" and "just once," she challenged the concept of one single course or period of treatment, and repudiated conceptions of 'healing as cure.' Another survivor, Leonard Alexi, echoed the repetitive structure, emphasizing, "This is going to go on and on and on and on."[47] Andre Deldout concurred: "It will take time, lots of time." The relentless repetition of 'on' and the persistent use of 'time' verbally disturb the linear logic in Western approaches to treatment and highlight the survivors' understanding of a long-term framework for healing. As summarized in the Interim Report, "For them, the memories remain, the pain remains," and survivors will be the agents who dictate the pacing of their healing journeys.[48]

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[43] Agnes, online testimony, Northern National Event, Truth and Reconciliation Commission of Canada, 30 June 2011, Inuvik, Canada; accessed 10 May 2015; available from https://www.youtube.com/watch?v=egAJwXIXd8E. To clarify, I do not wish to express disrespect or familiarity by referring to Agnes by her first name. Unfortunately, my access to survivor testimony via YouTube precluded me from learning her full name. If I refer to her, or any other survivor, by their first name, it is for this reason.

[44] Andre Deldout, online testimony, Northern National Event.

[45] Starli Grass, online Testimony- British Columbia National Event, Truth and Reconciliation Commission of Canada, 18 September 2013, Vancouver, Canada; accessed 29 April 2015; available from https://www.youtube.com/watch?v=7rn6rhFYFuk.

[46] Margaret Commodor, online testimony, British Columbia National Event.

[47] Deldout, online testimony, Northern National Event.

[48] Truth and Reconciliation Commission of Canada, *Truth and Reconciliation Commission of Canada: Interim Report,* Winnipeg, 2012, 7.

Prolonged healing journeys require comprehensive infrastructures of support. The TRC provided support workers at all national events, a fact that commissioners frequently highlighted. The commission thus encouraged survivors to seek help. Yet, in addition to this provision of short-term support, survivors require extensive, long-term resources. Residential school survivor Agnes corroborated this fact in her poignant reflection: "What bothers me as an advocate is that when this is all through, all of us that opened up here, who is going to help us close those wounds?"[49] Agnes critiqued the temporal assumptions in reductive approaches to healing, as well as the lack of infrastructure in place to support the healing that will occur after, and as a result of, the TRC. Furthermore, her question contests the very meaning of closure, specifying that it does not occur in a moment of release in testimony, but as part of an arduous and interminable process.

The Scope of Truth and IRS Harms

To conceptualize the scope of truth in the TRC, I explored how dominant narratives shaped what was sayable and what remained "absent or approached with caution."[50] Survivor testimony served as the locus of opposition, and was also constituted by dialogical struggles to minimize the scope of truth. I found that the frame of 'healing as cure,' limited the scope of injustices and encouraged focus on the most horrific abuses. Yet as expressed by many Aboriginal survivors, the IRS harms are part and parcel of a much larger set of problems to be addressed. In spite of internalized subjugation revealed in testimony, and manifold regulations and measures to reduce the range of

[49] Agnes, online testimony, Northern National Event.
[50] Ronald Niezen, *Truth & Indignation* (Toronto: University of Toronto Press, 2013), 59.

truth, I contend that survivors attested to an expansive range of harms, contextualizing and broadening the residential schools legacy.

I found that dominant conceptions of healing as cure and trauma limited what was sayable. As elucidated by Ronald Niezen, "horrible sorrowful, traumatizing experiences [were] the sorts of things… being remembered and narrated" in testimony, notably the instances of sexual and physical abuse.[51] Experiences of sexual and physical abuse were rampant in the IRS and have had profound effects on the lives of survivors and their communities. The trauma frame is problematic, not in its acknowledgment of the abuse that occurred at IRS schools, but rather in its lack of focus on other residential school experiences and its potential to discourage testimony from survivors who did not experience acute violence. The dominant theme of trauma served as a template, establishing "narrative themes and [encouraging] survivors to present their painful memories."[52] This dialogical struggle was apparent in a statement made at the Quebec National Event by survivor Yvette Michelle: "I wasn't abused. I am thankful for not having been sexually or physically abused, but my spirit was stolen."[53] Yvette interrupted her narrative to provide her disclaimer. Without prompting, it appears that Yvette felt the need to clarify, and even justify the significance of her pain even though she did not experience sexual or physical abuse; "but," she added, "my spirit was stolen." As epitomized by her comments, the dominant frame placed unintended burdens on survivors.

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[51] Niezen, *Truth & Indignation,* 59-60.
[52] Niezen, *Truth & Indignation,* 60.
[53] Yvette Michelle, online testimony, Quebec National Event, Truth and Reconciliation Commission of Canada, 26 April 2013, Montreal, Canada; accessed 15 May 2015; available from https://www.youtube.com/watch?v=xUHsYKm5EBE; (trans. by author).

The dominant template of trauma is also noticeable in Harper's apology. Harper highlighted the suffering and abuse in residential schools. Describing the acts of violence several times, he repeated: "suffer these abuses," "abuse they suffered," and "suffering the same experience."[54] This focus on abuse de-contextualized harms and echoed the similarly reductive language found in the Indian Residential Schools Settlement Agreement (IRSSA), which instituted the TRC. In 'Article One,' the IRSSA states that the agreement aims to address "certain harms and abuses… committed against those children."[55] The use of "certain harms" to describe the IRS legacy distills a colonial policy of aggressive assimilation to specific instances of abuse. Furthermore, the IRSSA employed "therapeutic language"[56] in the vernacular of closure and settlement,[57] which confirms the link between the 'healing as cure' frame's reduction of the scope of harms and its promotion of pre-mature closure.

In his apology, Harper highlighted the child sexual abuse, physical abuse, and neglect at IRS schools, but also spoke of the loss of "Aboriginal culture, heritage and language."[58] In doing so, he broadened the scope of harms beyond instances of abuse to incorporate cultural assimilation. Yet, Harper's acknowledgment of cultural harms still succeeded in obscuring key economic considerations, a point which will be expanded upon in the next chapter. Furthermore, numerous government measures that continue to

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[54] Aboriginal Affairs and Northern Development Canada, *Indian Residential Schools Statement of Apology,* Stephen Harper, Ottawa, 2008; accessed 15 May 2015; available from http://www.aadnc-aandc.gc.ca/eng/1100100015677/1100100015680.
[55] Indian Residential Schools Settlement Agreement, , May 8, 2006, Article 1; accessed April 6, 2015, available from http://www.residentialschoolsettlement.ca/IRS%20Settlement%20Agreement-%20ENGLISH.pdf 6.
[56] Green, "Unsettling Cures," 148.
[57] Green, "Unsettling Cures," 130.
[58] Aboriginal Affairs and Northern Development Canada. *Indian Residential Schools Statement of Apology,* Stephen Harper, Ottawa, 2008. Accessed 15 May 2015, http://www.aadnc-aandc.gc.ca/eng/1100100015677/1100100015680.

limit the scope of IRS harms problematize the sincerity of the apology's relatively expanded scope.

To begin, the government's attempts to block TRC access to documents limited what was "sayable" about the IRS legacy. As stated in the TRC Interim Report, the government failed to provide the majority of relevant documents, and refused to "identify and provide relevant historical documents held by the Library and Archives Canada," as well as the "Settlement Agreement and Dispute Resolution Database."[59] By 2011, the government had also not yet provided the necessary levels of access to the federal archives.[60] Additionally, the experiences of day school students remain largely untold, because day school experiences were excluded from the IRSSA.[61] Survivors from the Métis Nation, the Nunatsiavut Inuit and the Innu Nation were also excluded from the IRSSA, due to the fact that their schools were provincially funded.[62] These exclusions were the result of negotiations and ratified by all parties, but are problematic nonetheless. They underscore the insufficiency of the IRSSA, its unintended divisive consequences, and its minimization of the purview of residential school harms.

Several additional aspects of the IRSSA, as well as the TRC, tailored the 'truth' in the TRC. The IRSSA was created to settle a class action lawsuit and its legal proceedings were relatively shielded from public involvement. As aptly noted by Kim Stanton, this generated the unique need for public education, to motivate Canadians to invest in a process they did not create.[63] As a consequence, the TRC proceedings were outward-oriented, and focused on speaking directly to the settler public, from their

[59] Truth and Reconciliation Commission of Canada, *Interim Report,* 16.
[60] Ibid.
[61] Truth and Reconciliation Commission of Canada, *Interim Report,* 8-9.
[62] Green, "Unsettling Cures,"142.

onset. This emphasis on exposure, as theorized by Niezen, added pressure to "stag(e) noteworthy and newsworthy events,"[64] promoting a frame that focuses on the most shocking aspects of the IRS legacy.

For example, TRC information sessions and introductory statements fostered the pressure to perform. Niezen noticed "viewer discretion" warnings in the first five national events he analyzed, as epitomized by the concluding line of a video screened at the Halifax National Event: "The Truth and Reconciliation Commission of Canada offers this one chance to build a better Canada, and this is it."[65] In her introductory remarks at the Quebec National Event, Commissioner Marie Wilson used similar language, calling testimonies "rich gift[s]," noting that they will "form part of the official report and permanent memory… for the decades and centuries that are coming."[66] Additionally, at the Vancouver National Event, a guest speaker opened the Commissioner's Sharing Panel session with the following remark of gratitude: "One thing that I love about being part of something like this that I'm a part of history. We get to understand and listen to the stories that are very difficult to listen to."[67] Though benign in appearance, both statements framed the provision and gathering of testimony in high stakes language; the 'very difficult' stories will endure for centuries, forming permanent memories and part of history. These statements unintentionally added

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[63] Kim Stanton, "Canada's Truth and Reconciliation Commission: Settling the Past?" *The International Indigenous Policy Journal* 2.3 (2011): 4.
[64] Niezen, *Truth & Indignation,* 60.
[65] Niezen, *Truth & Indignation,* 61-62.
[66] Marie Wilson, "Introductory Remarks," Commissioners Sharing Panel, Quebec National Event, Truth and Reconciliation Commission of Canada, 26 April 2013, Montreal, Canada; accessed 15 May 2015; available from https://www.youtube.com/watch?v=xUHsYKm5EBE.
[67] Unidentified speaker, "Introductory Remarks," Commissioners Sharing Panel, British Columbia National Event, Truth and Reconciliation Commission of Canada, 18 September 2013, Vancouver, Canada; accessed 30 April 2015; available from https://www.youtube.com/watch?v=7rn6rhFYFuk.

pressure, subtly encouraged survivors to conform to the weighty framing, and unwittingly played into reductive 'cure' framing.

The implications of reductive constructions of healing as cure and trauma are substantial. Not only did the frame encourage students to avoid narrating the "quotidian indignities of excessive discipline and the… loneliness of removal from families,"[68] but it also decontextualized harms through a reliance on psychological language. The vocabulary of cure shed disproportionate focus on instances of abuse, and isolated them from the broader colonial project.[69] As aptly captured by Claire Moon, it transformed "socially significant collective grievances "into personal ones amenable to therapeutic intervention."[70] Consequently, the minimization of the scope reduced the realm of responsibility of the government and settler populations in Canada.

Despite the prominence of templates and other restrictions imposed by the legal bounds of the IRSSA, survivors attested to a whole range of harms, challenging reductive scopes. In addition to reports of sexual and physical abuse, survivors expressed problems with Children's Aid,[71] intergenerational effects,[72] loss of parenting skills,[73] a lack of belonging and destruction of culture,[74] land claims settlement issues,[75] isolation, policing by school staff, loneliness and loss of spirit,[76] drinking,[77] drug

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[68] Niezen, *Truth & Indignation,* 59.
[69] Rosemary Nagy, "The Scope and Bounds of Transitional Justice and the Canadian Truth and Reconciliation Commission," *International Journal of Transitional Justice* 7.1 (2013): 52-73.
[70] Moon, "Healing past violence," 82.
[71] Online Testimony, Winnipeg National Event, Truth and Reconciliation Commission of Canada, 16 June 2010, Winnipeg, Canada; accessed 29 April 2015; available from https://www.youtube.com/watch?v=UnhxtnSxqVQ.
[72] Marcia Mirasty, quoted in Shari Narine Sage, "TRC event marks move from truth-telling to reconciliation," *Saskatchewan Sage* 16.10 (2012): 1. See also
Andre Deldout, online testimony, Northern National Event.
[74] Agnes, online testimony, Northern National Event.
[75] Andre Deldout, online testimony, Northern National Event.
[76] Yvette Michelle, online testimony, Quebec National Event.
[77] Leonard Alexi, online testimony, British Columbia National Event.

problems,[78] and suicide,[79] as well as uranium mining,[80] poverty, educational inequality, health disparities, and problems with law enforcement.[81] The TRC also consistently reported on the IRS system's wide-ranging effects, as published in its reports.[82] The diversity of IRS legacy depicted in testimony confirmed the hypothesis that Indigenous activists and scholars used the TRC to extend the dialogue and generate a conversation on the broader scope of historic injustice.[83]

Intergenerational Healing and Cultural Revitalization

In my analysis of intergenerational and cultural healing in the TRC, I found that holistic, indigenous conceptions of healing, which are bound up in spiritual relationships between family members, Aboriginal communities, ancestors, and the Creator, conflicted with dominant Western narratives that individualized healing. Consistent with my prior analysis, I noted that testimony both reflected the success of colonial assimilation and constituted the locus of cultural contestation. Contrary to Harper's acknowledgment of cultural healing, I contend that government conceptions of healing promoted premature closure, individualism, and furthered colonial assimilation. Despite this hostile political context, the TRC provided a platform for survivors to strengthen kinship ties and thus fostered Aboriginal self-determination.

The TRC provided Indian Residential Schools survivors with the platform to contest ongoing intergenerational harms in Aboriginal communities. A daughter of one

[78] Yvette Michelle, online testimony, Quebec National Event.
[79] Jerry Dan Linney, online testimony, Northern National Event.
[80] Yvette Michelle, online testimony, Quebec National Event.
[81] Jerry Dan Linney, online testimony, Northern National Event.
[82] Truth and Reconciliation Commission of Canada, *Interim Report,* 4-7.
[83] Courtney Jung, "Transitional Justice for Indigenous People in a Non-transitional Society," *International Center for Transitional Justice.* Research Brief. October 2009, 2.

survivor expressed; "We need to understand what transgenerational trauma is. Why our parents were the way they were, the effects that has on us."[84] Survivors addressed their own lack of preparation for parenthood and the fact that they "didn't know how to raise children"[85] For Margaret Commodor, "the hardest thing… was to think about the dysfunctions that I imposed on my own children… and [it] made me really, really angry that no one ever taught me how to be a parent, because it [parenting skills] was taken away from me."[86] Just as Margaret Commodor was "really, really angry" about her lack of parenting skills, so too were survivors unrelenting in their repudiation of the devastation caused by the IRS system's destruction of kinship ties. Yvette Michelle spoke at length, in several refrains, about the pain of being separated from her family, losing contact with them, and the crippling, lasting effects of isolation: "I was never able to tell my kids, until my healing journey, that I love them. I wasn't able. I wasn't able to take my mom in my arms. I wasn't able to take my dad in my arms. Even those [family members] that are now dead, I wasn't able to tell them my goodbyes."[87] Powerfully, Yvette Michelle represented the continuing harm of isolation from her family in her jarring, persistent repetition of what she 'wasn't' able to do.

Importantly, the TRC allowed survivors to continue to repair strained and destroyed kinship ties. Survivors apologized to their families saying, "All the people that I love are the ones I hurt. I'm terribly sorry."[88] Andre Deldout also "apologiz[ed] to [his] wife and [his] children for [his] shortcomings, at that time, [he said] I didn't know how

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[84]Georgina Lighting, online interview,Winnipeg National Event, Truth and Reconciliation Commission of Canada, 16 June 2010, Winnipeg, Canada; accessed 29 April 2015; available from https://www.youtube.com/watch?v=UnhxtnSxqVQ.
[85] Andre Deldout, online testimony, Northern National Event.
[86]Margaret Commodor, online testimony, British Columbia National Event.
[87] Yvette Michelle, online testimony, Quebec National Event.
[88] Jerry Dan Linney, online testimony, Northern National Event.

to be a father… I'm sorry I failed you when you were just a little kid."[89] TRC events provided a space for survivors from different families and communities to gather and encourage healing within wider Aboriginal circles. Survivor Marcia Mirasty's stated purpose in sharing was "to move forward in a deliberate way to reconcile, rebuild and restore our relationships, our families and our communities."[90] At the national events, survivors listened to each other speak, forming new relationships and strengthening community ties.

In striking and hopeful ways, survivors used their panel time to address each other. Residential schools survivor Agnes, for example, urged, "We need to reconcile within ourselves," referencing the prior testimony of a survivor who mentioned, "Some of his children still don't even talk to him."[91] Survivor Agnes also attested to the transformation of her relationship with her mother due to her witness of another survivor's testimony. She learned how her mother "helped them, she let them drive her dog team to get wood and ice and stuff and I couldn't believe it… Here I was ashamed of that wonderful, wonderful woman."[92] Communal sharing spaces fostered relational healing and encouraged a domino effect. Leonard Alexi urged younger generations to continue the conversation and "be good enough to listen… if your grandma or grandpa wants to tell their story."[93] Hopefully, continued conversation will allow more families to experience what Andre Deldout described; after years, he said, "my kids, my children, my little children are proud to say 'Dad, I love you.' In turn I said, 'I love you guys, my

[89] Andre Deldout, online testimony, Northern National Event.
[90] Marcia Mirasty in Shari Narine Sage, "TRC event marks move from truth-telling to reconciliation," *Saskatchewan Sage* 16.10 (2012): 1.
[91] Agnes, online testimony, Northern National Event.
[92] Agnes, online testimony, Northern National Event.
[93] Leonard Alexi, online testimony, British Columbia National Event.

little children.'"[94] The TRC contributed to the reparation of kinship ties, an ongoing healing process that requires generations of support.

In contrast, government conceptions of 'healing as cure' inhibited intergenerational healing and propagated cultural assimilation. In his apology, Harper recognized "that it was wrong to separate children from rich and vibrant cultures and traditions that it created a void in many lives and communities, and we apologize for having done this."[95] He also apologized for having "undermined the ability of many to adequately parent their own children and sowed the seeds for generations to follow."[96] His words signal a rejection of cultural assimilation, intergenerational harms, and a commitment to renew the 'vibrancy' of Aboriginal cultures and families. The sincerity of his statement is compromised, however, by the past perfect verb tense he uses in 'having done' this, which denotes a period of time that has since ended.

Harper's disingenuous emphasis on cultural value and dominant constructions of 'healing as cure' are also evident in the IRSSA, which stipulated that IRS harms were perpetuated against children.[97] The document fails to account for intergenerational harms or provide compensation for family members of living survivors.[98] Media coverage has also, at times, contributed to the narrow framework and prescribed a

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[94] Andre Deldout, online testimony, Northern National Event.
[95] Aboriginal Affairs and Northern Development Canada *Indian Residential Schools Statement of Apology,* Stephen Harper, Ottawa, 2008; accessed 15 May 2015; available from http://www.aadnc-aandc.gc.ca/eng/1100100015677/1100100015680.
[96] Ibid.
[97] Indian Residential Schools Settlement Agreement, May 8, 2006, Article 1; accessed April 6, 2015; available from http://www.residentialschoolsettlement.ca/IRS%20Settlement%20Agreement-%20ENGLISH.pdf 6.
[98] Item 13 of the IRSSA Detailed Notice stipulates that, "Family members of residential school students will not receive payments unless the student recently died (see question 12). However, family members will be able to take advantage of the healing, education and other programmes funded by the settlement." The funding and programs mentioned to in the document refer to AHF programs, which are no longer funded, as aforementioned. The notice is available from the official IRSSA website at www.residentialschoolssettlement.ca.

correspondingly narrow response. In an article on media representations of the TRC, Rosemary Nagy and Emilie Gillespie cited an Environics survey in which respondents most frequently recalled the IRS system in terms of instances of abuse or molestation. Consequently, many saw individual counseling as the most appropriate response to the IRS legacy.[99] In contrast to Harper's denial of the persistence of cultural genocide, as compounded by the reductive 'healing as cure' frame employed in media and the IRSSA, I contend that the government continues to impose measures that subvert Aboriginal families and perpetuate assimilation that was endemic of the IRS system.

To begin, the government's termination of Aboriginal Healing Foundation funding has recolonizing effects. As previously outlined, the AHF prioritizes Aboriginal practices and holistic conceptions of healing, allowing survivors to heal in interconnected ways that are consistent with Aboriginal spirituality. As a result of funding cuts, survivors must use counseling services in Health Canada's IRS Resolution Health Support Program, which relies on Western, PTSD-centric conceptions that individualize healing. As Green argues, this government agency provides necessary but insufficient support, and fails to account for intergenerational and community-wide healing.[100] Survivors are therefore forced to heal on terms outlined by the settler-state. Moreover, as Green elucidated, the lack of available community-based resources may force Aboriginal people to leave their communities to seek help, which mirrors the traumatic IRS history of forced removal.[101] In covert ways, the government's conclusion of the AHF programming therefore supports cultural assimilation.

[99] Nagy and Gillespie, "Representing Reconciliation," 5.
[100] Green, "Unsettling Cures,"144-145.
[101] Ibid.

Furthermore, Julia Emberley elucidated the link between cultural assimilation and family divisions, highlighting the significance of this imposition of healing that assumes individualism. Emberley exposed how, in "the broader context of deploying techniques to dismantle indigenous kinship relations, colonial politics imposed a hierarchical, European division of public and private spheres on gatherer/hunter societies."[102] The familial divisions the government manufactured were and continue to be intricately tied to individualism, which is central to dominant conceptions of 'healing as cure.' Psychological framings of healing as cure "are not grounded in roles and relationships," and obscure the social origins of harm.[103] Individualized approaches to healing reify historic assimilation practices.

Furthermore, the government continues to subvert Aboriginal families through social policies. The current "high rates of child apprehension"[104] in Aboriginal communities have led to reports stating that "more Native kids [are] in custody today than ever attended Indian residential schools."[105] Recognizing the complexity inherent in situations of child removal, the parallel between residential school rates of apprehension and current seizure rates are cause for concern. Specifically, the fact that these rates support the logic behind survivor Margaret Commodor's comment that she "would've survived very well in the home where [her parents] lived, but somebody thought they were much wiser than the rest of us and they took us away to try to make us a different person,"[106] is problematic. The seizure of children, even if only symbolically, furthers

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[102] Julia V. Emberley, *Defamiliarizing the Aboriginal: Cultural Practices and Decolonization in Canada* (Toronto: University of Toronto Press, 2007), 4.
[103] Moon, "Healing past violence," 82.
[104] Truth and Reconciliation Commission of Canada, *Interim Report,* 7.
[105] David P. Ball, "Indigenous child seizures haunt communities," *Windspeaker* 31.5 (2013): 1.
[106] Margaret Commodor, Online Testimony- British Columbia National Event.

the colonial transference of dominion over family relations and pedagogy to the government.[107]

Assaults on the Aboriginal family also persist in elevated rates of missing and murdered Aboriginal women.[108] As explicated by Emberley, the government's creation of a separate, private, domestic Aboriginal family space had gendered effects, creating a patriarchal hierarchy in Aboriginal families and persisting gender imbalances.[109] The government's failure to adequately respond to the issue, and its outright rejection of vehement calls for a national inquiry into the case of Missing and Murdered Aboriginal Women,[110] perpetuates gender violence introduced in colonialism, fractures Aboriginal families, and thus problematizes the sincerity of Stephen Harper's apology.

Finally, the government's unwillingness to release control of Aboriginal education exhibits the persistence of colonial assimilation and the falsity of Harper's apology. The government's introduction of the First Nations Control of First Nations Education Bill misleadingly implies a transfer of authority, but fails to enact substantive change in power dynamics. As argued by Derek Nepinak, Grand Chief of the Assembly of Manitoba Chiefs, the bill allows a minister to assume control of education programs "based on performance outcomes that are not determined by our communities," and continues to deny First Nations treaties.[111] This education bill engenders a false impression of a government working to redress cultural assimilation, while simultaneously maintaining government rule. Moreover, this and other social policies

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[107] Emberley, *Defamiliarizing the Aboriginal,* 5.
[108] In May 2014, the RCMP stated the total was 1,181 cases over 30 years. Data taken from, "Missing and murdered indigenous women: A primer," *The Globe and Mail*, June 19, 2015.
[109] Emberley, *Defamiliarizing the Aboriginal,* 4.
[110] Legal activists such as Kim Stanton have been working for decades toward an inquiry into Missing and Murdered Aboriginal Women in Canada.
[111] Derek Nepinak,"New First Nations Education Act an "illusion of control," *CBC*, April 11, 2014.

offer a glimpse into the complicated entanglement of historical and present influences on cultural assimilation and contestation that shape Aboriginal lives.

In his introduction to the Aboriginal Healing Foundation's report, *Aboriginal Healing in Canada: Studies in Therapeutic Meaning and Practice,* James B. Waldram explained, "[T]here is no singular Aboriginal individual. Some clients are very firmly entrenched in Aboriginal cultural experiences; others, however, have had extensive experience with the broader, non-Aboriginal influences of mainstream Canada."[112] My analysis of survivor testimony revealed a similar diversity of interactions with Westernization and what Brian Rice and Anna Snyder have described as "internalized colonization/self-hatred and ongoing abuse in their communities perpetuated by their own community members."[113] Andre Deldout narrated how his community turned against him when he started "talking about the abuse,"[114] and Margaret Commodor confessed that she used to be an IRS legacy denier, "one of those people that said I don't know what they're talking about" when others discussed the impact of the residential school system.[115] Margaret Commodor explained how she had wrongly viewed the survivors as whiners, blaming them for the continued social problems in their communities and used her testimony time to redress this attitude. Mr. Deldout was not only pressured to convert to Christianity by the Priests at his school, but also by his mother.[116] In reply, he maintained that he was not a Christian, yet he encouraged other survivors to base their healing "on the Bible, which is the word of God,"[117] exemplifying

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[112] James B. Waldram, "The Models and Metaphors of Healing," in *Aboriginal Healing in Canada: Studies in Therapeutic Meaning and Practice,* ed. James B. Waldram (Dollco Printing: Ottawa, 2008), 4.
[113] Rice and Snyder. "Reconciliation in a Settler Society," 49.
[114] Andre Deldout, online testimony, Northern National Event.
[115] Margaret Commodor, online testimony, British Columbia National Event.
[116] Andre Deldout, online testimony, Northern National Event.
[117] Andre Deldout, online testimony, Northern National Event.

how survivors continue to interact with non-Aboriginal influences in complicated ways.[118]

In acknowledgment of their own experiences with internalized colonization and in myriad other ways, survivors spoke courageously and reoriented the TRC into a radical space of cultural contestation and self-determination. At the TRC, survivors demanded full control over the education of their children, as well as the introduction of the "full" history of residential schools into "all levels of study."[119] Yvette Michelle spoke of the desire to learn her family's history and loudly criticized her own family's inability to speak its native language.[120] Survivors attested to the need to rely on the elder's teachings, and to regain traditions. Jerry Dan Linney publicly rejected the Christian evangelism at his school. He declared that his religious education "taught [him] evil. You want to know who taught [him] holiness? [His] grandmother."[121] Leonard Alexi's grandmother also, he said, taught him "right from wrong."[122] Survivors publicly attested to their spirituality, their healing in sweat lodges and marches with elders,[123] drawing strength from Indigenous practices. Although internalized colonization persists, and the process of cultural revival is lengthy, the TRC contributed to the strong Aboriginal self-determination movement in Canada.

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[118] I also noted several additional examples of complicated uses of religious language and rights-based language. However, given my relationship to these testimonies as a settler listening to Aboriginal experiences, I have refrained from further discussion to avoid recreating power imbalances with my own work. For a more detailed discussion of the implications of rights-based language, I recommend consulting the following article: Jeff Corntassel, "Toward Sustainable Self-Determination: Rethinking the Contemporary Indigenous-Rights Discourse," *Alternatives* 33 (2008), 105-132.
[119] Truth and Reconciliation Commission of Canada, *Interim Report,* 7.
[120] Yvette Michelle, online testimony, Quebec National Event.
[121] Jerry Dan Linney, online testimony, Northern National Event.
[122] Leonard Alexi, online testimony, British Columbia National Event.
[123] Yvette Michelle, Online Testimony- Quebec National Event.

Chapter Four
The Invisibility of 'the Economic'

In her recent article published in the *International Journal of Transitional Justice,* Zinaida Miller exposed the invisibility of 'the economic' in transitional justice literature. Indeed, the dominant narratives of healing and reconciliation in the Canadian context conceal 'the economic,' dissociating the cultural and psychological legacy of the Indian Residential Schools (IRS) system from its roots in dispossession. My discourse analysis of Stephen Harper's apology revealed a disproportionate focus on the structural violence of cultural assimilation, obfuscating material realities. In direct conflict with this reductive frame, I also found that restitution of land and resources for self-determination remain central to indigenous understandings of healing and reconciliation. Select articles in the media featured and magnified these voices of resistance, introducing restitution and resources into TRC coverage. Yet others focused on the price tag and 'messiness' of the commission's proceedings and portrayed survivors as economic drains, incapable of 'efficient' management. This problematic coverage displaced nuanced and historical discussions of land seizure, further diverted attention from claims for resources, and created pressure for 'efficiencies,' namely measures imposing premature conclusion. Consequently, I suggest that the exclusion of the 'economic' led to the enforcement of healing without land and reconciliation to the economic status quo, participation in a re-colonizing wage economy and subjection to neoliberal policies that reify colonial dispossession.

In my analysis of healing and the TRC, I found support for Rosemary Nagy's and Robyn Green's arguments that the frame of 'cure as closure' results in a narrowed,

de-contextualized scope of harms. Turning to 'the economic,' I alter and specify their critique, contending that the limiting frame of 'cure as closure' does not abstract from all structural violence. Rather, 'cure as closure' focuses on the specific context of cultural assimilation at the expense of the IRS system's material origins and legacy. As a result, economic considerations are rendered invisible. As Zinaida Miller aptly claimed, "[t]he fetishization of familiar terms, tropes and debates masks other projects which are neglected in the effort to describe and construct the new liberal state."[1] Building on her work, I argue that the fetishization of the cultural, in addition to the aforementioned cure trope, eclipses discussions of self-determination and land restitution, which are neglected to strengthen the liberal state and neoliberal economic structures. As evident in Miller's statement, neoliberalism and governmentalism are two sides of the same coin; but they will be treated separately in this thesis, beginning with the economic.

In his apology, Harper focused on the cultural origins and effects of the IRS legacy, obscuring the material. He listed the two "primary objectives" of the IRS system: "to remove and isolate children from the influence of their homes, families, traditions and culture, and to assimilate them into the dominant culture."[2] Harper's words reduced the IRS project to one of cultural genocide and assimilation into Eurocentric life and ideals. He equated the motivation behind isolation to the removal of ties to "traditions and culture," ignoring efforts to undermine land titles. As narrated by scholars Roland Chrisjohn and Sherry Young, "the ordinary genocide of Aboriginal Peoples grew out of the Canada's need to extinguish Aboriginal title to the land without

[1] Zinaida Miller, "Effects of Invisibility: In Search of the 'Economic' in Transitional Justice," *International Journal of Transitional Justice* 2.3 (2008): 275.

violating the letter and spirit of established British law."[3] Expanding the IRS system objectives Harper acknowledged, the authors' clarified that historical policies of cultural assimilation were geared toward broader attempts at land seizure.

Harper emphasized cultural assimilation throughout his apology, using numerous repetitions in his statement. Residential schools were developed as a "policy of assimilation," in which "languages and cultural practices were prohibited."[4] He admitted, "it was wrong to separate children from rich and vibrant cultures and traditions" and continually mentioned the "strength of their cultures," their "rich and vibrant," "cultures and traditions."[5] In these repetitions, Harper limited the scope of IRS harms, but used the language of vibrancy, which attributed value to Aboriginal cultures. Then-Assembly of First Nations (AFN) National Chief Phil Fontaine responded warmly to the apology: "Never again will this House consider us the Indian problem just for being who we are."[6] Harper's speech arguably amounted to an admission of cultural genocide, and his words appeared welcome and sincere.

Yet the use of colourful language that showcases the 'vibrancy and richness' also created a visual distraction. This visual distraction reflected a broader diversion, which drew the public's focus to significant yet insufficient gains in cultural recognition. His comments offered adversive acknowledgment of cultural assimilation, importantly furthering Aboriginal healing. However, these advances in recognition divorced cultural from land-based aspects of Aboriginal identity, and obscured the ways in which the

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[2] Aboriginal Affairs and Northern Development Canada, *Indian Residential Schools Statement of Apology,* Stephen Harper, Ottawa, 2008; accessed 15 May 2015; available from http://www.aadnc-aandc.gc.ca/eng/1100100015677/1100100015680.
[3] Roland Chrisjohn and Sherry Young, *Circle Game: Shadows and Substance in the Indian Residential Schools Experience in Canada* (Penticton, Theytus Books: 2006), 70.
[4] Aboriginal Affairs and Northern Development Canada, *Indian Residential Schools Statement of Apology*.
[5] Ibid.

material status quo is maintained through the cultural. As Glen Sean Coulthard explained, the "interrelated discursive and non-discursive facets of economic, gendered, racial, and state power have been structured into a relatively secure or sedimented set of hierarchical social relations that continue to facilitate the *dispossession* of Indigenous peoples of their lands and self-determining authority."[7] Cultural misrecognition remains integral to the broader colonial relationship of dispossession. Attempts to obscure the link between culture and economics therefore contribute to colonialism.

Aboriginal activists emphasize the centrality of 'the material,' which is both constitutive of Aboriginal identity and bound to cultural healing. Coulthard noted that culture includes both ideology and material conditions, tying it to "demands for more equitable distribution of land, political power, and economic resources."[8] Aboriginal ways of life are interconnected, between ancestors, land, animals, elements, and people and any adequate conception of healing must address all parts.[9] In her testimony, the survivor Agnes revealed the importance of resources for healing: "We need to get the resources to get them help. Like it's good to tell your story but back in the communities when you have no… capacity building is so important."[10] Emotional and cultural healing is important but insufficient. Agnes reminded us that "decolonization is not a

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[6] "PM cites 'sad chapter' in apology for residential schools," *CBC News*, June 11, 2008, 2.
[7] Coulthard, *Red Skin, White Masks,* 7.
[8] Glen Sean Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis: University of Minnesota Press, 2014), 52.
[9] Coulthard, *Red Skin, White Masks,* 60.
[10] Agnes, online testimony, Northern National Event, Truth and Reconciliation Commission of Canada, 30 June 2011, Inuvik, Canada; accessed 10 May 2015; available from https://www.youtube.com/watch?v=egAJwXIXd8E.

metaphor" and cannot be idealized; it is based primarily on a struggle to regain self-determining capacity.[11]

In contrast, Harper's apology separated the metaphor from the material, reducing the scope of the IRS legacy. He stated that the IRS "objectives were based on the *assumption* Aboriginal cultures were inferior and unequal."[12] His depiction is ephemeral and de-politicized, portraying the IRS system as part of a collective racist consciousness. Problematically, this language equates the IRS legacy to a misguided judgment, a minimization Harper later echoed in his reassurance that "there is no place in Canada for the *attitudes* that inspired the Indian Residential Schools system to ever prevail again."[13] Harper's statement of reassurance reduced colonialism to Canada's attitude problem.

The reduction of colonialism to an attitude problem implies that an attitude adjustment represents an adequate response to the IRS legacy, shrinking the scope of justice, reconciliation, and responsibility. As articulated by Miller, "What might be merely silence on the part… of one institution in its specific mandate… can be seen in a broader sense to effectively bar or prohibit substantive discussion of the economic elements that arguably help to constitute… justice."[14] Harper conceptually bounded reconciliation to the measures and politics of recognition, which at best addresses the "political economy of colonialism in a strictly 'affirmative' manner: through reformist state redistribution schemes like granting certain cultural rights and concessions to Aboriginal communities via self-government and land claims packages."[15] At its worst,

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[11] Eve Tuck and K. Wayne Yang, "Decolonization is not a metaphor" *Decolonization: Indigeneity, Education & Society* 1.1 (2012): 1-3.
[12] Aboriginal Affairs and Northern Development Canada, *Indian Residential Schools Statement of Apology*.
[13] Ibid.
[14] Miller, "Effects of Invisibility," 272.
[15] Coulthard, *Red Skin, White Masks,* 35.

reconciliation as cultural recognition displaces claims for restitution and resources, and amounts to a "politics of distraction"[16] away from the entrenchment of neocolonialism and dispossession.

The Centrality of Land and Resources

Self-determination and healing require restitution of "the land and its resources—and making things right by… returning enough of our power and land for us to be self-sufficient."[17] Or, in the words of survivor Jerry Dan Linney: "These people need to be proportionate to the land. Then they take a small, little piece, and they give it to us."[18] Linney prioritized the restitution of land in his testimony and contested limited responses.[19] He clarified that what is needed exceeds a small, little piece; people need to be proportionate to the land. His mention of the "small, little piece" subtly critiques the colonial politics of distraction in which hard-fought victories over "all these land

[16] My understanding of the phrase "politics of distraction" is taken from concepts elaborated in Murray Edelman's important 1985 essay entitled "Political Language and Political Reality." Edelman's elaboration of the ways in which "political language detracts from people's ability to pursue their own interests effectively" informed my application of the concept. His use of the phrases "the spectacle that widely publicized political language constructs" and "kaleidoscope of publicized events" applies directly to the distraction created by land claims settlements. These quotations were taken from Murray Edelman, "Political Language and Political Reality," *American Political Science Association* 18.1 (1985): 11-12. It is worth noting that the term is most often attributed to Graham Hingangaroa Smith, who first used the term in 2000. Graham Hingangaroa Smith, "Protecting and Respecting Indigenous Knowledge," in *Reclaiming Indigenous Voice and Vision*, ed. Marie Battiste (Vancouver: University of British Columbia Press, 2000), 211.

[17] Gerald Taiaiake Alfred, "Restitution is the Real Pathway to Justice for Indigenous Peoples," in *Response, Responsibility, and Renewal Canada's Truth and Reconciliation Journey*, eds. Gregory Younging, Jonathan Dewar, and Mike DeGagné (Ottawa: Aboriginal Healing Foundation, 2009), 181.

[18] Jerry Dan Linney, online testimony, Northern National Event, Truth and Reconciliation Commission of Canada, 30 June 2011, Inuvik, Canada; accessed 10 May 2015; available from https://www.youtube.com/watch?v=egAJwXIXd8E.

[19] Linney uses an expansive definition of land, which encompasses animals, plants, elements, and territory.

claims"[20] deflect conversation about necessary substantive changes through land transfers. In the words of Gerald Taiaiake Alfred, "[O]ur nations have been co-opted into movements of 'self-government' and 'land claims settlements,' which are… in stark opposition to our original objectives."[21] These original objectives remain centered on land and resource restitution that ensures self-sufficiency.

Select media coverage highlighted Aboriginal objectives and priorities, supporting efforts to expand definitions of healing and reconciliation to include 'the economic.' In one remarkable article, ironically entitled "'Trauma and loss' exposed; Residential Schools Abuses," the author featured a quote that drew a clear line from assimilation and land seizure to current Canadian wealth. Chief Bob Joseph said, "The kind of quality of lifestyle that most Canadians enjoy now is as a result of those policies that were implemented to minimize our existence and access the resources that were available in our territories."[22] Chief Joseph concisely defined colonialism, linking the privilege of current generations to historical policies such as the IRS system. Moreover, he tied cultural and physical policies designed to 'minimize' the 'existence' of Aboriginal people to resource access.

A few additional articles explicitly stated these material implications, introducing them into the conversation of the IRS legacy. One article printed in the *Edmonton Journal* read, "Laforme sees [the Truth and Reconciliation Commission] as the best chance for significant progress in mending the deteriorating relationship between natives and the rest of Canada—not just over the harm and heartbreak of residential schools but

[20] Andre Deldout, online testimony, Northern National Event, Truth and Reconciliation Commission of Canada, 30 June 2011, Inuvik, Canada; accessed 10 May 2015; available from https://www.youtube.com/watch?v=egAJwXIXd8E.
[21] Alfred, "Restitution is the New Pathway."

on the daily flashpoints of native activism, land claims and blockades."[23] The article broadly defined reconciliation, expanding the scope of mended relationships to include political and economic considerations. This broad contextualization also appeared in another standout article, which cited then-AFN national leader Phil Fontaine: "Fontaine chastised the federal government for not delivering the Kelowna Accord… He said the failure of the Kelowna Accord is one of his biggest disappointments."[24] The article importantly highlighted that the IRSSA, and therefore the TRC, replaced the Kelowna Accord. The Kelowna Accord was a $5 billion agreement that aimed to address the gap in living standards between Aboriginal and non-Aboriginal people. A deal was reached under the former Liberal government but was later discarded when the Conservative government assumed office. The abandonment of the Kelowna Accord in favour of the IRSSA thus had significant economic implications, ushering in a blueprint to reconciliation that precludes a much-needed comprehensive, structural plan to redress poverty and support self-sufficiency.

Invisibility and Displacement in Media Coverage

Many popular articles exemplified Zinaida Miller's point that "exclusion derives from ignoring issues altogether,"[25] and from coverage that framed economic considerations in re-colonizing ways. As in Harper's apology, a subset of the media coverage concealed the material origins of the IRS system and divided 'the cultural' and 'the economic.'

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[22] Ethan Baron, 'Trauma and loss' exposed; Residential Schools Abuses," *The Province,* June 16, 2010.
[23] Adrian Humphreys, "Five-year quest for truth and reconciliation begins; But some are already calling it a 'sham' and have asked native victims of abuse at residential schools to boycott hearings," *Edmonton Journal,* 01 June 2008.
[24] Jorge Barrera, "Aboriginal poverty a 'curse' on Canada; Retiring national chief looks back on success, failure," *Calgary Herald*, June 05, 2009.
[25] Miller, "Effects of Invisibility," 266.

Additionally, when economic considerations were included, media coverage was damaging. Articles juxtaposed the vocabulary of inefficiency and messiness with the price tag of reconciliation, which played into harmful portrayals of Aboriginal people and consequently undermined appeals for economic self-determination. These harmful news angles, compounded by the relative silence of the media on land seizure, displaced economic conversations prioritized by survivors and ultimately constructed reconciliation in neoliberal terms.[26]

In their comprehensive media study, Nagy and Gillespie found that 60% of opinion pieces used an expansive frame for truth, which extended to colonization and genocide, ongoing legacy, and explicit links to contemporary structural violence. Nagy and Gillespie used a more substantial data set than the one used in this thesis. They consequently presented findings that are representative and conclusive. Nonetheless, my media analysis aims to add nuance to their conclusions. I observed that many articles employed an expansive frame for truth to the extent that they accounted for cultural or "spiritual genocide;"[27] but I also noted that most media coverage failed to discuss the material context of the IRS system and persisting dispossession of Aboriginal people. My data set arguably limited the generalizability of these findings. Despite constraints on their broad applicability, I present these findings below to elucidate a key consideration about the treatment of economics in the TRC and to signal an important theory for further research.

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[26] This thesis understands neoliberalism as a theory of political economy, which assumes that "the economy works best when left alone by government" and strives primarily for increased "efficiency" and "growth." Its key terms therefore include "privatization, low public spending, deregulation, tax cuts, and reduced welfare provision." These quotations were taken from Andrew Heywood's textbook entitled *Politics*. Andrew Heywood, *Politics: Fourth Edition* (New York: Palgrave MacMillan, 2013), 144.

[27] Patrick White, "An uneasy reconciliation for church, survivors," *Globe and Mail*, 2010.

Many articles accounted for the cultural imperialism of the residential schools system but failed to discuss its relation to economic dispossession. For instance, an article in the *Vancouver Sun* equated the IRS system to "an official policy of assimilating aboriginal people."[28] The article mirrored Harper's language, reducing the IRS system to one of cultural violence. Another article described the Vancouver National Event as a place "where survivors can share stories about enduring physical and psychological abuse in English-speaking boarding schools after being ripped from their families and culture."[29] In graphic and colourful language, this quotation focused on individual acts of abuse and the physical depiction of being 'ripped' from family and culture. The quotation's link between isolated acts of abuse to cultural assimilation accurately captures my extension of the 'healing as cure' critique. Problematically, a focus on cultural structures of oppression masks economic concerns, removing them from the 'public knowledge.' As encapsulated by a piece in the *Winnipeg Free Press*: "It's now becoming public knowledge that the residential school system was a horrible system of *forced assimilation* that took away the ability of generations of children *to speak their language or practice their culture [emphasis added*]."[30] Separation of the 'cultural' from the 'economic,' in an important subset of media coverage, obscured the original dispossession of Aboriginal people and its ongoing legacy.

Articles that did mention material considerations used damaging frames and achieved similar effects of concealment. Journalists highlighted infighting and other bureaucratic messes associated with the TRC. A few articles cited the suicides attached

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[28] Catherine Rolfsen, "Residential Schools," *The Vancouver Sun*, 07 June 2008.
[29] Lori, Culbert. "Reconciliation events drawing huge support; Vancouver hosts sixth in a series of national programs to bring natives and non-natives together," *The Vancouver Sun,* 14 September 2013,.
[30] "Day students will win in the end," *Winnipeg Free Press*, 28 Nov 2009.

to CEP payments, tying payments to negative outcomes. One article stated, "Suicide a concern. One community has reported four suicides connected to CEP payments."[31] However, the same article failed to name any of the aforementioned burdens placed on victims seeking compensation, leading readers to the inaccurate conclusion that money in the hands of Aboriginal people is dangerous. Furthermore, the *Globe and Mail* interviewed Mike Cachagee, head of the National Residential Schools Survivor Society, about the slow pace of the proceedings: "So who's going to hear their stories while we fight over the colour of the walls and the colour of carpets? It's disgusting. Absolutely disgusting."[32] His quotation creates a distance between the survivors with important stories to share and the TRC, depicted as a bureaucratic mess that can afford to dispute trivial, luxurious details such as carpet colour. Cachagee importantly pointed to the weighty consequences of delays and lost opportunities to receive testimonies from very elderly survivors. Yet, he also minimizes externally-imposed delays, many of which were due to government hiring regulations, and thereby isolated blame to the commissioners. Moreover, the language of disgust plays into the negative, visceral reaction many Canadians experience in discussion of money and the IRS legacy. One candid commentary epitomizes this mindset: "Every time I hear about residential schools my wallet cringes."[33] The language of messiness and mismanagement reifies notions of Aboriginal people as cringe-inducing drains on the economy.

Other articles contributed to the visceral reaction of wallet cringing in their use of dramatized descriptions. For example, one article portrayed the TRC as a soap opera:

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[31] Jack Branswell and Ken Meaney, "Residential school payments trigger suicides; Records show reliving trauma has destroyed lives after money arrives," *Edmonton Journal,* Nov 28, 2009.
[32] Mike Cachagee is quoted in the following article: Bill Curry, "Key positions still unfilled on reconciliation commission," The *Globe and Mail*, 24 Dec 2009.

"The saga of truth and reconciliation is fraught with scandal, power struggles, firings, lost friendships and soul-destroying delays."[34] The article reduces the TRC to a mess of scandal and power struggles. As Green convincingly argued, this characterization could lead to a backlash from settlers "who see the IRSSA as a waste of resources and a bureaucratic mess."[35] Damaging media coverage fuels ignorant responses to the TRC, as epitomized by one journalist's exclamation, "There are many venues where one's story can be told, where understanding, forgiveness and healing can take place. Why are we reopening this wound, again, at a cost of $60 million?"[36] As this journalist's comments show, the language of inefficiency and messiness becomes tied to the price tag associated with the TRC.

Several articles supported this analysis by highlighting the IRSSA settlement amount of $1.9 billion. Importantly, the IRSSA contained multiple components that make up the figure and allocated only $60 million to the TRC. Explicitly linking the TRC to gluttonous Aboriginal people who sap the public purse, one article cited the Canadian Taxpayers Federation's recent release of the salaries of dozens of reserve politicians, which were in the hundreds of thousands.[37] The juxtaposition of the IRSSA price tag with hundreds of thousands of dollars in salaries creates the impression that Aboriginal people are rich. The result is summarized in another article: "We've got this great big public relations campaign that makes it look like we all got these gazillion

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[33] This was a comment referenced in a quote by Ray Mason, as printed in Mary Agnes Welch, "But how do we reconcile?" *Winnipeg Free Press*, June 12, 2010.
[34] Linda Diebel, "No truth, No reconciliation: As the commission on Indian residential schools struggles with firings and delays, victims are dying, *Toronto Star,* 24 July 2010.
[35] Robyn Green, "Unsettling cures: Exploring the limits of the indian residential school settlement agreement," *Canadian Journal of Law and Society* 27.1 (2012): 140.
[36] Irene Monroe, "Reconciliation? We already did it," *Times-Colonist,* 02 May 2008.
[37] Laura Stone, "Reserve rock star; Assembly of First Nations National Chief Shawn Atleo 'walks in two worlds,'" *Star- Phoenix,* Dec 04, 2010.

dollars and now we're going to go into reconciliation and all hold our hands and live in eternal bliss."[38] As this quotation explains, media coverage that portrays Aboriginal people as *unfit* money managers subverts political mobilization around future efforts to address the legacy of colonialism. The language of messiness reproduces colonial dispossession, and uses the colonial logic of the IRS system, which viewed families as *unfit* to rear their own children, to do so.

This colonial logic was revealed and contested in survivor testimony. One survivor, Andre Deldout, echoed the language of mismanagement, saying, "I didn't waste the money that I received from compensation. I didn't drink it away. Thinking about my mother, I spent it wisely."[39] His qualification that he 'didn't drink it away' recalls the media coverage on the negative effects of CEP and exposes the prevalence of internalized modes of subjugation in Aboriginal communities. The defensive posture Mr. Deldout assumed when clarifying that he 'spent it wisely,' exemplifies the pressure placed on survivors to combat portrayals of Aboriginal people as wasteful. Survivor Jerry Dan Linney mirrored this stance, emphasizing that "The people that I know of in the North work with their hands and go out hunting, and put honest food on the table for their kids; they didn't take from anybody."[40] He combatted portrayals of parasitic, lazy Aboriginal people by attesting to the fact that his community members work hard to provide for their families. Mr. Linney challenged the individual with the cringing wallet. Moreover, in an ironic and sad twist, the Aboriginal Affairs Department held back more than $1 billion over five years for social service provision.[41] Therefore, survivors bear

[38] Bill Curry, "Ottawa cuts funding to residential schools group," *The Globe and Mail,* April 07, 2010.
[39] Andre Deldout, online testimony, Northern National Event.
[40] Jerry Dan Linney, online testimony, Northern National Event.
[41] Dean Beeby, "Aboriginal Affairs spending shortfall amounts to $1B, internal document says," *CBC*

the brunt of blame for mismanagement and are simultaneously deprived of the resources allocated to them.

Reconciliation to Neoliberal Economy and Dispossession

Negative portrayals of survivors, compounded by the media coverage of the TRC price tag, generate pressure for the government to 'spend wisely' and display 'efficiency' with the public purse, consequently promoting closure-inducing measures. As articulated by Green, calls for efficiency "increase political pressure for a national 'moving on.'"[42] The political pressure fueled attempts to prematurely terminate the TRC. In spite of the aforementioned regulations that slowed down the commission's proceedings and the year hiatus, the TRC commissioners had to fight to extend the mandate of the TRC.[43] Moreover, the drive for expediency can result in the sacrifice of much-needed structural changes.[44] These efforts reduce the scope of clashes over land and resources "to questions of entitlements, rights, and good governance,"[45] solutions which are achieved in a neoliberal framework. Dominant constructions of healing and reconciliation as closure therefore carry important material consequences.

Dominant conceptions constructed reconciliation within the context of the wage economy and neoliberal economics. In her journal article, Green quoted a commentary by Professor Frances Widdowson that appeared in the *National Post* and argued that healing only benefits the Aboriginal elite. Widdowson instead proposed to provide "services that are tailored to the special needs of the aboriginal [*sic*] population so they

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News, June 05, 2015.
[42] Green, "Unsettling Cures,"140.
[43] Truth and Reconciliation Commission of Canada, *Truth and Reconciliation Commission of Canada: Interim Report,* Winnipeg, 2012, 2-3.

can enjoy the emotional satisfaction ('self-esteem') that comes from making a social contribution." Her statement not only assumes that Aboriginal people have not yet been making 'social contributions' and require government programs to learn how to do so, but also reproduces assimilationist, colonial thought.

Widdowson's words mirror those spoken by Deputy Superintendent General of Indian Affairs, L. Vankoughnet to Prime Minister John A. MacDonald in 1887. To justify the adoption of the residential schools system, Vankoughnet assured that the "Indian expenditures 'would be a good investment' for, in due course, Aboriginal people, 'instead of being supported from the revenue of the country… would contribute largely to the same.'"[46] This quotation shows how the current desire to avoid draining the economy or hurting the wallets of Canadians, has remained consistent since the inception of assimilation policies. The valuation of Aboriginal peoples in terms of their financial contribution tacitly rationalizes their exploitation. Widdowson's comments thus contribute to the characterization of economic opportunities as 'ethical,' which supports the commodification of Aboriginal people and undergirds capitalist expansion and 'resource' extraction projects.[47]

In contrast, Aboriginal identity inverts neoliberal logic that supports privatization and exploitation of natural resources for economic growth, emphasizing human reliance on the land and animals. Survivor Jerry Dan Linney explained, "I rely on the moose. I rely on the fish. I rely on the birds. *I know all those creatures do not rely on me to make*

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[44] Green, "Unsettling Cures,"140.
[45] Taiaiake Alfred, "Restitution," 181.
[46] John S. Milloy, *A National Shame: The Canadian Government and The Residential School System, 1879-1986* (Winnipeg: University of Manitoba Press, 1999), 6-7.
[47] Jen Preston, "Neoliberal settler colonialism, Canada and the tar sands," *Race and Class* 55.2 (2013): 43.

a living each day."[48] Linney described the relationship between human and land as one of humility and respect and not one of mastery. Canada's neoliberal economics framework, which supports lowered trade barriers and deregulation for resource exploitation, is antagonistic to Aboriginal spirituality. As emphasized by Dene scholar Glen Sean Coulthard, for indigenous peoples, the "pathological drive for accumulation that fuels capitalist expansion" must be rejected.[49]

Reconciliation as tied to neoliberalism furthers the expropriation of Indigenous lands, "worlds, animals, plants and human beings"[50] to build settler wealth, promoting land seizure for resource exploitation. As Jen Preston convincingly argued, colonialism continues to operate through relationships between the state and private oil and gas companies.[51] The perpetuation of colonial dispossession that "damag[es] Indigenous ways of life"[52] through oil and gas partnerships manifested itself in the British Columbia National Event and Reconciliation, which listed energy companies Kinder Morgan and TransCanada as respective sponsors. As exposed in Squamish community organizer Khelsilem Rivers' opinion piece, this tie offers oil companies the opportunity to boost public profile and counter Aboriginal dissent by highlighting their support of events such as the TRC, while simultaneously "seeking to displace our peoples from our homelands to reap the benefit at our expense."[53]

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[48] Jerry Dan Linney, online testimony, Northern National Event.
[49] Coulthard, *Red Skin, White Masks,* 63.
[50] Eve Tuck and K. Wayne Yang, "Decolonization is not a metaphor," *Decolonization: Indigeneity, Education & Society* 1.1 (2012): 4-5.
[51] Preston, "Neoliberal settler colonialism," 43.
[52] Quotation by Khelsilem Rivers, as printed in her opinion piece. Khelsilem Rivers, "Why is Big Oil funding Reconciliation Week events in Vancouver?" *rabble.ca*, September 19, 2013, accessed August 20, 2015, http://rabble.ca/news/2013/09/why-big-oil-funding-reconciliation-week-events-vancouver.
[53] Ibid.

Additionally, as outlined by Preston, Enbridge's Northern Gateway Pipeline project, which creates two massive pipelines to move crude oil to British Columbia for export, exemplified the colonial logic at work in resource extraction. In response to a coalition of six Indigenous Nations banning the pipeline, Preston explained how the government established an anti-terrorist unit to protect energy industry workers and property.[54] The blatant link between the government's use of anti-terrorist measures to suppress Indigenous contestation and governmentalism will be discussed in the next chapter. However, the Northern Gateway Pipeline project example also shows where the government's priorities lie, and provides a glimpse into the intricate relationship between neoliberalism and colonization in Canada. Definitions that bind reconciliation to neoliberalism, thus shield material dispossession from scrutiny, and support neocolonialism.

[54] Preston, "Neoliberal settler colonialism," 43.

Chapter Five
Healing, Reconciliation, Resolution

In his apology, Stephen Harper mentioned the aim of the residential schools settlement and Truth and Reconciliation Commission (TRC): "healing, reconciliation and resolution of the sad legacy of Indian Residential Schools..."[1] Building on my findings presented above, I suggest that the rhetoric used by both media and government, and at times also the structure and language of the TRC, support a premature conclusion and resolution to the process of decolonization. I contend that dominant discourses of reconciliation tie the concept to governmentalism, closure, and forgiveness of an unchecked settler society. In contrast, Aboriginal constructions of reconciliation suggest action, mobilization, opening, an unwillingness to forgive, nationhood, and occasionally a repudiation of the language of 'reconciliation.' It remains too soon to predict the consequences of the instability of this vast discrepancy in understandings. However, as self-determination movements gain strength and the government seeks a national moving-on, Dale Turner's argument becomes more plausible. He contends that the act of rendering things *consistent* by whatever means necessary remains central to Canada's approach to reconciliation.[2] At present, the material implications of the government's conception of reconciliation support my hypothesis that the TRC failed to advance reconciliation as decolonization of settler society and government, instead promoting unilateral reconciliation.

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[1] Aboriginal Affairs and Northern Development Canada. *Indian Residential Schools Statement of Apology,* Stephen Harper, Ottawa, 2008. Accessed 15 May 2015, http://www.aadnc-aandc.gc.ca/eng/1100100015677/1100100015680.

[2] Dale Turner's position is cited in Glen Sean Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis: University of Minnesota Press, 2014), 107.

Reconciliation to Canada

"And I thought to myself, what about the victims of democracy?"[3]

Courtney Jung predicted that 'non-transitional' governments "try to use transitional justice to assert their sovereign and legal authority."[4] In my discourse analysis, I found that the government constructed reconciliation in statist premises, reconciling Aboriginal people to "a nasty case of metastasizing governmentalism."[5] Prime Minister Stephen Harper's rhetoric, as considered within the broader political context, served to legitimize the government's authority, reduce its responsibility for the Indian Residential School (IRS) legacy, and portray the government as a benevolent service provider, which garnered support for neocolonial aims.

At the outset of his speech, Stephen Harper defined the relationship between the Canadian government and Aboriginal people: "In the 1870's, the federal government, partly in order to meet its obligation to educate Aboriginal children, began to play a role in the development and administration of these schools."[6] Harper framed the IRS system as partial fulfillment of the government's 'obligation' to educate its citizens, locating 'Aboriginal children' within the rightful dominion of the federal government. They are "the Aboriginal peoples of this country."[7] Harper's use of the language of 'obligation' is also significant, as it mirrors the language of divine duty or categorical imperative. The

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[3] Grand Chief Edward John, Hereditary Chief of Tl'aztem First Nation, Executive member First Nations Summit, Member of UN Permanent Forum on Indigenous Issues, Honorary Witness of the TRC- Panel: The UN Declaration on the Rights of Indigenous Peoples: Justice, Reconciliation and Hope, 01 June, 2015; accessed 01 June 2015; livestream hosted at http://www.trc.ca/websites/trcinstitution/index.php?p=842.

[4] Courtney Jung, "Transitional Justice for Indigenous People in a Non-transitional Society," *International Center for Transitional Justice.* Research Brief. October 2009, 1.

[5] Gerald Taiaiake Alfred quoted in Glen Sean Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis: University of Minnesota Press, 2014), 51.

[6] Aboriginal Affairs and Northern Development Canada, *Indian Residential Schools Statement of Apology,* Stephen Harper, Ottawa, 2008; accessed 15 May 2015; available from http://www.aadnc-aandc.gc.ca/eng/1100100015677/1100100015680.

word ‘obligation’ imbues his assertion with false credibility and obscures Canada’s violent history of colonial conquest.

In his opening sentences, Harper isolated the development of the residential schools system from the broader colonial history. He specified that the government “began to play a role” in IRS development, implying that the IRS was a work in progress into which the government eventually opted. Certainly, Harper’s account did not admit to the government’s role as architect or agent of the IRS. This role reduction is mirrored in the repetition of the IRS system as a harmful ”policy,“ and the separation of ”these institutions that gave rise to abuse” from the system of governance as a whole.[8] In the preamble to the IRSSA, Canada’s role is also reduced to one of school operation. It states, “Wherein Canada and certain religious organizations operated Indian Residential Schools for the education of aboriginal children.”[9] The IRSSA and Harper’s apology reduced the IRS system to an education policy and depicted its management as good governance gone wrong. This reduction of responsibility was coupled with a reaffirmation of the goodness of the state and Canadian government.

Harper reminded listeners of his firm stance on Aboriginal claims to self-determination when he said, “I stand before you, in this Chamber so central to our life as a country, to apologize to Aboriginal peoples for Canada’s role in the Indian Residential Schools system.”[10] He alluded to his physical location in ”this Chamber,“ the House of Commons—the centre of Canadian political life. Harper stood in the heart of colonial

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[7] Ibid.
[8] Ibid.
[9] Indian Residential Schools Settlement Agreement, May 8, 2006, Article 1; accessed April 6, 2015; available from http://www.residentialschoolsettlement.ca/IRS%20Settlement%20Agreement-%20ENGLISH.pdf 6.
[10] Aboriginal Affairs and Northern Development Canada, *Indian Residential Schools Statement of Apology*.

governance to deliver his apology for the government's "role" in the IRS system. He concluded by emphasizing that the "desire to move forward together with a renewed understanding that strong families, strong communities and vibrant cultures and traditions will contribute to a stronger Canada for all of us." He stated that reconciliation will contribute to a stronger 'Canada' and will occur between Canadian citizens, specifically "between Aboriginal peoples and other Canadians." Conspicuously absent in his conception of reconciliation is the forging of new relationships between indigenous nations and the government. Harper affirmed the legitimacy of government rule, and thereby avoided scrutiny of "the normative status of the state form as an appropriate mode of governance."[11]

Harper's apology also portrayed the government as a benevolent service provider. In the aforementioned quotation, Harper clarified that the government was holding up its end of the bargain, to "meet its obligation to educate" its citizens. As a result, he reframed dissenters as protestors of education. He also apologized "for failing to protect you,"[12] which depicts the government as the caring and legal guardian of the Aboriginal people. Yet, as Coulthard argued, any reproduction of colonial rule relies on the government's ability to "*entice* indigenous peoples to identify" with asymmetrical politics of recognition, through violent imposition or gracious accord.[13] The language of benevolence in Harper's apology mirrors gracious accord and entices Aboriginal people to reconcile themselves to asymmetrical, statist rule. His words recall the violent

[11] Coulthard, *Red Skin, White Masks,* 36.
[12] Aboriginal Affairs and Northern Development Canada, *Indian Residential Schools Statement of Apology*.
[13] Coulthard, *Red Skin, White Masks,* 25.

paternalism of the IRS system and the existing Indian Act, which is "supported by beliefs of ineptitude…similar to those prevalent in IRS formation."[14]

Parallels between Harper's discourse and the current status of "metastasizing government"[15] in Canada further expose the irony in depictions of a benevolent Canadian government and the covert reproduction of colonialism they engender. The Indian Act perpetuates government rule over Aboriginal people and controls "Indian status, land, resources, wills, education, band administration."[16] The recent passage of the anti-terrorist Bill C-51 extends the government's reach by allowing it to mobilize for the state of exception and transcend laws 'for the sake of the public good.' As previously outlined in the example of the Northern Gateway Pipeline, the state of exception can manifest itself in violent ways and still remain shielded from scrutiny, couched in concerns for public safety. The government's use of "particularized modes of control"[17] also persists in the disproportionate incarceration rates of Aboriginal people, reports of police brutality toward them, and unequal application of emergency services to Aboriginal communities.[18] The government's paternalism includes a 'Big Brother' component, bestowing upon "Indigenous peoples limited political recognition and self-

[14] Brian Rice, and Anna Snyder, "Reconciliation in the Context of a Settler Society: Healing the Legacy of Colonialism in Canada," in *From Truth to Reconciliation: Transforming the Legacy of Residential Schools*, eds. Marlene Brant-Castellano, Linda Archibald, and Mike DeGagné, (Ottawa: Aboriginal Healing Foundation, 2008, 54.
[15] Gerald Taiaiake Alfred quoted in Glen Sean Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis: University of Minnesota Press, 2014), 51.
[16] Isabelle Monpetit, "Background: The Indian Act," *CBC News,* May 30, 2011.
[17] Eve Tuck and K. Wayne Yang, "Decolonization is not a metaphor," *Decolonization: Indigeneity, Education & Society* 1.1 (2012): 4-5.
[18] Trinh Theresa Do, "Makwa Sahgaiehcan First Nation fire reflects inadequate resources for reserves," *CBC news,* February 19, 2015.

government within a multicultural state"[19] that continues to deny its perpetuation of colonialism and rejects Aboriginal nationhood.

Reconciliation as closure and resolution

Dominant constructions of reconciliation also imply resolution and conclusion. Stephen Harper's aforementioned lament of the "sad chapter" of the IRS system reveals his views on the process of reconciliation: "In moving toward healing, reconciliation and resolution of the sad legacy of Indian Residential Schools..."[20] His mention of 'healing, reconciliation and resolution,' implies a clear direction or 'movement.' Harper lists a progression from acute instances of violence and cultural assimilation to reconciliation, which leads to resolution. He lists the "implementation of the Indian Residential Schools Settlement Agreement"[21] as the vehicle of this movement, which also employed the language of 'settlement' and 'resolution' to imply finality.[22] Harper's reference to the IRSSA and use of the word 'resolution,' turn the page on the 'sad chapter' of residential schools to usher in a "new beginning,"[23] whereby settlers and Aboriginal people "move forward together."[24]

Former Governor General Michaëlle Jean supported a 'new beginning,' in her address at the Winnipeg National Event opening ceremonies. Her statement read: "Let

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[19] Paulette Regan, *Unsettling the Settler Within: Indian Residential Schools, Truth Telling, and Reconciliation in Canada* (Vancouver: UBC Press, 2010), 84.
[20] Aboriginal Affairs and Northern Development Canada. *Indian Residential Schools Statement of Apology,* Stephen Harper, Ottawa, 2008. Accessed 15 May 2015, http://www.aadnc-aandc.gc.ca/eng/1100100015677/1100100015680.
[21] Ibid.
[22] Robyn Green, "Unsettling cures: Exploring the limits of the indian residential school settlement agreement," *Canadian Journal of Law and Society* 27.1 (2012): 130.
[23] Aboriginal Affairs and Northern Development Canada. *Indian Residential Schools Statement of Apology,* Stephen Harper, Ottawa, 2008. Accessed 15 May 2015, http://www.aadnc-aandc.gc.ca/eng/1100100015677/1100100015680.
[24] ibid.

us say that, yes we can change the course of history, and yes we can create a future that brings us together and reflects who we are. This is our greatest responsibility and it has to be a shared responsibility. This is our duty now. Here and now and we must make it happen."[25] Her words recall multiculturalism; she urged a shared future that "reflects who we are" in all of our diversity as Canadians. Yet, her call to cultural recognition within Canadian multicultural society continues to displace more radical appeals for self-determination and independent nationhood. Like Harper, she also imbued her words with authority, drawing on the language of responsibility and duty in her appeal that we 'must make it happen.' There is added urgency to her speech; the exhortation that it is our duty 'now' ties government obligation to the temporal pressures of reconciliation as closure. Arguably, her words encourage settlers to invest in the TRC proceedings. Yet, they also isolate survivors who are not ready to 'change the course of history.' Moreover, like Harper, her words assume a narrative of progress, obscuring the strong potential that the TRC represents reconciliation to the status quo of continued of colonial dispossession. Compounding these effects, the TRC video included a voice-over that followed her speech and problematically said, "And the lives of survivors and all Canadians have been changed for the better."[26] The voice-over not only definitively claimed that the TRC had a positive impact, it also used the past tense, and thus implied that that healing and reconciliation have already occurred; the process has been completed.

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[25] Michaelle Jean, Opening Remarks-Winnipeg National Event, Truth and Reconciliation Commission of Canada, 16 June 2010, Winnipeg, Canada; accessed 29 April 2015; available from https://www.youtube.com/watch?v=UnhxtnSxqVQ.

[26] Winnipeg National Event, Truth and Reconciliation Commission of Canada, 16 June 2010, Winnipeg, Canada; accessed 29 April 2015; available from https://www.youtube.com/watch?v=UnhxtnSxqVQ.

The TRC video exemplified one of the multiple instances in which the commission unintentionally promoted a rigid transition from truth to reconciliation. The structure of the national events encouraged closure. For example, a sharing panel of the Northern National Event directly followed a panel on resilience, in which host Shelagh Rogers encouraged speakers to focus on what got them through their residential school days. When she introduced the panel on resilience, Rogers said, "Not to put any pressure on it, I think it's going to leave us with hope as well."[27] Although Rogers' disclaimer expressed a desire to refrain from controlling the conversation, her words unintentionally framed narratives. Marie Wilson's opening remarks at a sharing panel also artificially introduced reconciliation into the conversation. She prefaced the panel with a series of questions: "What was your life after, and this question that we addressed this morning, what is reconciliation to you? Is it already in progress? Is it something that has already occurred? Is it something that you would like? What are your thoughts about it that you would like us to know?"[28] Her questions shifted the focus onto reconciliation. Additionally, the topics of sharing panels also served an agenda-setting function. IRS survivor Margaret Commodor stated that reconciliation has "been the topic of this gathering."[29] At the event in Saskatchewan, Chief Wilton Littlechild said, "We shift our focus now from the emphasis on truth to an emphasis on reconciliation."[30] During the

[27] Shelagh Rogers, Opening Remarks, Panel on Resilience- Northern National Event, Truth and Reconciliation Commission of Canada, 30 June 2011, Inuvik, Canada; accessed 10 May 2015; available from https://www.youtube.com/watch?v=egAJwXIXd8E.
[28] Marie Wilson, Opening Statement- Quebec National Event, Truth and Reconciliation Commission of Canada, 26 April 2013, Montreal, Canada (trans. by author);; accessed 15 May 2015; available from https://www.youtube.com/watch?v=xUHsYKm5EBE.
[29] Margaret Commodor, Online Testimony- British Columbia National Event, Truth and Reconciliation Commission of Canada, 18 September 2013, Vancouver, Canada; accessed 29 April 2015; available from https://www.youtube.com/watch?v=7rn6rhFYFuk.
[30] Shari Narine Sage, "TRC event marks move from truth-telling to reconciliation, *Saskatchewan Sage,* 16.10 (2012), accessed May 1, 2015, http://www.ammsa.com/publications/saskatchewan-sage/trc-event-marks-move-truth-telling-reconciliation.

concluding events, the words "It's time for reconciliation" were featured prominently, in large script and capital letters, on the Truth and Reconciliation Commission of Canada website.[31] TRC themes, structure, and introductory remarks pre-maturely and repeatedly interjected reconciliation into the national conversation, and reinforced a swift 'progression' from truth to reconciliation as resolution.

Significantly, 'reconciliation as resolution' also vilified the unwillingness to forgive, as typified by survivor Yvette Michelle's comments about reconciliation:

> There's something that bothers me. There was, I'm not sure, the Priest Godberger who said at a given moment 'You are our children.' We are not anyone's children. We are the Creator's children; we are the children of the Earth. For this reason, we say, for reconciliation, they need to stop saying that we are children. We have to do business equal to equal.[32]

Ms. Michelle responded to Marie Wilson's prompt, and expressed her resistance to reconciliation that includes a continuation of settler society as condescending parent. Following Yvette Michelle's testimony, Wilson replied and encouraged her to find the priest, adding that she heard him differently and that the conversation would further reconciliation.[33] Wilson's reply echoed the paternalism Yvette Michelle contested, pre-maturely enforced resolution, and condemned the unwillingness to forgive. She furthered dominant narratives of reconciliation as closure that "imply that the failure to forgive denotes psychiatric ill health, which signifies a persistence of trauma, which leads to calls for revenge, which leads to the resurgence of

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[31] The website can be accessed at http://www.trc.ca/websites/trcinstitution/index.php?p=3.
[32] Yvette Michelle, online testimony , Quebec National Event, Truth and Reconciliation Commission of Canada, 26 April 2013, Montreal, Canada (trans. by author); accessed 15 May 2015; available from https://www.youtube.com/watch?v=xUHsYKm5EBE.
[33] Marie Wilson, Commissioners Sharing Panel, Quebec National Event, Truth and Reconciliation Commission of Canada, 26 April 2013, Montreal, Canada; accessed 15 May 2015; available from https://www.youtube.com/watch?v=xUHsYKm5EBE.

violence."[34] Wilson's imposed resolution framed legitimate contestation as an unhealthy 'persistence of trauma.' Consequently, Wilson de-politicized reconciliation,[35] supporting a "move beyond thinking about the politics of things and the religion things."[36] This call for reconciliation as resolution of discords has cachet. For, as Derrida said, quoted in Claire Moon's article, "who could 'decently dare to object to the imperative of reconciliation' since it is 'better to put an end to the crime and discords.'"[37] Yet, reconciliation as resolution ushers in an artificial fresh start that masks the entrenchment of the status quo and colonial settler attitudes.

Reconciliation to a settler society and structural violence

In her influential book, *Unsettling the Settler Within,* Paulette Regan reminded Canadians, "The healing metaphor has been used almost exclusively with regard to Indigenous peoples. We have heard far less about the settler need to heal."[38] The process of healing and reconciliation must also involve bystanders. Consistent with her critique, my exploration of settler 'healing' or accountability revealed a discrepancy between what survivors said in testimony and what settler society actually heard. I contend that the government and media's rhetoric did not sufficiently disturb what Regan called the Canadian peacemaker myth, which is central to settler identity. The Canadian peacemaker myth is the "popular belief that the settling of Canada was relatively peaceful because our ancestors… made treaties rather than war with Native peoples,

[34] Claire Moon, "Healing past violence: Traumatic assumptions and therapeutic interventions in war and reconciliation," *Journal of Human Rights* 8.1 (2009): 84.
[35] Claire Moon, "Healing past violence," 84.
[36] Linda Morris quoted in Lori Culbert, "Reconciliation event drawing huge support; Vancouver hosts sixth in a series of national programs to bring natives and non-natives together, *The Vancouver Sun,* 14 Sep 2013.
[37] Moon, "Healing past violence, 72.

brought law and order to the frontier, and created well-intentioned (if ultimately misguided) policies designed to solve the Indian problem by civilizing and saving people seen as savages."[39] By leaving the peacemaker myth largely intact, the TRC failed to dismantle settler logic and account for the brokenness of Canadian society, thus binding reconciliation to a settler society.

Regan explained, "The listener's work is crucial."[40] Yet, Harper's apology and many news articles absolved Canadian society of the need to listen actively, to bear witness and engage our complicity in the IRS legacy. Harper's depiction of government benevolence, which gained traction in media coverage that cited the TRC as a gesture of government goodwill,[41] perpetuates rampant settler denial. As confirmed by Regan, "many Canadians still believe that Indigenous peoples have been the fortunate beneficiaries of our altruism."[42] These beliefs are supported by the previously explored media coverage on inefficiency and lend further credence to the logic of fixing Aboriginal people. One journalist's proposal to bring about reconciliation through child policy and new parent benefits is a striking example of the perpetuation of misguided settler solutions to the Indian problem.[43] Moreover, Harper explicitly denied Canada's history of colonialism in his statement at the G20 Summit in 2009. He said, "We also have no history of colonialism. So we have all of the things that many people admire

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[38] Regan, *Unsettling the Settler Within* 175.
[39] Regan, *Unsettling the Settler Within* 14.
[40] Regan, *Unsettling the Settler Within* 175.
[41] Rosemary Nagy and Emily Gillespie, "Representing Reconciliation: A news frame analysis of print media coverage of Indian residential schools," *Transitional Justice Review* 1.3 (2015): 20.
[42] Regan, *Unsettling the Settler Within*, 84.
[43] Paul Kershaw argued that the policy is "Essential because it response directly to the harm residential schools imposed by removing children from their families and communities; and because it takes lessons learned from one of Canada's most grievous historical policy decisions to build a better policy deal for an entire generation of Canadians." Paul Kershaw, "New Deal for Families promotes truth and reconciliation," *Vancouver Sun,* Nov, 17, 2011.

about the great powers but none of the things that threaten or bother them."[44] His comment exemplified and fueled congratulatory settler nationalism. Furthermore, his denial continues to place the burden on Aboriginal people to prove their situations and experiences, as settlers proceed to "fix the Indian problem."[45]

Reductive media coverage of the TRC also left settler savior complexes intact. Media focus on the "shock and shame"[46] of the IRS system persuasively encouraged "feeling good about feeling bad."[47] Nagy and Gillespie's macro media study also found that, while some mainstream newspapers used expansive frames of truth, the newspapers tied this to a reductive frame for reconciliation to imply "closure on the past and moving on, individual healing," and placed an emphasis on Western therapy.[48] Consequently, their findings challenged the assumption that truth leads to reconciliation as decolonization.

In my discourse analysis, I found many examples of media frames that reduced reconciliation to closure. Journalists mirrored Harper's language of sad chapters concluding, of "dark pages in that dark chapter."[49] One article quoted a survivor who said, "It's an opportunity to turn the page on a dark chapter of Canada and start to move forward as people together."[50] It's about "resolving differences… to build a better

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[44] David Ljungreen, "Every G20 nation wants to be Canada, insists PM," *Reuters*, September 25, 2009.
[45] "PM cites 'sad chapter' in apology for residential schools," *CBC News*, June 11, 2008.
[46] Robert Laboucane, "A glimmer of hope," *Telegraph-Journal*, 24 July 2009.
[47] Rosemary Nagy, "The Scope and Bounds of Transitional Justice and the Canadian Truth and Reconciliation Commission," *International Journal of Transitional Justice* 7.1 (2013): 60.
[48] Rosemary Nagy and Emily Gillespie, "Representing Reconciliation: A news frame analysis of print media coverage of Indian residential schools," *Transitional Justice Review* 1.3 (2015): 25.
[49] Director of communications to Aboriginal Affairs Minister Bernard Valcourt Andrea Richer quoted in Mark Kennedy, "Deaths in native schools top 4000,; Numbers expected to rise as researchers access more files, *The Ottawa Citizen,* 04 Jan, 2014.
[50] Judith Lavoie, "Dark secrets of residential schools to become part of national memory," *Times-Colonist*, Dec 14, 2011.

future"[51] or "establish[ing] reconciliation between aboriginal and non-aboriginals."[52] The assumption that the TRC could establish or secure relations between aboriginal and non-aboriginal people is not only misguided in the way it provides a timeline for relational healing. The assumption also contributes to the framing of reconciliation in terms of recognition. Glen Sean Coulthard explains, "Political reconciliation depends on transforming a relation of enmity into one of civic friendship. In such contexts the discourse of *recognition* provides a ready frame in terms of which reconciliation might be conceived."[53] The media's focus on 'resolving differences' and 'securing relations' is too easily coopted into frameworks that bind reconciliation to recognition.

Several articles also linked reconciliation to the establishment of "a national memory"[54] and stated that the purpose of the TRC was to "collect documentary evidence."[55] These articles constructed reconciliation in historical terms, as a memory of the past or a "national archive of Canada's shame."[56] One journalist quoted an Aboriginal student who emphasized the persistence of colonialism: "In Canada, colonization continues and under these circumstances real or true reconciliation is almost impossible given that most people remain unaware of colonization."[57] Yet, this journalist failed to allow the implications of the student's words to unsettle the article's assumption, as the journalist described reconciliation as a dark past: "Reconciliation

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[51] Sarah Goodman, "Another step on the road to reconciliation," *The Vancouver Sun,* 21 Sept, 2013.
[52] Linda Diebel, "Clean slate' for truth panel; Breakthrough talks save reconciliation commission probing abuses of children at residential schools," *Toronto Star*, 31 Jan 2009.
[53] Coulthard, *Red Skin, White Masks,* 106.
[54] Ibid.
[55] Mark Kennedy, AFN set to pick leader amid conflict with PM; Bellegarde seen as front-runner, *Star-Phoenix,* 08 Dec 2014.
[56] The truth about Indian schools: There will be more horrible tales to absorb as networks across the country attempt to build a national archive of Canada's shame, *Toronto Star,* 21 July 2013.
[57] Dawn Smith, a Nuu-chah-nulth Doctoral student at UBC, quoted in Lee White, "A need for true settlement," *Telegraph-Journal*, 11 Sep 2013.

means that we all must bear witness to what lurks in the dark shadows of Canada's past."[58] In spite of the student's compelling commentary on the persistence of colonialism, the journalist framed it as historical. Reductive frames for reconciliation in media coverage failed to engender a significant challenge to settler society and reified beliefs of reconciliation as closure and resolution.

In addition to harmful media coverage, a general lack of awareness of the Indian Residential Schools system and the TRC persists and furthers settler denial. One article cited that "less than one third of Canadians are familiar with the history of Indian Residential Schools."[59] Justice Murray Sinclair corroborated the issue of public awareness by acknowledging the limited number of Canadians reached by the TRC when he said, "I don't mind preaching to the choir if it makes them sing better and louder."[60] His words both imply that those Canadians who did follow the activities of the TRC represented a self-selecting group and attest to the potential for broader accountability through a ripple effect.

This "small choir," however, faces a daunting task as children in public schools continue to be taught myths about Aboriginal people. As explained by Brian Rice and Anna Snyder, denial in the Canadian context includes myths that rationalize Canada's continuing exploitation of Aboriginal people.[61] An education system that leaves myths intact, further fueled by problematic media and government rhetoric, and a general lack of settler awareness, construct reconciliation in recolonizing terms. Reconciliation that forces survivors to re-integrate into an unchecked settler society leaves them vulnerable

[58] Lee White, "A need for true settlement," *Telegraph-Journal,* 11 Sep 2013.
[59] Charlotte Kingston, "Of truth and reconciliation," *Telegraph-Journal,* June 11, 2011.
[60] Justice Murray Sinclair quoted in Mary Agnes Welch, "But how do we reconcile?" *Winnipeg Free Press,* June 12 2010.

to harmful and ignorant reproaches that echo the words IRS survivor Leonard Alexi heard from his perpetrator: "What are you crying for? You never had it so good in your life."[62] Reconciliation to a settler society binds Aboriginal people to a future in which legitimate subjugation cannot be contested.

The TRC's framework limited accountability for perpetrators, churches and other institutions. The TRC was created with the provision that it "shall not hold formal hearings, nor act as a public inquiry, nor conduct a formal legal process,"[63] nor allow survivors to name their perpetrators if they have not already come before a court. These prohibitions importantly oriented the TRC around survivor experiences and avoided the recreation of an adversarial culture.[64] Yet, they also limited the extent to which individuals and institutions could be held accountable. The prohibition against naming signified that "the identities of possible perpetrators can't even be received into the public record,"[65] which protected those who committed atrocities. Perpetrators also could not be summoned through subpoena, which created a lack of incentive for their participation. Kim Stanton's hope that the protection of perpetrators from prosecution might engage them proved unfounded.[66] Ronald Niezen attested to the absence of those involved in the schools' daily operations from TRC events.[67]

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[61] Rice and Snyder. "Reconciliation in a Settler Society," 49.
[62] Leonard Alexi, online testimony, British Columbia National Event, Truth and Reconciliation Commission of Canada, 18 September 2013, Vancouver, Canada; accessed 30 April 2015; available from https://www.youtube.com/watch?v=7rn6rhFYFuk.
[63] Indian Residential Schools Settlement Agreement, Residential Schools Settlement, May 8, 2006, accessed April 6, 2015, accessible at http://www.residentialschoolsettlement.ca/IRS%20Settlement%20Agreement-%20ENGLISH.pdf.
[64] Kim Stanton, "Canada's Truth and Reconciliation Commission: Settling the Past?" *The International Indigenous Policy Journal* 2.3 (2011): 5-6
[65] Interview with Ronald Niezen in Brent Wittmeier, 'To lay bare the soul of a nation'; Commission has a century-long story to tell, in all its complexity, 27 March 2014.
[66] Stanton, "Settling the Past," 6.
[67] Ronald Niezen, *Truth & Indignation* (Toronto: University of Toronto Press, 2013), 59.

Additionally, many of the perpetrators at Indian Residential Schools are now deceased, which, as Stanton argued, translates to an institutional approach to accountability in the TRC. She theorized that institutional perpetrators, the government and churches, would therefore play a larger role in the proceedings.[68] Yet, as evidenced by Niezen's research, accused church members were "not engaged in any form of encounter or exchange with former students."[69] Moreover, in his interviews with Oblate priests, brothers, and nuns, Niezen found that their unique experiences of suffering from accusations were not meaningfully represented.[70] Government accountability proved even more difficult, given that the TRC is effectively an arm of the federal government. The power struggle for accountability was exemplified in original TRC Commissioner Harry Laforme's attempt to compel participation from perpetrators,[71] and in his criticism of the lack of financial independence from the Indian Affairs department.[72] The TRC proved weak and unable to encourage participation from all parties. Consequently, the TRC absolved institutions and individual perpetrators from scrutiny and placed the burden on survivors to reconcile. As Aboriginal Healing Foundation board member Susan Hare powerfully explained, "It seems backwards, the approach, it is as if the victims are being asked to take the first steps to reconcile themselves with the perpetrators, and usually it is the wrongdoer who needs to step forward, to ask for

[68] Stanton, "Settling the Past," 6.
[69] Niezen, *Truth & Indignation*, 59.
[70] Ibid.
[71] Adrian Humphreys, "Five-year quest for truth and reconciliation begins; But some are already calling it a 'sham' and have asked native victims of abuse at residential schools to boycott hearings," *Edmonton Journal,* 01 June 2008, accessed May 10, 2015.
[72] Linda Diebel, "'Clean Slate' fore truth panel: Breakthrough talks save reconciliation commission probing abuses of children at residential schools," *Toronto Star,* 31 Jan 2009.

forgiveness."[73] Reconciliation as conceptualized in statist, settler terms and as resolution constitutes a unilateral reconciliation.

Reconciliation as mobilization, action, resentment

Discourses of resistance powerfully contested dominant constructions of reconciliation, tying the concept to action and mobilization. Survivor Jerry Dan Linney told how he forgave the priest who abused him but cited that his personal closure leads to further action. He said, "To whoever did this to me, I forgive you. You no longer have powers over me. But I want to ask one thing of this country, now that I'm done with this long, long trip…"[74] He followed his gracious forgiveness with a list of requests that included education for him and his family, land, equitable access to health care, and challenges to racist attitudes such as the one held by a "candidate from the liberal party."[75] Survivors, commissioners, and select journalists also affirmed the fact that truth does not necessarily lead to reconciliation as resolution, but to action. In introductory remarks at the Vancouver National Event, one honorary witness explained, "And once we begin to understand a little bit more then we're able to take action."[76] Another news article proclaimed, "We have heard and accepted gracious apologies from the churches and

[73] Jennifer Llewellyn, "Bridging the Gap between Truth and Reconciliation: Restorative Justice and the Indian Residential Schools Truth and Reconciliation Commission," in *From Truth to Reconciliation: Transforming the Legacy of Residential Schools*, ed. Marlene Brant-Castellano, Linda Archibald and Mike DeGagné (Ottawa: Aboriginal Healing Foundation, 2008), 188.
[74] Jerry Dan Linney, online testimony, Northern National Event, Truth and Reconciliation Commission of Canada, 30 June 2011, Inuvik, Canada; accessed 10 May 2015; available from https://www.youtube.com/watch?v=egAJwXIXd8E.
[75] Ibid.
[76] Unknown Honorary Witness, Opening Remarks, British Columbia National Event, Truth and Reconciliation Commission of Canada, 18 September 2013, Vancouver, Canada; accessed 30 April 2015; available from https://www.youtube.com/watch?v=7rn6rhFYFuk.

government… Now, it's time for action."[77] At the TRC closing ceremonies, Chief Wilton Littlechild echoed this sentiment and stated that truth was insufficient for reconciliation; action is needed, which he proposed to initiate through the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).[78]

The TRC provided an opening for further discussion and set precedents. As one article explained, "Hopefully, that 2005 settlement and the truth and reconciliation process it set up will clear a path for the day scholars and their fight will be much easier."[79] Another article framed reconciliation as decolonization, repeating many of the needs expressed by survivors. The journalist quoted scholar Jennifer Llewellyn, who specified that the TRC is a time to assess the work that is yet to do, to consider "how we structure our basic social and political institutions—selections, health care, land claims—to make real the words of Harper's apology."[80] As Jo-Ann Episkenew emphasized, "Healing without changing the social and political conditions that first caused the injuries would be ineffectual."[81] Coverage, commissioners, activists and survivors contested reconciliation as closure, binding it to momentum and structural change.

Many activists and survivors also expressed an unwillingness to forgive the government and settler society, and repudiated the vocabulary of reconciliation. In IRS survivor Yvette Michelle's prior statement, she called for a system based on equal status

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[77] Mia Rabson, and Owen Bruce, "Commitments from apology not met: chiefs," *Winnipeg Free Press,* 12 June 2009.
[78] Wilton Littlechild, Introductory Remarks to the panel: The UN Declaration on the Rights of Indigenous Peoples: Justice, Reconciliation and Hope, 01 June, 2015; accessed 01 June 2015; available from http://www.trc.ca/websites/trcinstitution/index.php?p=842.
[79] Anonymous, "Day students will win in the end, 2009," *Winnipeg Free Press,* 28 Nov 2009.
[80] Mary Agnes Welch, "But how do we reconcile?" *Winnipeg Free Press,* June 12 2010.
[81] Jo-Ann Episkenew, Taking back our spirits: Indigenous literature, Public Policy, and Healing (Winnipeg: University of Manitoba Press, 2009), 17.

and challenged the goal of reconciliation.[82] Survivor Agnes also critiqued dominant constructions of reconciliation with settler society: "When I think about reconciliation, I don't think so much with the churches and the public. We need to reconcile within ourselves."[83] Agnes challenged the appropriateness of broader, societal reconciliation, prioritizing healing within Aboriginal communities. Margaret, another survivor, communicated a similar unwillingness to reconcile, a concept that she understood as forgiveness:

> I looked up reconciliation or 'reconcile' in the dictionary and it said something about how to settle, how to forgive. I have forgiven most people in my life. I have forgiven anybody that has hurt me in my life. I have not, to this day been able to forgive my abuser. Can't do it…Someday I know that I will have to do that, but I don't want to. I was just a little girl.[84]

Survivor Margaret Commodor has both forgiven 'many people' but cannot forgive her perpetrator. Her statement that she knows she 'will have to do that' revealed the pressure placed on survivors to prematurely reach closure. In the face of this tension, she demonstrated strength and agency as she contested pressures to resolve her anger. Both her insistence that she did not 'want to' forgive and her later unwillingness to "apologize for my tears, because [she] just deserves them"[85] challenged theories that pathologize resentment. Margaret's words, and the resilience of other survivors in the face of imposed resolution give credence to Coulthard's argument that for "Indigenous peoples individual and collective expressions of anger and resentment can help prompt the very forms of self-affirmative praxis." Resentment is not a sickness,

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[82] Yvette Michelle, online testimony, Quebec National Event, Truth and Reconciliation Commission of Canada, 26 April 2013, Montreal, Canada; accessed 15 May 2015; available from https://www.youtube.com/watch?v=xUHsYKm5EBE.
[83] Agnes, online testimony, Northern National Event, Truth and Reconciliation Commission of Canada, 30 June 2011, Inuvik, Canada; accessed 10 May 2015; available from https://www.youtube.com/watch?v=egAJwXIXd8E.
[84] Margaret Commodor, online testimony, British Columbia National Event.

but rather an "entirely appropriate… politicized expression of Indigenous anger and outrage directed at structural and symbolic violence that still structures our lives."[86] Resentment in this context arguably furthers decolonization whereas 'reconciliation' diverts attention from the goal to "uproot" the "entire system" in favor of a direct relationship based on a "'treaty' system."[87] Reconciliation remains unable to address the profound and simple truth at the heart of the reality expressed by Indigenous activists: "Something was stolen, lies were told, and they have never been made right."[88]

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[85] Ibid.
[86] Coulthard, *Red Skin, White Masks,* 109.
[87] Laura Stone, "Reserve rock star; Assembly of First Nations National Chief Shawn Atleo 'walks in two worlds,'" *Star-Phoenix,* Dec 04, 2010, accessed May 27, 2015.
[88] Taiaiake Alfred, "Restitution," 182.

Chapter Six
Conclusion and Implications

My thesis explored the material implications of dialogical struggles to "construct beliefs about"[1] healing and reconciliation in the Canadian Truth and Reconciliation Commission (TRC). I used discourse analysis to assess the TRC's promotion of holistic, indigenous-based healing within Aboriginal communities and reconciliation as decolonization of settler society and government. My research both challenged and confirmed my initial hypothesis. I found that the TRC promoted significant individual, communal, and cultural healing, yet failed to advance reconciliation as decolonization. My hypothesis also implied specific intent in the government's maneuver for political advantage. Although my thesis did not prove or seek to prove intent, it arrived at conclusions that were consistent with the suggested intent. Reconciliation in the Canadian TRC, as described in dominant discourse, contributed to the mollification of citizens and appears to represent another instance in Canada's political history of enforcing premature closure.[2] In this final chapter, I discuss these and other findings at greater length and consider their implications for transitional justice literature and Canadian politics.

My literature review argued that restorative justice offers a strong theoretical framework to explore and account for structural violence. Yet, my analysis of truth commissions contradicted this claim in its discovery of commissions' amenability to reductive frames that isolate instances of abuse from the broader context. This finding

[1] Murray Edelman, "Political Language and Political Reality," *American Political Science Association* 18.1 (1985): 10.

does not dismantle the logic underpinning restorative justice but specifies a context-specific critique: In statewide contexts replete with conflicting government interests, my thesis challenges the putative potential of truth commissions to engender widespread accountability. My research also exhibits how, in the absence of substantial shifts in economic, political and social power structures, truth commissions can divert attention from structural violence and maintain perceptions of government benevolence. Therefore, this thesis problematizes the statewide application of restorative justice mechanisms in non-transitioning contexts. Furthermore, amidst recent debates questioning the value of 'transitional' justice, this finding supports the practical need for such a category. Justifiable boundaries to 'transition' could allow for helpful discernment between more or less appropriate contexts for truth commissions. Contrary to critiques that the use of a specific category for 'transition' implies an end and fixity, this suggestion is born out of a desire to allow for openness in the negotiation of truth commission goals and methods.

In the literature review, I also outlined criticisms of the internationalization of transitional justice and emphasized the necessity to examine the relationship between local mobilization and the United Nations (UN). However, due to logistical constraints, I was unable to analyze the implications of the UN's engagement at the TRC. This gap represents an important limitation to my research. The UN was mentioned several times at national events and provided the framework for the TRC's recommendations report.[3] At the TRC concluding event in Ottawa, Commissioner Chief Wilton Littlechild said,

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[2] Jennifer Henderson and Pauline Wakeham, "Introduction," in *Reconciling Canada: Critical Perspectives on the Culture of Redress,* eds. Jennifer Henderson and Pauline Wakeham (Toronto: University of Toronto Press, 2013), 7-8.

"Truth telling is important but not sufficient for reconciliation… I encourage the follow up on recommendations using the UN declaration as a roadmap."[4]

Further research into the implications of UN involvement in TRC events and the TRC's adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) as a roadmap for reconciliation is recommended. UN presence in Canada has the potential to reverse power asymmetries in international law. The Canadian context is a unique example of the use of international bodies to bring Western powers to justice. Yet, a focus on the UNDRIP also engenders tradeoffs in Aboriginal politics. The declaration provides advances but problematically excludes bold articulations of self-determination.[5] Exploration of the layered implications of UN framing for reconciliation thus represents a necessary and compelling avenue for future research projects.

In my methodology section, I outlined a fixed data set to examine dominant discourses and discourses of resistance and accounted for fluidity in the voices that comprise both approaches. My findings both confirmed and nuanced the lack of a binary between government, media, survivor, and TRC texts. I found that a subset of journalists magnified voices of dissent, whereas a majority of articles mirrored dominant, government discourse. In my analysis of survivor statements, I found that testimonies were the locus of resistance and also acknowledged colonial subjugation. Most notably, I underestimated the complexities of the TRC infrastructure and its occasional promotion of government approaches to healing and reconciliation, even if done

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[3] Justice Murray Sinclair, Opening Remarks, British Columbia National Event, Truth and Reconciliation Commission of Canada, 18 September 2013, Vancouver, Canada; accessed 01 April 2015; available from https://www.youtube.com/watch?v=7rn6rhFYFuk.

[4] Wilton Littlechild, Introductory Remarks to the panel: The UN Declaration on the Rights of Indigenous Peoples: Justice, Reconciliation and Hope, 01 June, 2015; accessed 01 June 2015; available from http://www.trc.ca/websites/trcinstitution/index.php?p=842.

unintentionally. To reiterate, my research relied on activist scholarship, the policy landscape, macro media studies, and TRC reports to contextualize the data, identify the core of both approaches, and credibly address discursive discrepancies.

In addition to my previously-outlined problems accessing survivor testimony, I noted another important methodological weakness in my research. My thesis relies on coverage in major Canadian newspapers to measure popular perceptions of healing and reconciliation. However, the media landscape changed drastically over the life span of the IRSSA and TRC, from 2006-2015. The proliferation of social media and blogs has altered the way a subset of Canadians consumes media and receives information about political events. My limited focus on traditional news outlets was arguably necessary due to time constraints, but likely led to inaccuracies in my conclusions about settler beliefs. Further research that uses a comprehensive approach and analyzes social media is recommended.

In my discourse analysis of truth and healing in the TRC, I found that conflicting approaches to healing resulted in significant material implications. Dominant discourse defined healing in terms of trauma and cure, and therefore reduced the scope and timeframe of residential school harms. Despite the influence of this discourse that implied termination and closure, I contend that the TRC promoted holistic healing consistent with the formulations expressed by survivors. The TRC platforms fostered important personal, intergenerational, and communal healing within Aboriginal communities, and consequently supported self-determination movements.

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[5] Karen Engle, "On Fragile Architecture: The UN Declaration on the Rights of Indigenous Peoples in the Context of Human Rights," *European Journal of International Law* 22.1 (2011): 141-143.

This conclusion challenges my original hypothesis, which was informed by highly critical restorative justice scholarship. Contrary to my skepticism, I found that many survivors attested to the value of the TRC events. This invites theory that accounts for the promotion of healing and still remains critical. Nevertheless, my thesis also exhibited how testimony can serve as both the locus of contestation and the site of control, thus supporting the continued need for critical scholarship. My findings unsettle core assumptions about the relationship between truth and reconciliation and highlight the need for scholarship that examines how power politics and internalized modes of subjugation pervert truth.

In my search of invisible economics in the Canadian TRC, I found that dominant discourse impeded Aboriginal healing to land by displacing calls for restitution and concealing the material roots and implications of residential schools. Aiming to nuance the argument posited by Rosemary Nagy and Emily Gillespie in their comprehensive media study, I showed how many articles in the media focused on the broader context of the residential school's role in cultural assimilation but continued to obscure its relationship to economic dispossession. Given the size of my data set, 49 articles, these findings arguably represent an area for future study rather than any generalizable conclusion. Expansive macro research is recommended to test this observation of the media's role in obfuscating the economic considerations.

My research also revealed a link between the private interests of resource extraction companies and public discourse. Yet, I failed to anticipate the importance of the relationship between dialogical struggle and corporate interests. My thesis did not include a substantial assessment of corporate interests, an important limitation. It would

have been greatly enhanced by an in-depth understanding of the historical context in mining and other corporate policies. Specifically, I could have included private sector interests as a key source of data for discourse analysis, in the form of annual reports, news coverage, and previous interviews with corporate leaders. Analysis of this additional data would likely have clarified further the government's construction of Aboriginal people as subjects within a neoliberal economic system. I suggest that future constructivist analyses prioritize exploration of corporate positions and neoliberal economic vocabularies.

On a separate note, my elucidation of the inextricability of the 'material' from the 'cultural' in the Canadian TRC highlights the need for greater attention to economic considerations in transitional justice literature. Restorative justice literature offers sophisticated theories of social repair and interpersonal and societal healing. Yet theories that incorporate economic considerations are still required to account for material dimensions. Authors such as Konstantin Petoukhov have proposed potential theoretical bases. For example, he defined reconciliation using Nancy Fraser's tripartite theory of social justice, which accounts for political, cultural, and economic issues.[6] His definition addresses economic issues, yet remains limited due to its reliance on liberalist assumptions. As outlined in my chapter on reconciliation, this assumption is problematic in contexts of colonial redress. Furthermore, in other contexts, reliance on liberal frameworks still comes up short, as it fails to extend scrutiny to the intrinsic goodness of

[6] Konstantin S. Petoukhov, "Locating a Theoretical Framework for the Canadian Truth and Reconciliation Commission: Charles Taylor or Nancy Fraser?" *The International Indigenous Policy Journal* 3.2 (2012): 1-17.

liberalism.[7] The need for restorative justice theory that prioritizes 'the sociocultural' and 'the economic' persists.

As of the publication of this thesis in 2015, reconciliation in the TRC has failed to promote a disruption of settler identity, forcing survivors to forgive a Canadian society that continues to search for new ways to fix Aboriginal people. This finding has significant consequences for Canadian settlers. Recalling the words of Aboriginal Healing Foundation Board Member Susan Hare, there is still work to be done before settlers can "step forward, to ask for forgiveness."[8] Before broaching the subject of reconciliation with the broader Canadian society, there is a need for settlers to take meaningful steps to engage with our own brokenness.

My analysis revealed several avenues for potential settler involvement in preparation for future relationships based on mutual respect. In the face of the overwhelming complexity of the colonial landscape, I propose a set of small steps and ordinary radical acts settlers can take to prepare for reciprocal relationships with Aboriginal people. Chief Joseph Robert exposed a major roadblock in settler-Indigenous relations,

> It's amazing when you say, 'Who are we?' It's just a basic question, and when the Aboriginal person answers, he gives you a whole description about who he is, where his first ancestor is, where the sacred territory is, his friends, his grandpa, his mom and dad, his clan, a whole lot of history and information about who we are as Aboriginal people. And one of the things that non-Aboriginal people discover is, 'Gee, I feel so inept: I can't even say who I am.'[9]

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[7] Paul Gready and Simon Robins, "From Transitional to Transformative Justice: A New Agenda for Practice," *The International Journal of Transitional Justice* 8 (2014): 341-342.
[8] Jennifer Llewellyn, "Bridging the Gap between Truth and Reconciliation: Restorative Justice and the Indian Residential Schools Truth and Reconciliation Commission," in *From Truth to Reconciliation: Transforming the Legacy of Residential Schools*, ed. Marlene Brant-Castellano, Linda Archibald and Mike DeGagné (Ottawa: Aboriginal Healing Foundation, 2008), 188.
[9] Rosemary Nagy, "The Scope and Bounds of Transitional Justice and the Canadian Truth and Reconciliation Commission," *International Journal of Transitional Justice* 7.1 (2013): 70.

Chief Joseph describes settlers' inability to account for the relationships and histories that comprise their worldviews. Yet, as explained by Alisdair MacIntyre, human beings are always embedded in the story of those communities from which they derive their identities.[10] By recovering an understanding of our story as settlers, we can continue to comprehend the origins of our prejudices and work to interrupt them. For example, understanding the history of the land our homes were built on, and our belief in the Canadian peacemaker myth will help us interrogate and interrupt the benefits we have and continue to receive due to internal and external colonialism. Settlers can also become better conversation partners, by learning about colonial history. Inverting the logic of assimilation, settlers can independently seek out education on Aboriginal spirituality and the many differences between and within First Nations, Inuit and Métis communities. The suggestion to actively recover settler history is not a novel one, but if Justice Murray Sinclair's previous comment about 'singing to the choir' is accurate, then it remains important. Moreover, a continued focus on settler re-education coincides with many survivors' original aspirations for the TRC.

Settlers can also support indigenous conceptions of healing and reconciliation by becoming better allies in the mobilization against internal and external colonialism. For example, settlers can support indigenous-led organizations and assume less glamourous roles or work in partnership with Aboriginal agencies.[11] For example, settlers can join movements to introduce Aboriginal history and methodologies into education, and agitate against insufficient responses to missing and murdered Aboriginal women. To

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[10] Alasdair MacIntyre, *After Virtue: A Study in Moral Theory* (Notre Dame: University of Notre Dame Press, 2010), 204-225.
[11] Eve Tuck and K. Wayne Yang, "Decolonization is not a metaphor" *Decolonization: Indigeneity, Education & Society* 1.1 (2012): 1-3.

prioritize 'the material,' settlers can expose the links between racism and material interests in their own communities and combat economic policies that exploit land and Indigenous communities. Additionally, settlers can practice restitution through recurring financial support of Indigenous agencies working to redress colonialism. Undoubtedly, these suggested practices are insufficient responses to colonialism. However, it is my hope that settlers, specifically young ones, find in them a set of subversive starting points from which they can become more fully constituted by the logic of decolonization.

Director of Aboriginal Awareness Canada Robert Laboucane asked, "Have things changed since the apology? Has the government's behaviour toward aboriginal people improved? Or was its apology simply a distraction, the politically expedient thing to do?"[12] My thesis adapted Laboucane's question to ask if the TRC promoted decolonization or simply provided a distraction from substantive change. I found that the TRC has been unable to challenge dominant narratives of reconciliation and failed to advance decolonization as a result. The dominant discourse constructed reconciliation in de-politicized terms to imply resolution and forgiveness. Yet I observed that discourses of resistance denoted politicization, land restitution, mobilization, and an unwillingness to forgive for many. It is too soon to understand the consequences of the vast differences between these conflicting approaches. Potential for greater settler accountability and government response also exists as the TRC's findings continue to be publicized and the final report is released. Sustained research will be crucial to provide greater insight into the Canadian TRC's effect on healing and reconciliation in Canada.

[12] Robert Laboucane, "A glimmer of hope," *Telegraph-Journal*, 24 July 2009.

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