

The killing silence

BY JAMES FITZGERALD

James FitzGerald is a PhD candidate in the Department of Political Science at York University.

National discourses of reconciliation produce Indigenous pain as a public commodity through reports.

The Royal Canadian Mounted Police (RCMP) identified 1,181 cases of missing and murdered Indigenous women between 1980 and 2012 (2014, p. 3). The Women's Legal Education and Action Fund (LEAF) identified 58 separate reports, from various levels of government as well as non-governmental, internal humanitarian, and Indigenous organizations, concerning violence against Indigenous women, with over 700 recommendations from 1996 to 2015 (2015, p. 1). The persistent ability of various governments to obscure these reports through the supposed need for more investigation furthers colonial ends by silencing calls for action and the violence of ongoing colonialism. Karen Bridget Murray notes that, for Foucault, "silence is not the end of discourse but rather the beginning of ... a new regime of discourses" (2011, p. 54). Thus, I argue that the institutional and policy discourses operating around violence against Indigenous women work to both erase historical violence and establish conceptual limits for what can be understood as colonialism. This operates in two ways. National discourses of reconciliation produce Indigenous pain as a public commodity through reports. Conversely, the Native Women's Association of Canada (NWAC) and their allies work to contest these institutional silences.

NEO-LIBERAL PAIN

Canada will have gone through three federal investigations into Indigenous issues in less than three decades. The final report of the Truth and Reconciliation Commission of Canada (TRC) notes: "Much of what the Royal Commission had to say has been ignored by government; a majority of its recommendations were never implemented" (2015, p. 6). The incomplete implementation of recommendations from the reports of the Royal Commission on Aboriginal Peoples and the TRC should prompt caution when assuming that

national investigations can resolve structural problems. Senator Murray Sinclair, formerly the chair of the TRC, has expressed concern about the future of the TRC because the preliminary recommendations have seen limited engagement (TRC, 2015, p. 6). What is most interesting about national inquiries is how they figure pain as a moment of breaking the silence. Neo-liberal social relations have produced public understandings of historical pain and trauma as a public good for consumption, but these collective cultural goods are understood through the framework of neo-liberal subjectivity. This framework individualizes responsibility by locating it in those who break the law and traverse social norms. The federal government and the Canadian public can exorcise guilt through inquiries and commissions, but the logics of individual responsibility, historical demarcations, and understandings of fiscal responsibility work to silence larger questions of ongoing complicity. Collective and individual accountability as national discourses work to produce colonial violence as a relationship from the past.

INSTITUTIONAL SILENCE

The 1886 scandal of the North-West Mounted Police (NWMP), the precursor to the current federal police force, bears

a striking similarity to concerns outlined by Human Rights Watch around the RCMP. Sarah Carter explains that members of Parliament accused the NWMP of licentiousness and misconduct in committing sexual violence against Indigenous women in western Canada (2006, p. 151). The scandal produced several internal investigations and individual punishments.

Similarly, the Human Rights Watch report entitled *Those Who Take Us Away* examines reports of police violence against Indigenous women in northern British Columbia. The report documents a disturbing trend of excessive force used by police and its direct relationship to police misconduct regarding the investigation of crimes such as domestic abuse (Human Rights Watch, 2013, p. 8). These different moments of physical and sexual police violence reveal an institutional pattern that connects back to the earliest history of the Canadian state. While the scandal of the NWMP was figured as a failure of morality, the failure of individual members of the RCMP is understood as "a few bad apples." This logic of personal failure maintains the collective silence. Hence, the ability of various state institutions to obscure historical patterns of violence is furthered by the lack of independent public scrutiny of complaints and investigations.

BREAKING THE SILENCE

Indigenous women's organizations have been using the international arena as a vehicle to force Canada's compliance with human rights legislation. In December 2002, Beverley Jacobs, of NWAC, presented her concerns about human rights violations to the United Nations Special Rapporteur Investigating the Violations of Indigenous Human Rights (Jacobs, 2002; Amnesty International, 2004, p. 8). NWAC received funds from the Liberal government to investigate these violations and found approxi-

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mately 680 cases by 2010. The Conservative government cut funding for NWAC's Sisters In Spirit program, citing the need to focus on a forensics laboratory. By 2015, the Coalition for the Human Rights of Indigenous Peoples presented a coherent set of findings to the UN Human Rights Committee to draw attention to the level of violence facing Indigenous women. This marked a massive undertaking and profound grassroots activism, with at least 26 human rights organizations submitting their own separate reports to the 18-member independent committee (CBC News, 2015). The subsequent report by the UN committee represented a fundamental challenge to the silence around violence faced by Indigenous women. However, the reappearance of this coalition of organizations at the sixth meeting of the Committee on the Elimination of Discrimination Against Women on October 24, 2016 reveals the lack of action on the part of Justin Trudeau's Liberal government around gender-based violence and gender inequality faced by Indigenous women. I would argue that these challenges put forward at the international level have to work to reveal the human rights violations of the Canadian state and place pressure on the Canadian state. While the UN recommendations are not binding, they point to a clear gap in Canada's public policy and the persistent failure to protect Indigenous women. Overall, a national inquiry represents a powerful moment for the state to cast off prior recommendations and reforms. The current inquiry should be part of a larger process and not a single solution to a set of complex colonial relations. The silences that work to erase the violence experienced by Indigenous women require social, legal, and institutional transformations, which are more than a single inquiry can produce. 🍁

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