

**CANADIAN PANOPTICON: A FEMINIST AND POSTCOLONIAL READING OF
THE NIQAB AND MURDERED AND MISSING INDIGENOUS WOMEN INQUIRY
DEBATES DURING THE 2015 FEDERAL ELECTION**

by

Wendelin Ernest Schwab

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Abstract

Canada is a settler-colonial state that specially targets and others minority groups, such as Indigenous peoples and recent immigrants. This was no more apparent than during the 2015 federal election, which saw debates on whether to ban Muslim women from wearing niqabs and other head coverings and whether to hold an inquiry into the epidemic of missing and murdered Indigenous women. By examining excerpts from speeches, tweets, articles, and interviews made by politicians, citizens, and journalists, this thesis traces the shape of settler-colonial systems and their impact on Indigenous and immigrant women. Canadian society demands conformity to sexual and cultural norms that require walking a tightrope of these double-edged ideals. Conformity is maintained through societally enforced regimes, known as the Panopticon, where each individual is both prisoner and guard. This constant surveillance does not simply end there, however, as Canadian settler society has different gender structures and norms for both men and women: women are subject to far stricter social expectations than men and, as this thesis brings to light, women in minority groups, such as indigenous and Muslim women, fall under an even harsher Canadian spotlight.

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Dedication

This thesis is dedicated to the over 4,000 Indigenous women who have gone missing or have been murdered, and everyone fighting for justice for them and their memories.

This thesis is also dedicated to Zunara Ishaq, who fought for her rights and won.

Finally, this thesis is dedicated to Gregory, Yvonne, and Martina.

Introduction:

Canada Critiqued: Challenging the Power Structures that Shape the Modern

#Canadian Settler State and Society

It cannot be denied that the experiences of Indigenous and Muslim immigrant women in Canada are different from the rest of the population. Social expectations that do not apply to other members of Canadian liberal-democratic settler-state society,¹ most notably white men and women, constitute a series of constraints and are aimed at policing the actions of Indigenous and Muslim immigrant women. These limitations can be seen by how they interface with mainstream Canadian society; for example, Muslim immigrant women must take part in the ritual of the citizenship ceremony if they wish to gain full rights and privileges of citizenship, but these ceremonies are determined by the settler state that, despite its manifest gender neutrality, still embodies masculinist, patriarchal powers. Likewise, as shown by commentary regarding Indigenous peoples in the political and media spheres, it is assumed that Indigenous women should be confined to reserves,² in line with assimilationist and exclusionary policies that, in addition to restricting their right to mobility, have been bound, in a settler-colonial context, with land acquisition and resettlement. These examples of white supremacist systems regulating and controlling Indigenous and Muslim immigrant women were no more apparent than during the 2015 Canadian federal election when they became political and media narratives to be debated.

Objectives

Drawing on the intersection of such analytical approaches as postcolonialism,

¹ I adopt this definition of contemporary Canadian state by Glen Sean Coulthard, formulated in *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition*. University of Minnesota Press, 2014.

² See, for example, Bob Zimmer's comments, discussed in detail in Chapter 2.

representation, feminism, and gender, I aim to expose these attempts to deny non-Western women subjectivity, mark them as inferior, and thus negate their rights to control their own bodies through legal and social enforcement of Western gender expectations, creating a state that places primacy on white men to the exclusion of Indigenous and immigrant women. By examining current Canadian social and political discourses, specifically the election debates surrounding Indigenous and immigrant women, my thesis scrutinizes patriarchal and colonial structures, operating in 21st-century Canada, to contribute to an ongoing critical conversation that challenges gendered oppressive legacies of the colonial settler-state.

To facilitate my objectives, I adopt an “Indigenist paradigm,”³ which reflects my positioning in terms of identity and allyship, in an effort not to usurp the place of immigrants, Indigenous peoples, and women who are charting the course for postcolonial thought in Canada. Defined by Shawn Wilson, an Indigenist paradigm is not exclusionary and is open to Western scholars:

It is my belief that an Indigenist paradigm can be used by anyone who chooses to follow its tenets. It cannot and should not be claimed to belong only to people with ‘Aboriginal’ heritage. To use an analogy, one does not need to be female to be feminist. Researchers do not have to be Indigenous to use an Indigenist paradigm, just as researchers do not have to be “white” to use a Western paradigm. (“What is an Indigenist” 193-194)

While exploring the impact of settler-colonial structures, such as the forced conformability to settler social and cultural norms, on Indigenous peoples and immigrants, I intend to join in

³ For a full recounting of what makes up an Indigenist paradigm, see Shawn Wilson’s editorial “What is an Indigenist Research Paradigm?” in the *Canadian Journal of Native Education*, vol. 30, no. 2, 2007, pages 193-195.

the production of what Wilson describes as “antibiotics” to the body politic. He writes, “Researchers are needed to study how to develop more effective antibiotics to respond to people still bearing the brunt of colonization” (“Using Indigenist Research” 312). By “inoculating” everyone in Canada, immigrant, mainstream, and Indigenous alike, we can more effectively dismantle settler-colonial systems, views, and attitudes. For Indigenous peoples, this inoculation might contribute to decolonization, for immigrants it might be their acceptance without assimilation that strips them of their identities, and for settlers, it might be the dismantling of the society-wide Panopticon that has been constructed over the centuries. The first step, then, of this process is to identify the contours of the patriarchal colonization of the body as applied to both Indigenous and immigrant women, who remain uniquely vulnerable and often bear the brunt of assimilationist and colonial policies.

My analysis of narratives regarding the niqab ban debate and the missing and murdered Indigenous women inquiry debate is imbricated with the issue of oppression that is encapsulated by a selection of the the political and media discourses surrounding them. Since my choices are determined by this thesis’ topic, I primarily focus on the texts that oppose a MMIW inquiry and favour a niqab ban rather than examining a representative or comprehensive sample of perspectives. I am interested in theorizing a political event and demonstrating, for example, how the nineteenth-century opposition of Orient and Occident that activated the exclusionary imperialist ideologies of othering is still alive in a contemporary democratic society.

The variety of ways such colonial and patriarchal views expressed in media and political discourses, and how these views have been expressed by polity, media, and society, has a direct affect on both women and people from cultures that have traditionally been

subjected to colonialism. To that end, my inquiry focuses on three sources: political statements made by politicians, including those in Parliament, press releases by government and opposition, as well as political speeches; political reporting by print media—*The Globe and Mail*, the *National Post*, the *Toronto Star*, and the CBC News website, including reporting on political events, political statements, and editorials and opinion pieces. My study also deals with commentary via social media—specifically tweets from the social media platform Twitter, which gained prominence for political and media commentary during the 2015 federal election.

Definitions

To elaborate on the terms “Indigenous” and “immigrant,” I draw on Will Kymlicka’s distinction between the two in his work “American Multiculturalism in the International Arena,” representing “a ‘pluralist’ model, which treats groups as permanent and enduring, and as the subject of group rights; and a ‘cosmopolitan’ model, which accepts shifting group boundaries, multiple affiliations, and hybrid identities, and which is based on individual rights” (74). Kymlicka contends that Indigenous peoples of North America fall under the pluralist model, emphasizing that these “‘nations within’ were originally self-governing, and like other conquered or colonized peoples around the world, have consistently fought to gain (or rather regain) their autonomy, so as to maintain themselves as separate and self-governing societies” (74-75). While the term “Indigenous” itself has connotations that imply Indigenous people all over the world, it is the term preferred by Indigenous scholars and writers and is inclusive of all Indigenous people—Inuit, Metis, and First Nations—within Canada (Vowel 10). Whereas Indigenous peoples have their own unique claims to territory, language, culture, and society in Canada, immigrants to Canada mostly voluntarily fall under the majority

language, culture, and society.

According to Kymlicka's above definition, people who have recently immigrated to Canada, especially from non-white majority places, who themselves have been subject to colonialism (Vowel 17), and who are of particular interest in this study, can be defined as "cosmopolitan." Kymlicka further explains that "immigrant ethnocultural affiliation [is] voluntary and encourages the members of different immigrant groups to interact, to share their cultural heritage, and to participate in common educational, economic, political, and legal institutions" (74). However, Chelsea Vowel, in her book *Indigenous Writes*, notes that non-Europeans simply cannot change the dominant structures that exist in Canada when they migrate here, "non-European migrants do not have the power to bring with them their laws and customs, which they then apply to the rest of the peoples living in Canada – no matter what some alarmists like to claim. The dominant sociopolitical structures in place remain European in origin" (17). Thus, it can be argued that immigrants are required to accept institutions they have no control over and must assimilate to the majority culture. While such scholars of multiculturalism as Kymlicka might disagree, others contend that the dominant culture locates the other cultures within its own grid, creating thus a multicultural-assimilationist apparatus.⁴ For example, the moral panic over *sharia* law, and the fact it has never been implemented anywhere in Canada despite it being the rough equivalent to common law or Québec's civil code, shows that this influence is limited at best. As Vowel notes, settler colonial systems are well-established and work to benefit the cultural majority in Canada, making them difficult for outsiders to influence (17). Having accepted the definition and nomenclature for Indigenous peoples and immigrants, it is important to define

⁴ See: Duncan Ivison, editor. *The Ashgate Research Companion to Multiculturalism*. Routledge, 2016, p.248

European-derived people who benefit from the transplantation of European-derived institutions and society.

The term “settler” here requires special attention. Vowel defines it as the “non-Indigenous peoples living in Canada who form the European-descended sociopolitical majority” (16-17), which is an apt definition for the phenomena discussed in this thesis as it relates to the relationship between the majority, and Indigenous peoples and immigrants.⁵ She proposes the defining characteristic that sets apart settlers from Indigenous peoples and immigrants: “The original settlers were of various European origins, and they brought with them their laws and customs, which they then applied to Indigenous peoples and later to all peoples who have come to Canada from non-settler backgrounds” (16). What these definitions do not take into account is the fact that “plantation” of Canada, that is, a nation focused on extractive industries using the stolen land and often the forced labour of Indigenous peoples (Lawrence), is the settler-colonial project, a distinct type of colonialism that operates through the replacement of Indigenous peoples with an invasive settler society that has developed a distinct identity and asserted sovereignty over what they regarded as *terra-nullius* territories. According to Patrick Wolfe,

Settler-colonization is at base a winner-take-all project whose dominant feature is not exploitation but replacement. The logic of this project, a sustained institutional tendency to eliminate the Indigenous population, informs a range of historical practices that might otherwise appear distinct—invasion is a structure not an event. (qtd. in Veracini 8-9)

⁵ The term “settler” does not refer to Black people who are the descendants of Africans who were enslaved, as they were forcibly removed from their homelands and “literally stripped of their humanity and redefined as property” (Vowel 17). However, any further discussion of the experiences of Black people in Canada is beyond the scope of this work.

Thus, settler colonialism is an ongoing system that normalizes the continuous mainstream hegemony and draws, more often than not, on Eurocentric ideologies, thus occluding native cultures and histories, and shaping social and political discourses, including those related to the body.

Theoretical Framework

My theory-based analysis employs a narratological approach (Lyotard) in the application of feminist and postcolonial theories (Gandhi). More specifically, I use gender and feminist theories of the performativity of gender (Butler), the enforcement of feminine gender roles on women by patriarchal power structures in society, and the devaluing and punishment of women who do not conform to socially sanctioned performances of femininity (Bartky). I engage with postcolonial theories regarding the Orientalist belief in the inferiority of non-European cultures (Said), and the conceptualization of the effects colonization has had on Canada's Indigenous population (Anderson). When analysed, discourses around the MMIW inquiry debate and the niqab debate reveal how some of the patriarchal and colonial power structures that force Indigenous and immigrant women to conform to settler gender expectations hold sway in Canadian society and shape how women of colour are affected by government policymaking and by social forces.

Canadian body politics, the politics of how we control or relate to the human body, through which social and individual control of women's bodies is executed, largely relies on what Sandra Bartky calls "feminine body discipline" (102). According to Bartky, women have a vested interest in enforcing gender norms, through socially sanctioned performances of femininity, upon themselves and the women around them (103). This enforcement is accomplished through the individualism of modern Western society, which is like a

Panopticon, a prison designed for constant observation of the prisoners by the guards, where individuals are controlled by society through public enforcement of norms and the self-discipline of the body by the individual (Foucault 138).

These performances of femininity are possible because, according to Judith Butler, gender is performative rather than innate or biological (24-25). Bartky uses Foucault's and Butler's theorizing to conceptualize how women self-discipline to ensure that gender norms are adhered to: "Women, like men, are subject to many of the same disciplinary practices Foucault describes. But he is blind to those disciplines that produce a modality of embodiment that is peculiarly feminine" (95). This performance of femininity is embodied in counter and oppositional societal expectations (Beauvoir 315) and requires women to be sexually restrained as well as sexually available at the same time, a fine balance that all women often fall afoul (Bartky 98). When applied to non-Western women in Canada, my research will show that this gender performativity becomes an oppressive standard that is impossible to meet and is used as an excuse to marginalize both Indigenous and immigrant women. Ultimately, this performance of femininity is both a result of patriarchal order in Western societies and a method of its reinforcement; however, these patriarchal structures are different from those that may exist in non-Western societies (Grosfoguel and Mielants 7), thus Canadian society struggles to enforce a Western-derived patriarchy that still operates implicitly and explicitly over women who are either Indigenous or immigrants. This process is often referred to as a "double colonization" by feminist postcolonial thinkers (Ashcroft 233-234).

While exploring the powers at play in colonial regulations of Algerian women's bodies in his work "Algeria Unveiled," Frantz Fanon critiques the French colonial attempt to

strip Algerian women of their veils. Fanon writes about the French patriarchal conception of women as sexual objects (43), which is reflected in Bartky's formulation that women are under the perpetual gaze of a "panoptical male connoisseur" (101), which is both external in the attitudes of men and internal to Western women. Fanon recognizes that Western patriarchy requires women to be sexually available to fill their roles as sexual objects, even if he does not recognize the role of the performativity of femininity in these expectations (43-44). For Fanon, the fight against colonial forces takes place on the very bodies of the women affected by colonialism. He describes the unveiling of Algerian women as a "rape" and a "double deflowering" (45), and the fight against colonial oppressors by Algerian women as tearing their bodies apart from limb to limb (46). Despite this violent language, Fanon never implicates the French as using the institutional power of law to enforce patriarchy. Similarly, according to Bartky, the law is not used, for the most part, to enforce performances of femininity in liberal democratic Western nations (102). However, this does not apply in Canada where laws were used to enforce Western patriarchy on Indigenous women (Jackson 181), and attempts have been made to use laws to enforce it on Muslim women (Harper, paras. 10-11). In the latter case, the Orientalist view of Islamic cultures, as outlined by Edward W. Said, coupled with the post-9/11 phenomenon of neo-Orientalism (xix), allows political and media narratives that depict Islamic cultures as "barbaric," "authoritarian," "terrorist" (Grosfoguel and Mielants 4), or just "anti-women" (Harper, para. 11). This neo-Orientalism lends itself to a narrative of Muslim women, to borrow from Spivak's discussion of Indian women under colonialism, as oppressed by brown men and in need of being saved by white men (93). Similarly, in the former case, an Orientalist view of Indigenous peoples in Canada coupled with stereotypes of Indigenous women as "loose," or too sexually available

(Bartky 97), leads to the devaluation of Indigenous women and the need to punish them for their impropriety (Anderson 92-93).

Literature Review

To establish the theoretical framework that I use to critique Canadian polity, media, and society, it is important to consider feminist and postcolonial theories and how they apply to the broader context of Canada as a Western, settler colonial nation, and how people affected by colonial and patriarchal systems of power are influenced by the dominant Western culture and society. The foundations of my theoretical framework can be found in a combination of works, some of which draw on Michel Foucault's *Discipline and Punish: The Birth of the Prison* and identify the modes of control over the human body by modern liberal democracies. Foucault writes that, through institutions of the prison, the hospital, the school, and the military barracks, modern society exerts control over the body (199). This control is reinforced and exerted by the adoption of Jeremy Bentham's Panopticon design for prisons, applied on a social scale, coupled with an ideological emphasis on individualism (199, 207). These modes of control were developed as an exercise in coercive structures of power that began to break down the human body and subject it to discipline so that its actions, gestures, and behaviour can be controlled and made "docile" (138). This control has two primary purposes: to make the body productive, or to make the body subjective (138). It is this putting the body through this machinery of control that allows the creation of binary oppositions as a method of political control (199).

Bartky, drawing on Foucault, writes in "Foucault, Femininity and the Modernization of Patriarchal Power," that while, in *Discipline and Punish*, Foucault makes a clear assessment that the human body is controlled by modern society, his assessment falls short in

one area: there are two bodies under these controlling forces; the female body is subject to a different type and degree of control than the male body (93-95). She then outlines how the female body is controlled using three specific measures: the female body's size and shape (96), gestures and movements (97), and ornamentation (98). Bartky explores how this body discipline is not enforced by authorities or institutions, but rather through Foucault's Panopticon of society and the media (100). Finally, Bartky demonstrates how women are punished for not conforming to proper body discipline, which is mostly through the internalization and establishment of a sense of "self" based on femininity and a "panoptical" enforcement by society (103-107).

Bridging the gap between Bartky's feminism and Said's and Fanon's postcolonialism, Leela Gandhi, in the chapter "Postcolonialism and Feminism" in *Postcolonial Theory: A Critical Introduction*, establishes that a tension exists between "anti-colonial nationalism" and feminism even though postcolonialism and feminism are inevitably linked (82-83). Gandhi notes that colonialism is often seen as a "struggle between competing masculinities" (98). On the feminist side, Gandhi identifies the creation of the "third-world woman" and her use as a device by Western feminists to assert their own superiority (84-86). On the postcolonial side, the "third-world woman" becomes a site for anti-colonial struggle when postcolonial thinkers imbue her with their own meaning (88). In the course of her argument, Gandhi critiques Spivak and Fanon amongst other postcolonial thinkers. According to Gandhi, Fanon acts as "the only legitimate mouthpiece for native women" (94-95) when he uses the site of Algerian women's bodies for "the playing out of colonial and anti-colonial rivalries" (93-94). The lesson Gandhi takes from Fanon is that when men are faced with a "dispossession" of their territory or sexualities, they fantasise about dispossessing others of

their territory or sexualities (99). Through Fanon and Indian nationalists, Gandhi traces the distrust and rejection of feminism by anti-colonial nationalists and postcolonial thinkers (97).

Suzanne Spencer-Wood's "Feminist Theorizing of Patriarchal Colonialism, Power Dynamics, and Social Agency Materialized in Colonial Institutions" follows the same vein of thinking as Gandhi and critiques traditional postcolonial thought as not taking into account the androcentrism and heteronormativity of colonial cultures (477). Spencer-Wood links feminine gender roles, such as chastity, domesticity, and purity with "white racial purity" and morality. In other words, women are the carriers of civilization through traditional gender roles (478). Spencer-Wood then notes how these concepts were applied to the indigenous cultures discovered by the colonial powers where women were immediately rendered as second-class citizens; for example, denial of land ownership for women or the degradation of work women did as "unskilled" and unworthy of compensation (478-479). Spencer-Wood advocates for using various feminist theories to expose and deconstruct the role of patriarchy in colonialism (482).

Evelyn Nakano Glenn, in "Settler Colonialism as Structure," outlines various theories of how racism operates in the United States (55-56) and suggests the overarching framework of settler colonialism to explain the systems of exclusion, terrorism, containment, removal, and restriction for racial minorities in the US (56-61). Glenn examines the experiences of Native Americans, Black Americans, Mexicans, and the Chinese immigrants in particular, and extensively quotes scholars for the definitions of the operating system of settler colonialism (61-69). While this work is on the United States, American settler colonialism shares many parallels with the Canadian version. Glenn identifies the difference between "settler colonialism" and "traditional colonialism" by explaining that the first, such as the

colonization of the Americas, is a straight line where colonists claim a new home, while the second, such as the French colonization of Algeria, tackled by Franz Fanon, is cyclical, where colonists expect to return to their home countries with wealth (Glenn 57).

Fanon's "Algeria Unveiled," elucidated on by Gandhi, examines the phenomenon of colonialism through the case study of French colonial authorities outlawing Algerian women from wearing the *haik*, a long, veiled garment that covers the whole body (36-42), and how these decrees were exploited by the resistance (51-59). Women's very bodies then became a battlefield between the two sides. The French desire and lust for veiled women's bodies has Fanon equating the unveiling of Algerian women to sexual assault. He continues to expand upon this struggle between the Algerian resistance and French lust by comparing unveiling of Algerian female insurgents to dismemberment (45-46). Although competing patriarchies claim to have the best interests of women in mind, women are actually a proxy for other political concerns.

The tension, touched on by Fanon, between the "feminist" preconceptions of a colonizing force and the "anti-women" traditions of a native culture are also explored by Gayatri Chakravorty Spivak in her touchstone work of subaltern studies "Can the Subaltern Speak?" Spivak writes that the ritual suicide known as *sati* was denounced as barbaric by British authorities during the *Raj*, British colonial rule of India, and subsequently outlawed (302). This criminalization occurred even though *sati* was fiercely debated by Indian academics and religious authorities, and had connotations of self-sacrifice and resistance, coupled with negative connotations (302). Spivak notes that *sati* was only one form of ritual suicide explicitly targeted and outlawed by the British, despite being just one of many examples of ritual suicide in Indian society and in the Hindu religion (302). She later gives

an example of the subaltern, in this case a teenage girl, attempting to gain a form of power and recognition through *sati*, though her circumstances as a subaltern seem to render this act meaningless (307-308).

The colonial perception of the native cultures exemplifies Orientalist viewpoints, as defined by Said (4). He examines how Europe views the rest of the world, though he has special interest in Northern Africa and the Middle East, revealing “Occidental” colonizers’ shallow and stereotypical understanding of the “Orient” they colonized (2). Orientalism has led to everything from negative depictions of those from the Orient by popular culture and by academia (6), to the redrawing of maps by men in Paris or London. The Orient then becomes the “Other” signifying people of colour who are assumed to be inherently inferior to Europeans (7). In “The Long-Durée Entanglement Between Islamophobia and Racism in the Modern/Colonial Capitalist/Patriarchal World-System,” Ramón Grosfoguel and Eric Mielants chart the origins of Orientalism and Islamophobia back to 1492, the year in which the Spanish crown conquered the last remaining Muslim settlements in Spain and Christopher Columbus discovered the Americas, giving rise to the idea of white Europe’s importance and superiority (2-3). The authors then contextualize this in relation to modern Islamophobia as a European-derived “colonial capitalist/patriarchal world-system” butting up against Islamic and Arabic peoples that those in power see as fundamentally foreign, incompatible with the West, and inferior (5-6). Grosfoguel and Mielants make the assertion that, rather than the neo-Orientalist perception that the West and the East are in a “clash of civilizations,” what we see is a “clash of fundamentalisms and a clash of patriarchies” (7).

Noting that there is no universally agreed upon definition of Islamophobia from the perspective of the social sciences, Erik Bleich’s “What Is Islamophobia and How Much Is

There?” attempts to establish a concept of Islamophobia, defining it as “indiscriminate negative attitudes or emotions directed at Islam or Muslims” (1585). Tying into attempts to quantify Islamophobia, Nasar Meer, in “Islamophobia and Postcolonialism,” outlines a few defining factors of Islamophobia and postcolonialism as applied to Islamic peoples. The first factor is continuity, and Meer argues that Islamophobia dates back to the seventeenth century at the very least and that modern Islamophobia draws from that intellectual tradition (502). The second factor of Islamophobia is Orientalism (507). Meer argues that the common thread in all Islamophobia is Orientalism as theorized by Said. The third factor is Islamic identity, not the religious kind, but rather a political kind (513).

When it comes to the study of media narratives of Muslims in Canada, Jasmine Thomas’s article, “Canadian Media Portrayals of the Niqab Ban during Citizenship Ceremonies,” does something close to what I intend to do with my thesis but applied only to the initial niqab ban in 2011. Thomas uses Critical Discourse Analysis (CDA) to examine the Canadian press reports on the niqab ban and how those were both opposed to and in favour of the ban, and their media accounts (188-189). She postulates that the way the media depicts Muslims shapes the reality of how the Canadian public views them (189). Thomas contends that news coverage of the niqab ban heavily favoured reporting on Jason Kenney, then minister of immigration, as opposed to groups representing Muslims and Muslim women (192, 195). Thomas concludes that the media, and Canadian politicians like Kenney, did not do enough to listen to the voices of Muslim women who chose to wear the niqab (197-199). In terms of a historical examination of the treatment of Muslims in Canada, Karim H. Karim discusses some of the challenges faced by the Muslim community in Canada in integrating and gaining acceptance by the wider Canadian society during the late 1990s in the aftermath

of the first Gulf War (265), while John McCoy et al. examine the integration of Muslims into Canadian society since 9/11 in an attempt to disprove narratives hostile toward them (22-23).

Many of the narratives that Muslim women in Canada are subjected to involve the act of veiling, the wearing of face covering clothing. Leila Ahmed, in *Women and Gender in Islam: Historical Roots of a Modern Debate*, provides a historical overview of how women are treated in Muslim societies, claiming that the way women were treated in the past influences how they are treated in modern Islamic cultures (1-2, 5). When it comes to the act of veiling by Muslim women, Rachel Anderson Droogsma's "Redefining Hijab: American Muslim Women's Standpoints on Veiling" uses Feminist Standpoint Theory as her methodology (295) as she interviews thirteen Muslim women on their choice to wear the veil. Droogsma argues that feminist standpoint theory is useful since women operating under different "knowledges" about how the dominant culture perceives them subject to a "matrix of domination" (295, 311). In the course of her interviews, Droogsma identifies the major themes in the Muslim women's responses. These themes include identity as a Muslim (299), veiling as a "behaviour check" (304), rejecting objectification by men and claiming power over their own bodies (305), encouraging respect with the obverse effect of hostility after 9/11 (308), protecting their relationships with their husbands (308), and freedom from conforming to fashion standards that exploit women (310). Finally, Droogsma touches on the use of legislation by governments to ban the hijab and how this runs counter to women's experiences of and reasons for wearing the hijab (213-214).

In "Aboriginal Women and Self-Government," Margaret Jackson provides a summation of Indigenous self-government in relation to Indigenous women (180) and how the law affects Indigenous women and the effect of the *Charter of Rights and Freedoms* on

Indigenous women (193). Going beyond the legal aspects of the treatment of Indigenous women in Canada, the book *A Recognition of Being: Reconstructing Native Womanhood*, by Kim Anderson, establishes how Indigenous women were treated in their societies prior to colonization (57), how sex and sexuality were viewed in uncolonized Indigenous cultures (85), the course of colonization and its effect on women and changes in Indigenous societies under colonial burdens (55-56, 62), and how negative stereotypes that affect Indigenous women were forged and maintained to this day (100). Maile Arvin et al. examine the connection between feminism and the decolonization of Indigenous peoples in “Decolonizing Feminism: Challenging Connections between Settler Colonialism and Heteropatriarchy.” The authors establish from the outset that Canada is a colonial nation and that the act of colonization is gendered and patriarchal (9). They further argue that colonialism has infected feminism, and even though Indigenous women have been seeking a sort of feminist liberation for the past 500 years, Indigenous feminist thought is still on the margins of mainstream feminism (14). Although this article is about the United States, it provides some Canadian examples and its concepts can be repurposed to apply in a Canadian context.

In *Making Space for Indigenous Feminism*, Joyce Green contextualizes the status of Indigenous feminism within a patriarchal settler state as well as Indigenous cultures who view feminism as an alien Western concept at best, and with outright hostility at worst (22). Green views Indigenous feminism as a combination of feminism and “anti-colonialism” (23-24), which is a stark contrast to Western feminism, which is, according to Gandhi, at odds with anti-colonialism. In a further examination of Indigenous feminism, Renya Ramirez discusses how Indigenous feminists should tackle race, gender, and nation in a “non-hierarchical” fashion (23). Ramirez writes that it is typical for Indigenous scholars to favour

nation and race over gender (24), even going as far as to exhibit resentment toward Indigenous people who call themselves feminists (24-25). Only by linking gender with race can Indigenous communities properly address issues such as sexual violence against women (28).

When it comes to issues affecting Indigenous women, Jenny Burman's "Multicultural Feeling, Feminist Rage, Indigenous Refusal" comes the closest to my research objectives, but I am interested in the patriarchal and colonial themes in the media and social media as compared to Burman's analysis of Indigenous feminists' use of social media as a form of advocacy. Burman claims that Canadian government and society use multiculturalism to minimize the existence and concerns of Indigenous people (362). Burman links these attitudes to the rise of Indigenous feminist activists advocating for an inquiry into murdered and missing Indigenous women on social media (365), while pointing out some of the problematic media narratives surrounding Indigenous women (366). Burman believes that multiculturalism can be "decentred" and critiqued, allowing for Indigenous women to no longer be ignored (365, 370).

Continuing the critique of multiculturalism, Sarah Song, in *Justice, Gender and the Politics of Multiculturalism*, maps out the way in which the interactions between the majority cultures and minority cultures can affect the cause of equality for women. Song singles out three of these interactions, which she defines as the "congruence effect," the "boomerang effect," and the "diversionary effect." The congruence effect occurs when the established patriarchy of the majority society permits the practice of the patriarchy of minority societies (6). The boomerang effect takes place when members of the majority culture use precedents from accommodations granted to minority groups to erode the rights of women and gains

made by feminism (6-7). Finally, the diversionary effect occurs when the focus of the majority culture on the patriarchal structures of minority cultures deflects attention and criticism from the patriarchal structures in the majority culture (7). By analysing the above sources, my work demonstrates the mechanisms of control over the bodies of women of colour, specifically Immigrant and Indigenous women, by the mainstream cultural, political, and social majority in Canada.

Chapter Summary

Much of the research for this thesis was difficult to conduct; one can only stare in the face of ignorance, hatred, and incoherent anger for so long. As such, while this thesis touches on many sensitive issues, it would be best to warn readers that some of the commentary featured here is offensive at best, and outright disturbing at worst. It turns out people say horrible things to each other, about each other, and about other people on the internet.

My analyses of Canadian media, government, and society, the majority culture that maintains control, and the effects governmental and social structures, which are rooted in colonialism and patriarchy, have on Indigenous and immigrant women are explored in the chapters that follow. Chapter one, “Orientalism, #Colonialism, #Panopticon: The Politics of Maintaining #Settler Power in Canada,”⁶ delves into the theoretical aspects which form the base of my study and are applied in later chapters. The second chapter, “Country of Tears: Colonial and Patriarchal Attitudes Reflected during the #MMIW Inquiry Debate,” deals with the debate over the Missing and Murdered Indigenous Women Inquiry that took place during the 2015 federal election in politics and the media. The third chapter, “Canada Unveiled: The Colonial and Patriarchal Enforcement of Traditional Gender Expectations during the #Niqab

⁶ Hashtags are used in chapter titles as an aesthetic choice and to accurately reflect many of the hashtags used on social media referencing these debates. See footnote 15.

Debate,” examines media and political discourses surrounding the niqab debate during the 2015 federal election, how these discourses may have affected the Muslim community in Canada, and how they perpetuate the patriarchal and colonial foundations of Canadian society on immigrant women. The concluding chapter, “Canadian Colonialism Rising: Moving Forward in the Aftermath of the #Niqab and #MMIW Inquiry Debates,” summarizes my findings, as well as presents an examination of events since the 2015 federal election, and reflections on how to move forward.

Chapter 1

Orientalism, #Colonialism, #Panopticon: The Politics of Maintaining #Settler Power in Canada

Politicians and pundits often use the discussion of issues related to Indigenous or Muslim women as a nation-building exercise, thereby defining the political, cultural, and social entity that is the Canadian settler state. These narratives are placed in opposition to immigrant Muslim or Indigenous cultures, with immigrant Muslims coded as “barbaric,” “terrorist,” and “incompatible with our culture” (Said xix, Solihu 25, 26, Grosfoguel and Mielants 4, McCoy et al. 23) and Indigenous peoples, as “savages,” “extinct,” and “unable to adapt to the modern world” (Vowel 119; Retzlaff 611; Coburn, para. 3, para. 5). Such discussions took a place front and centre during the 2015 Canadian federal election as debates regarding the status of Muslim women who wear head coverings and whether a national inquiry should be held to address violence against Indigenous women gained prominence throughout the 60-day election cycle. As these debates show, the established media and political narrative on one side of the debate is that Muslim women should not veil themselves in public and Indigenous women should not be seen in public; this narrative is based on gendered expectations and desires enforced through the settler-colonial construction of the Panopticon.

Even though these attitudes are overtly expressed, the reasoning behind them is covert: the desire for Indigenous and immigrant Muslim women. Indigenous women are stereotyped as sexually “loose” while Muslim women, as sexually unavailable (Graham-Brown 502, Yeğenoğlu 542), which places unreasonable expectations on both groups of women as well as reinforces sexual mores of expected modesty and sexual availability that must be followed by settler women, defined as “a certain eroticism restrained by modesty”

by Sandra Bartky (98). Canadian settler society has established systems of control and power where the human body, most especially the feminine and racialized, is placed under both self-imposed and societal surveillance, regulated by the state, and used to establish the latter's hegemony over the territories that currently comprise Canada. This hegemonic desire for control, driven by European colonization of the Americas and antagonism toward Muslims, can be explored through Foucault's conceptualization of modern liberal democracies' use of the panopticon as the method of control.

When addressing women politically, the policy of Canada's governing institutions is one of control showcased throughout the colonial project. For example, as Spivak points out, the British highly selective outlawing of *sati* in India, while ignoring and thus permitting, by default, other forms of ritual suicide (302-307), and Fanon's identification of the *haik* as both a political tool by the French to control Algeria and the resistance to wrest away control from the French are methods of mastery exercised by British and French colonizers respectively over women (35-36). As Leila Ahmed writes,

The way in which Arab women are discussed in the West, whether in the popular media or the academy, and the sense that such discussions often seem to be centrally even if implicitly engaging other matters through the discussion of women—such as the merits or detriments of Islam or Arab culture. (2)

In other words, according to Ahmed, control of women is used by the settler majority in Canada to regulate immigrant, in this case more specifically Muslim, cultures when, paradoxically, Canada's governing institutions show little regard for these women. The ultimate purpose of such courses of action related to Indigenous and immigrant Muslim women is their unproblematically homogenized socialization, elucidated by Chelsea Vowel:

“every single one of us, Indigenous and non-Indigenous alike, has been fed a series of lies, half-truths, and fantasies intended to create a national identity” (120). Settler colonialism is itself designed to hide the violence from its imposition as a way to build the national identity. Lorenzo Veracini writes,

The settler hides behind his labour and hardship (the settler does not dispossess anyone; he “wrestles with the land” to sustain his family) . . . the settler enters a “new, empty land to start a new life;” indigenous people naturally and inevitably “vanish;” it is not settlers that displace them. (14)

Based on these myths, settler colonialism is forged on the backs of Indigenous peoples and used to force immigrants to Canada to conform, or be unwelcome; therefore, Conservative Party politicians of the time, such as Jason Kenney and Stephen Harper, insist that Muslim women go unveiled during citizenship ceremonies as they “join the Canadian family.”

The concept of “blood quantum,” inscribed in the *Indian Act*, demonstrates that this identity-building policy involves the erasure of Indigenous people’s cultural differences through their absorption by and dissolution in Canadian settler society. Moreover, in her book *Beyond Blood*, Pamela Palmater notes that the *Act*, in a truly patriarchal and misogynistic manner, disfavoured specifically Indigenous women:

Registration under the *Indian Act* is complex, with many confusing and illogical rules that give preference to Indian⁷ men. The overall formulas, on the other hand, are quite simple, and reflect a basic concept of blood quantum or descent-based rules designed to assimilate all Indians through legislative extinction. (29)

While the *Act* has since been amended with Bill S-3 to remove these discriminatory

⁷ Here Palmater uses the legal term for Indigenous peoples in Canada: “Indian” (Vowel 9). The term “Indian” is also used by some Indigenous people to refer to themselves.

elements, which received royal assent on December 12, 2017, the original mission of these provisions has a deep-rooted impact and is still relevant. The aim of using the concept of blood quantum and the *Indian Act* in order to assimilate Indigenous people into settler culture has had mixed success: on one hand, Indigenous people are still here and will not be destroyed; on the other hand, colonial assimilation attempts are wide and far reaching in their destruction. Palmater maintains that colonial abuses flow downward to First Nations governments: “our own people are now perpetuating the same injustices imposed by governments” (14).

When it comes to Indigenous and Muslim women, the assimilatory processes manifest themselves in similar, yet different, ways due to the radically different circumstances that define these two groups of women. While no statutory instrument, such as the *Indian Act*, exists for immigrant women who veil themselves,⁸ they nevertheless are expected to assimilate into settler culture’s conventions, including sexual norms; thus, immigrant women wearing head coverings become a signifier of aberrant behaviour. Consequently, the mechanisms that regulate Indigenous and Muslim women’s behaviour and societal expectations toward them are similar to those explored by Simone de Beauvoir in her concept of the “myth of woman,” elaborated upon in *The Second Sex*.

Even though Beauvoir charts the negative impact of the societal perception and self-perception of white Western women, her exposure of misogynistic public mythologies can be transposed into situations of Indigenous and Muslim immigrant women, since both current mainstream and colonial myths of femininity have been authored by white, western, imperial males (Anderson 99-100, Glenn 61, Gandhi 88, Graham-Brown 502). Beauvoir explains that

⁸ The exception to this rule being Bill 21, *Loi sur la laïcité de l’État*, passed in Québec in June 2019, discussed in the Conclusion.

the myth of woman begins with placing women and men in a binary opposition: “this one, sublimating an immutable aspect of the human condition—that is, the ‘division’ of humanity into two categories of individuals—is a static myth; it projects into a Platonic heaven a reality grasped through experience or conceptualized from experience” (315). This myth becomes overarching and all-powerful to the point of being accepted as a biological and universal fact. While Beauvoir writes about the artificial binary opposition of women with men, this binary logic can be applied to show how these myths operate on a racial level. In Western cultures, Canada included, the dichotomy of “white” and “non-white” has been pervasive (Said 5), being reflected in Orientalist way of thinking and attitudes illuminated in Said’s touchstone work.

Orientalism draws on a dual binary as it is “a style of thought based upon an ontological and epistemological distinction made between ‘the Orient’ and (most of the time) ‘the Occident’” (2), thus positioning the West as the Self and the Orient as the Other. Said focuses on the Islamic and Arabic world as his main point of study into the phenomenon of Orientalism; however, this paradigm also applies to the relationship between the settler majority and Indigenous peoples, who are studied and perceived using much the same mechanisms of othering as the Orient, though the stereotypes applied to both groups are ultimately different.

The binaries of Orient and Occident are given a patina of absolute truth by the sheer force of cultural hegemony behind them. Referring to this hegemony, Said notes: “The relationship between Occident and Orient is a relationship of power, of domination, of varying degrees of a complex hegemony” (5). While conceptualizing woman as the Other in relationship to man, Beauvoir notes that “for fact, value, significance, notion, and empirical

law, it substitutes a transcendent Idea, timeless, immutable, and necessary. This idea escapes all contention because it is situated beyond the given; it is endowed with an absolute truth” (315). Racial myths operate much the same way; they are accepted as “absolute truth” and may exist almost entirely on the subconscious level, though always with the implicit assumption that “white” is invisible, the norm, and thus superior, manifesting in covert ways in media and political narratives.

These racial myths are conflated with the *de facto* “myth of woman” explicated by Beauvoir and Orientalism outlined by Said. Beauvoir notes that the “myth of woman” is so powerful that the lived experiences of women are dismissed when they do not conform to it: “[I]f the definition given is contradicted by the behavior of real flesh-and-blood women, it is women who are wrong: it is said not that Femininity is an entity but that women are not feminine. Experiential denials cannot do anything against myth” (315). While the fixed nature of the “myth of woman” exists for all women, it functions differently for women who are subject to racialized stereotypes. As Said notes, such mythmaking is vitally important in the process of othering as redefining the object allows “for dominating, restructuring, and having authority over [that object]” (3). As such, while Beauvoir asserts that the “myth of woman” exists to create an “absolute Other” that allows men to deny subjecthood and to control “without reciprocity, refusing, against experience, that she could be a subject, a peer” (315), these myths, coupled with Orientalism, ensure that racialized women are then twofold Other, as they exist as a binary opposition to both “men” and “white,” being subjected to what is known as a “double colonization” (Ashcroft 233-234). The racial aspect, an othering and setting up of myths, of this double colonization can be traced to a common origin for both Indigenous and Muslim women.

In exploring the genealogies of a patriarchal colonial culture, Ramón Grosfoguel's and Eric Mielants's "The Long-Durée Entanglement Between Islamophobia and Racism in the Modern/Colonial Capitalist/Patriarchal World-System" looks approximately 500 years back at events that led to the perception of Europe as superior and non-Europeans as "Other" or inherently inferior. They touch on the "discovering" of the so-called New World and the eviction of Jews and Muslims from Spain, both in 1492, as the origin of the current dynamic between Muslim and Indigenous peoples and the West (2). It is no coincidence that the plights of Jews and Muslims are tied up in the same way as Indigenous peoples the world over. This "crucial foundational year" can be seen as a genesis of antisemitism, Islamophobia, Orientalism, and destructive settler colonialism that has destroyed the cultures and the very bodies of Indigenous people in Canada: "Jews and Arabs became the subaltern internal 'Others' within Europe, while indigenous people became the external 'Others' of Europe" (2). Spivak expands on this concept and argues that European intellectuals have taken the mantle of speaking for the global subaltern class setting up a hegemony of Western philosophy that creates a hegemonic "Subject," namely Europe: "This parasubjective matrix, cross-hatched with heterogeneity, ushers in the unnamed Subject, at least for those intellectual workers influenced by the new hegemony of desire" (274).

As Grosfoguel and Mielants explain, at the time of Contact, Indigenous peoples were seen as savage and uncivilized due to their lack of Christianity: "the 'people without religion,' that is 'people without God,' were at the bottom of the hierarchy, while 'people with the wrong religion,' that is, 'people with the wrong God,' occupied a different position in this hierarchy" (2-3). Because of this religiously tinged sense of the superiority of Europe and the inferiority of everyone else, Indigenous peoples were not seen merely as having the

“wrong culture” the same way Jews and Muslims were seen, but rather as not human at all:

Indigenous peoples characterized in the late 15th and early 16th century as “people without God” in the Christian Spanish imaginary became inferior sub-human or non-human beings. It is this inferiorization below the “human,” to the level of animals, which turned indigenous peoples in the Americas into the first racialized subject of the modern/colonial world inaugurated in 1492. (3)

The racialization of Indigenous peoples is then bound up in the settler perception of themselves as white. As Glenn argues, “The ‘savage’ and eliminable indigene is racialized as ‘other’ in contrast to the ‘civilized’ sovereign settler, who becomes ‘white.’ Whiteness also becomes synonymous with the nation” (61). This view of Indigenous people as less valued and less human than those of white, European-derived settlers persists to this day.

Before European colonization, many Indigenous cultures in the Americas were egalitarian when it came to the rights and privileges that women shared with men; however, this aspect of Indigenous cultures was seen as alien by settler colonists who generally devalued women in favor of a strictly patriarchal society. Settler women were thus oppressed compared to their Indigenous counterparts. Joyce Green writes that women in “most Aboriginal cultures historically enjoyed far more respect, power, and autonomy than did their European settler counterparts” (21-22). In these Indigenous cultures, women had extensive economic rights (Anderson 60), sometimes including exclusive rights to land ownership (61-62), extensive political rights (65-66), and sexual freedoms (85-86). What was seen, derogatorily, as “women’s work” by European settlers was afforded great respect and even shared between the genders by many Indigenous cultures (60). This egalitarian system of respect for both genders and the activities of both genders that many Indigenous societies

benefitted from was challenged, and in many cases dismantled, by settler colonial and patriarchal power structures when colonizers came from across the ocean. These power structures have a long history in Canada, but they manifest in modern society in reaction to the existence of women who are seen to deviate from established modes of bodily and sexual expression.

To begin to understand why and how the sexualities of racialized women are rejected so forcefully and so completely by the government of the day and by many members of Canadian society and media, an examination of Orientalism as a major influential force driving Canadian attitudes regarding Muslims is vital. Said argues that Orientalism was mainly the provenance of Britain and France (4). It is fitting then that two of the founding nations of Canada would bequeath us with their great Orientalist traditions. The methods of bodily control involve the exclusion, individualization, and constant surveillance that is both internal and external, processes outlined by Michel Foucault and Sandra Bartky using the metaphor of the Panopticon.

Invented by Jeremy Bentham, the Panopticon is an octangular prison with a tower at the centre to allow the guards to view and control the prisoners, which is used by Foucault as a metaphor for the control over the human body by otherwise liberal and democratic societies. Foucault argues that even though the physical Panopticon was never implemented, the philosophy behind this machine of conformity and control was widely adopted by modern liberal democratic societies (207). Foucault traces this adoption of panoptic systems to the seventeenth and eighteenth centuries, characterized by a change in societal authority from discipline exercised only when necessary in exceptional circumstances to “the gradual extension of the mechanisms of discipline [and] their spread throughout the whole social

body, the formulation of what might be called in general the disciplinary society” (209).

Foucault’s citation of the Panopticon illustrates his thesis on modern societal institution’s use of bodily discipline as a near total exertion of control over almost every element of the human body. The consequence of this discipline being that societal institutions can remake and revalue the body as they desire:

What was then being formed was a policy of coercions that act upon the body, a calculated manipulation of its elements, its gestures, its behaviour. The human body was entering a machinery of power that explores it, breaks it down and rearranges it. A “political anatomy,” which was also a “mechanics of power,” was being born; it defined how one may have a hold over others' bodies, not only so that they may do what one wishes, but so that they may operate as one wishes, with the techniques, the speed and the efficiency that one determines. Thus, discipline produces subjected and practiced bodies, “docile” bodies. (138)

Foucault identifies this process of bodily control employed by internment, individualizing, excluding, and creating a “binary division and branding” of subjects who are treated symbolically as lepers (199). While Foucault identifies panoptical control of the body in liberal democracies and how this control can play out, he misses a few important factors in his analysis: the panoptical methods of control over the body began earlier than the Foucauldian point of departure as it was applied in colonized places before it was applied to Europe, and bodily control is enforced differently and in ways that are more pernicious with women and people of colour.

Foucault errs in his assessment of the control of the body by society in two specific areas: his first error is ably identified by Sandra Bartky as the propensity of panoptical

control mechanisms to treat bodies as having differences, and thus female bodies are under different or more stringent control than others; the second of his errors is the date and methodology of how this control came about in modern society when, rather, panoptical control over human bodies was exerted by settlers, colonists, and conquistadors in the New World since 1492. Addressing the first error, Sandra Bartky's "Foucault, Femininity and the Modernization of Patriarchal Power" challenges his gender-neutral approach to panoptical control. According to Bartky, feminine bodies undergo unique constraints and practices of control to which masculine bodies are not subject. She argues that by ignoring the unique subjugation of the feminine body, Foucault helps to continue the cycle of powerlessness that is imposed upon it:

But Foucault treats the body throughout as if it were one, as if the bodily experiences of men and women did not differ and as if men and women bore the same relationship to the characteristic institutions of modern life. Where is the account of the disciplinary practices that engender the "docile bodies" of women, bodies more docile than the bodies of men? Women, like men, are subject to many of the same disciplinary practices Foucault describes. But he is blind to those disciplines that produce a modality of embodiment that is peculiarly feminine. (95)

The implications for Bartky are clear: we must assess how the feminine body is controlled through panoptical mechanisms and how those controls are different for masculine bodies.

Drawing on Judith Butler's conception of gender as performance, Bartky argues that modern gender norms in the West are a constant performance through the self-policing of body shape and appearance, posture and movement, as well as the body as decorative window dressing (96-98). This performance is enforced, in Bartky's view, by external social

forces as well as the previously mentioned self-policing. Bartky argues that control over the feminine body has moved past the need for enforcement by law (102). However, like Foucault, Bartky does not go far enough in her assertions due to her work being aimed at the experiences of white women, while almost completely ignoring the experiences of their racialized counterparts. Foucault and Bartky treat the phenomenon of body control as if it is a new one, arising because of the rise of democratic institutions in the West, when in fact this “counter-movement” has its genesis in a much earlier era where it was aimed at people outside of the European continent and spread across the globe. This phenomenon is known by a single word: colonialism.

Foucault is primarily pre-occupied with how modern liberal democracies use the concept of the panopticon to control their citizens; however, because colonialism is a much older and established project, Foucault’s framework has large holes when applied in Canada’s attempts to assimilate Indigenous peoples. Colonialism acted as a blueprint for the Panopticon. Foucault argues that this panoptical control is accomplished through institutions of liberal democratic states, such as militaries, schools, prisons, and hospitals (199). He maintains that in the Panopticon of modern liberal democratic societies “space is organized in a particular way which makes its individual occupants and their behavior visible and transparent” (Yeğenoğlu 543). Of course, in the case of Canada’s settler colonialism, governments, from municipal to provincial and the federal, and state-sanctioned institutions, such as churches, educational institutions, and the media, spaces inhabited by settler majority are made open and transparent, while Indigenous people are forced away and made invisible, both in their home reserves as well as in urban centres, for other inhabitants of Canada settler and immigrant alike.

These governments and state-sanctioned institutions act as colonizing and assimilating forces designed to remove Indigenous peoples from the body politic and justify the settlement of Canada. In the example of the prison, even though Indigenous people only make up 5% of the population, they are 23% of Canada's prison population ("Backgrounder"). Acting like open-air prisons, reserves were set up to forcibly remove Indigenous peoples from their homes and relocate them to rural areas. Their mobility was regulated by the "pass system" and anyone who wished to enter or leave the reserve needed permission from a government Indian agent (Palmer 14, Carter 162-163). In the realm of education, the government of Canada used the Indian Residential School System, often run by churches, as a means of cultural destruction⁹ and re-education up until 1996 (Spear, para. 11). Moreover, Indigenous children were forcibly taken away from their parents and placed with non-Indigenous foster parents in the "Sixties Scoop" (Milloy and McCallum xxi). This is also why Indigenous women are subject to sexual violence not only within their communities on reserves but also without. The settler colonial attack on Indigenous women devalues and Others them, and has traditionally taken the form of attacking Indigenous women as unfit mothers in the form of removing children and sending them to Indian Residential Schools (Baig, para. 16), forcibly removing their children during the Sixties Scoop (Hanson, para. 4), subjecting them to forced sterilizations (Baig, para. 16), and branding them as sexually "easy" or "loose" (Anderson 99-100, Bartky 97). It represents the dire consequences of the subjection of Indigenous women's bodies and sexualities to control, within, and punishment, without controlled areas, for what has been conceived by the settler

⁹ The side-effect of this cultural destruction was often the destruction of the very children sent to these schools as evidenced by grave sites found at Residential Schools. This destruction was seen as acceptable losses in the "civilizing" missions of these schools (Spear, paras 10-11).

majority as non-normative behaviours.

In elucidating the effects of colonialism on women, as specifically applied to women's sexuality, Suzanne Spencer-Wood, in her article "Feminist Theorizing of Patriarchal Colonialism, Power Dynamics, and Social Agency Materialized in Colonial Institutions," writes that the relative sexual freedom of Indigenous women is then seen as "threatening the patriarchal social order" imposed by settler colonists, with the consequence of damaging and long lasting stereotypes of Indigenous women having little value beyond that of sexual objects to be used and discarded (478). Anderson refers to this attitude as the "shame-based" view of women's sexuality (85). Because European missionaries saw Indigenous women as "loose" and sexually deviant, the expectation was that Indigenous women feel shame and repress their sexuality much the same way that white women were expected to repress theirs (91).

Anderson's discussion of societal perceptions of women as sexually deviant is echoed by Bartky, who counterposes societal expectations of women's restraint, both social and sexual, to "[t]he 'loose woman' [who] violates these norms: Her looseness is manifest not only in her morals, but in her manner of speech, and quite literally in the free and easy way she moves" (97). Patriarchal attempts to preserve the power of men over women still permeates Canada as a country and the Indigenous cultures are still under the influence of the ongoing process of colonization (Palmer 30-31). Therefore, brutal attempts are made to suppress the power and sexuality of women in many Indigenous communities, which is a common occurrence: "Violence against women is so prevalent in our communities that it has become an 'ordinary' part of everyday life for many Native families, and Native women who have not experienced some form of family violence are seen to be the 'the exception, not the

rule” (Anderson 55). However, this brutal treatment is attributed to colonially induced traumatic collective and individual experiences by many Indigenous women rather than being a result of something inherent in Indigenous men: “Having lived through some of these things, many spoke frankly about the sexism that is operating within many contemporary Native families, communities and organizations. In the midst of these gender disparities, however, it is uncommon to hear Native women simply blame men for their condition” (55). Anderson does not claim that Indigenous men are themselves blameless, but rather that many of these problems can be traced back to colonial systems of oppression and that “it is not a simplistic struggle against men or individuals” (56).

To expand further on how racialized women’s sexuality is dismissed and devalued by settler culture, it is important to consider how patriarchal power structures in the West operate to render women as inferior to men. Bartky argues that Western women are expected to conform to a double-edged ideal: being simultaneously modest and sexually available (98). She explains the slated performativity aligns with the object-and-prey-for-the-man scenario as in “contemporary patriarchal culture, a panoptical male connoisseur sides within the consciousness of most women: they stand perpetually before his gaze and, under his judgment” (101). Thus, if indigenous women, as Spencer-Wood maintains, who do not meet the Western standard for sexual modesty are then seen as deviations from the expected norm (478), and veiled Muslim women who do not display any sort of sexual availability must also be deviant. In contrast to these expected gender norms, some Muslim women who wear the hijabs and niqabs report a freeing effect from Western patriarchal norms and societally enforced beauty standards for women (Droogsma 297).

According to the consensus reached by Muslim women, who participated in Rachel

Droogsma's interview, "by wearing hijab and the loose dress that accompanies it, the women feel they also resist objectification and sexual exploitation by men" (305). Droogsma elaborates on her earlier point, which not only upends the Western conception of Muslim women's clothing as oppressive, but also disempowers Bartky's "panoptical male connoisseur:"

Most of the women mentioned the lack of modesty in American women's clothing; they view the pressure to dress provocatively as oppressive and a tool of the patriarchy. In fact, they contrasted the pressure on American women to reveal their bodies with their own choice to cover; the first reflects patriarchal oppression while the second reflects conscious resistance to oppression. (306)

These attitudes exhibited by the Muslim women bely the homogenizing claims of liberal feminists and the former government of Canada that all Muslim women in the West are oppressed and terrorized by oppressive men forcing modest clothing and face coverings on resistant, yet powerless, women. It is only because of the Orientalist perspective that the West is superior in thought, word, and deed (Grosfoguel and Mielants 8, Said xix) that Western patriarchal oppressions are accepted, and even enforced by Canadian society, while Muslim liberation from those oppressions are seen as authoritarian, patriarchal, and barbaric (Solihu 25, 26).

Not only are Muslim women oppressed and captive by patriarchal and barbaric Muslim men, but as Grosfoguel and Mielants note, "the contemporary tropes about 'uncivilized,' 'barbarian,' 'savage,' 'primitive,' 'underdeveloped,' 'authoritarian,' and 'terrorist' inferior people are today concentrated in the 'other's' religious practices and beliefs" (4). The term "religious practices and beliefs" includes the custom of wearing a

hijab, niqab, or burqa. As such, Muslim women are fraught with danger, being branded as terrorists, savages, and barbarians as well as oppressed and held captive. In other words, Muslim women are powerless and innocent as well as dangerous and powerful simultaneously.

The government of Canada is certainly not the first one to attempt stripping Muslim women of their veils; a famous precedent for enticing native women to cast aside their veils is the case of French colonial authorities endeavouring to “destructure” Algeria, explicated by Fanon. He is keenly aware that the *haik*, the long robe worn by Algerian women which is also used as a veil, acts as a signifier to the French colonial authorities, and European colonizers in general, for the signified Algerian native Muslim culture (35-36). According to Fanon, by looking at the unveiling of Algerian women as a project to free them from the patriarchal native Algerian culture, the French colonial powers wield a powerful weapon in their attempts to tame Algeria and dismantle the native culture (37-38). As Meyda Yeğenoğlu points out, “[i]n the colonizer’s eye Algerian resistance is condensed in the veil which is seen as an obstacle to his visual control. Conquering the Algerian women is thus equal to conquering Algeria, the land and people themselves” (543). Thus, the colonization and liberation of Algeria is played out with women’s very bodies.

Of course, Algerian men have no choice but to use their newly unveiled women against the colonizers (47). As Leela Gandhi indicates, these actions then create a false dichotomy between feminism and anti-colonialism (93-94). Instead of considering what is best for Algerian women, both the French occupiers and the Algerian rebels are engaged in games of politics and nationalism. In this case, as in the case of Canada in 2015, the French seek to defend their own patriarchal power structures while fighting an “Oriental” patriarchal

order (Grosfoguel and Mielants 7). Fanon illuminate corresponding gender relations thus:

The Algerian has an attitude toward the Algerian woman which is on the whole clear. *He does not see her*. There is even a permanent intention not to perceive the feminine profile, not to pay attention to women. In the case of the Algerian, therefore, there is not, in the street or on a road, that behavior characterizing a sexual encounter that is described in terms of the glance, of the physical bearing, the muscular tension, the signs of disturbance to which the phenomenology of encounters has accustomed us. (44; emphasis added)

Fanon's juxtaposition of women's invisibility to the Algerian and their objectification by the French male gaze reveals that Algerian women are ignored and excluded in the public sphere (Graham-Brown 504). This is reinforced by the fact that there was great reluctance from the Algerian men involved in the resistance to allow Algerian women to participate in the movement (Fanon 48-49). Although showcasing seemingly radical differences in their attitudes to women, both cases boil down to the same thing as both represent two facets of patriarchy wherein woman is positioned as the Other in multiple gendered configurations. Furthermore, that Islamic peoples are authoritarian and patriarchal is a constant refrain from those in western society, and the niqab and other head coverings are proof-positive without any further thought or dialogue (Droogsma 294, Grosfoguel and Mielants 6, Karim 272, Solihu 25). However, it may be easier to critique the patriarchal power structures of a culture alien to one's own than it is to critique the order that women are still struggling against in one's own culture.

Despite their invisibility coded in tradition, veiled Muslim immigrant women are also subjected to operations of Western social optics, and a large part of the attempts to push aside

veils and reveal what is underneath can be explained by the desire to maintain a “panoptic voyeur” over all women in settler society. Meyda Yeğenoğlu points out in her essay, “Veiled Fantasies: Cultural and Sexual Difference in the Discourse of Orientalism,” that “the opaque, all-encompassing veil seems to place her body out of the reach of the Western gaze and desire” (542). The veil then thwarts the panoptical gaze, which desires nothing more than to see and know all about the subjects under its gaze (543). Much like Indigenous women, Muslim women under the Panopticon become those who must be “trained or corrected, classified, normalized, excluded” (544).

It is no mistake that the desire for the panoptical control over female Indigenous and Muslim bodies found purchase in the political arena. The question of women who seem to deviate from social and cultural norms of sexuality tends to create a political response that urges control. Orientalism is fundamentally a politically inspired force (Said 202-203), as is the politicization of head coverings for Muslim women (Ahmed 2). The same is true for Indigenous women who bear the brunt of settler colonial enterprises in Canada that were designed to confine Indigenous peoples to reserves and take control over vast areas of territory. Even though he is referring to the Orient, Said notes this process of confinement and control: “Orientals were rarely seen or looked at; they were seen through, analyzed not as citizens, or even people, but as problems to be solved or confined or—as the colonial powers openly coveted their territory—taken over” (207). In other words, by marshalling the forces of Orientalism, anti-Indigenous feelings, and Islamophobia while flying the liberal feminist banner, the Harper government could appeal to liberal feminists and counter blunt claims by opposition that the government was itself “anti-women.”

This appeal to liberal feminism to deflect from the Harper government’s own poor

record in dealing with women tends to be successful, thus insulating the settler state from external challenges. This process is outlined by Sarah Song as “the diversionary effect,” wherein “by focusing on the patriarchal practices of minority cultures, the majority can divert attention from its own gender hierarchies” (7). According to Gandhi, this sop thrown to liberal feminists tends to be effective, as discourses regarding the inferior “third-world women” aggrandize Western women:

The representation of the average third-world woman as “ignorant, poor, uneducated, tradition-bound, domesticated, family-oriented, victimized,” facilitates and privileges the self-representation of Western women “as educated, modern, as having control over their own bodies and ‘sexualities,’ and the freedom to make their own decisions.” (86)

By co-opting liberal feminism for illiberal means, those who benefit from colonial and patriarchal power structures in Canada hope to “conserve the subject of the West, or the West as subject” (Spivak 271) from minority groups that do not inherit the traditions of the West, and instead bring an “alien” social and cultural understanding into the mainstream. This abuse of liberal feminism to protect settler colonialism betrays the fact that postcolonial and feminist thinking are natural allies in the critique of both the colonial and patriarchal order since, as Spencer-Wood explains, “conceptualizations of colonization and colonialism did not sufficiently consider how patriarchy and heterosexism were inextricably entwined with the Eurocentrism, racism, classism, and religiocentrism intrinsic to colonialism” (477).

In charting the imbrication of patriarchal and colonial frameworks in Canadian society, the conclusion can be reached that “what we have in the world today is not a clash of civilizations but a clash of fundamentalisms and a clash of patriarchies” (Grosfoguel and

Mielants 7). This “clash” can be seen in both how the dominant group in Canada interacts with, and attempts to control, minority groups. It probably cannot be said that most of the Canadian society, polity, and media have the malicious desire to subjugate and devalue Indigenous peoples in Canada. The process of colonization began 500 years prior (Anderson 58, Grosfoguel and Mielants 2), and the thinking that counteracts this process is relatively new to the settler cultures that benefit from it. The power structures that maintain settler colonialism are still at play to this day (Anderson 58), and manifest as the desire to control Muslim and Indigenous women. They are seemingly driven with the protracted momentum “gained” by Columbus’s “stumbling” upon the Americas and the expulsion of Muslims from Spain to North Africa that both marked the beginning of transatlantic colonization and shaped imperialistic discourses of the inherent superiority and “civilizing mission” of European-derived cultures and peoples. Mixed in with this attitude is another myth, that of woman as a derivative from man and the ultimate Other who requires subjugation and tutelage, thus placing Canadian Indigenous women, additionally, into the bond of “double colonization.” Having Western patriarchal power structures imposed on formerly egalitarian Indigenous peoples, colonial settlers have perfected their brand of patriarchy, and no other group has a hope of competing on these terms. Assuming yet another vector, this imposition materialized during the niqab debate, when the polity of a presumably great enlightened liberal democracy attempted to establish control over the bodies of Muslim immigrant women.

The assumption that cultures are ever present, never changing, with strong borders that must not be crossed, is a purely European view created by a false sense of superiority. As Sarah Song writes, “Viewing cultures as well-integrated, bounded entities has led many

observers to overlook how gender statuses are shaped by intercultural interactions, which in turn has lent support to a false dichotomy between egalitarian majority cultures and oppressive minority cultures” (5). Furthermore, the majority’s undertaking an aggressive confrontation with the minority can lead to what Sarah Song calls the “congruence effect”—when the patriarchal norms of the dominant culture reinforce and lend legitimacy to the patriarchal norms of minority cultures (6). Would an overbearing, authoritarian, patriarchal man allow his wife, sister, or daughter to leave the house unveiled in the event of a niqab ban? Likewise, the way forward for Indigenous women is to challenge the attitudes that either dismiss the problem or try to treat the symptoms rather than the causes, instead of dismantling those systems of domination and control that exist on reserve and off that continue to negatively impact the lives of Indigenous women (Arvin et al. 16-17). Ultimately, Spivak describes these debates perfectly: “white men are saving brown women from brown men” (302).

Chapter 2

Country of Tears: Colonial and Patriarchal Attitudes in the #MMIW Inquiry Debate

The nation-state of Canada is the result of 500 years of colonialism that has had an especially negative impact on Indigenous women. This history of colonialism has led to Indigenous women being disproportionately affected by domestic violence, violence from strangers who prey on the vulnerable, and a reduced status and devaluing by both Indigenous cultures and Canada's majority culture alike. The 2015 debate over whether the government should hold a Missing and Murdered Indigenous Women inquiry resulted in two dominant perspectives: that an inquiry was necessary to confront and deal with the unique issues faced by Indigenous women, and on the other side, that an inquiry was not necessary and that Canada's historically colonial institutions are well equipped to deal with them.

Indigenous women are not only subject to colonialism that arises from settler cultures asserting superiority over Indigenous cultures, but also to settler patriarchal systems that assert the superiority of men over women (Spencer-Wood 479). Further, this subjugation goes beyond the subjection experienced by settler women who are part of the cultural hegemony that upholds the inherent inferiority of Indigenous cultures. For women in colonized societies, their bodies become the very site of conflict for the colonized and the colonizer. In "Algeria Unveiled," Frantz Fanon discusses how the French colonial authorities worked to destroy the resistance to colonialism by "destructuring" the native Algerian society through the women: "At an initial stage, there was a pure and simple adoption of the well-known formula, 'Let's win over the women and the rest will follow.' This definition of policy merely gave a scientific coloration to the 'discoveries' of the sociologists" (37). Fanon refers to this attempt as a "well-known formula" because it has been tried before by other colonial

powers on other continents with “enlightened” colonial governments working to “liberate” colonized women. In the case of Canada’s Indigenous peoples, attempts to “liberate” Indigenous women were pointless, as in many Indigenous societies women had an egalitarian relationship with men (Anderson 57). Instead, settlers in the Americas took the opposite approach:

The Europeans who first arrived in Canada were shocked by the position of Aboriginal women in their respective societies. It was not long before they realized that, to dominate the land and the people that were occupying it, they needed to disempower the women. Indigenous systems that allocated power to women were incompatible with the kind of colonial power dynamics that would be necessary to maintain colonial power. (58)

This imposition of colonialism on Indigenous societies, referred to as a “double colonization” by feminist postcolonial thinkers (Ashcroft 233-234), resulted in the loss of status and enforcement of settler patriarchal systems upon Indigenous women.

This brand of Western patriarchal control over women in many, though not all, Indigenous cultures that were predominantly egalitarian before Contact was foisted through the force of law, economic force, or through force of arms. As Kim Anderson explains,

This deliberate state action imposed on Native women the devalued position of women in western society. White women had no power to vote, they did not hold political positions and were not included in decision-making on matters ranging from the family, to community, to nation. (70)

In many cases, Indigenous cultures were altered and destroyed enough to an extent that transplanted settler patriarchy took root and supplanted any egalitarian structures that had

previously existed. This attempt at supplantation and destruction of culture was especially acute when it came to attitudes toward sexuality in Indigenous cultures, which “horrificed” missionaries: “With European contact, homosexuality, the open sexuality of women, and the acceptance of children out of wedlock immediately came under attack. In short, sexuality that did not fit into the patriarchal model was unacceptable” (91). While having a devastating impact, especially on Aboriginal women, this “radical shift in values opened up the conditions for the epidemic proportions of violence against them” (91), had a profound impact on Indigenous women’s rights, and has led to the issues surrounding brutalities that an inquiry is supposed to address. The latter has showcased what Patrick Wolfe terms the “logic of elimination,” according to which, settler colonialism is a structure, an ongoing system of Indigenous eradication rather than a historical event (qtd. in Glenn 57).

This adoption of colonial patriarchy is not unique; it is observed the world over as the typical way in which European colonial powers operate. Writing about India, Leela Gandhi notes that the nationalist movement there also adopted Western patriarchal narratives: “The discourse of colonial masculinity was thoroughly internalized by wide sections of the nationalist movement. Some nationalists responded by lamenting their own emasculation, others by protesting it” (100). The effect of Indigenous cultures taking on the patriarchal hue of the cultures that have colonized them is seen in many Indigenous communities within Canada as “contemporary Aboriginal women are subjected to patriarchal and colonial oppression within settler society and, in some contexts, in Aboriginal communities. *Some Aboriginal cultures and communities are patriarchal, either in cultural origin or because of incorporation of colonizer patriarchy*” (Green 22; emphasis added). This absorption of settler patriarchy, which “clash[ed] ... [with] patriarchies” inherent in certain pre-Contact

Indigenous cultures, is one of the contributing factors to sexual violence against Indigenous women. Green goes on to explain the intersection of racism and sexism that resulted from colonization has a negative impact on how some Indigenous cultures treat women, because “these twin phenomena exist in the context of colonial society, directed at Indigenous, but *they have also been internalized by some Indigenous political cultures in ways that are oppressive to Indigenous women*” (22-23; emphasis added).

Canadian media’s portrayal of Indigenous women follows the traditions of settlers who first saw danger and sexual deviance in Indigenous women’s bodies and worked to decentre and destroy the egalitarian relationships in their societies. Rutherford et al. observe that during Chief Theresa Spence’s hunger strike to protest the poor living conditions on the reserve of Attawapiskat,¹⁰ the Canadian media commented on her body and adornments, speculating and passing judgment on the effects of the hunger strike on her form:

By portraying Spence’s body as responding wrongly to her hunger strike (as if there is a single way a body should respond to a decrease in food consumption), gaining rather than losing weight, the media and politicians characterized Aboriginal women’s bodies as inherently flawed. Adding the comments on Spence’s manicure extended the racialized chauvinism of this portrayal, communicating that Chief Spence’s bodily adornments were inappropriate for her station, that is, an Aboriginal woman. (para. 11)

While Sandra Bartky maintains that women internalize forces that constrain what they can do with their bodies (101), which is then expressed through controlling food consumption (97)

¹⁰ Chief Spence’s consumption of fish broth is both a symbolic connection to water, because she was protesting the lack of clean water on the Attawapiskat reserve, as well as a reference to the times when the Anishinaabe were chased from their ancestral lands and forced to subsist on fish broth due to settler violence (Rutherford et al., para. 12).

as well as ornamentation and appearance (98). In the case of Chief Spence, Canadian mainstream media acted as her Panopticon and invited the settler colonial gaze to publicly judge and consume; meanwhile, running simultaneously to Chief Spence's hunger strike, the first demands for a missing and murdered indigenous women inquiry were put forth by the Idle No More movement.

The debate on whether to have a missing and murdered Indigenous women inquiry can trace its roots to the Idle No More movement, founded by Nina Wilson, Jessica Gordon, Sylvia McAdam, and Sheelah McLean.¹¹ The main thrust of the movement was opposing changes to the *Indian Act* and the *Navigable Waters Act* through bill C-45, an omnibus bill passed by the Harper government in 2012 to make resource development easier on waters in Canada, most of which became delisted, and easier on Indian reserves, which gained the ability to sell reserve lands to corporations and private individuals. These changes were opposed by Idle No More because, as stated on their "Calls for Change" webpage, they "infringe on environmental protections, Aboriginal and Treaty rights." The first five Calls for Change asked for a beginning to the dismantling of settler colonial systems in Canada. The second asked for changes in the electoral process to allow for "consultation on all legislation concerning collective rights and environmental protections, and include legislation which restricts corporate interests." The third was to allow Indigenous peoples to have veto rights on resource development by having governments "respect the right of Indigenous peoples to say no to development on their territory." The fourth regarded respecting treaty rights and Indigenous title, and for the government to "cease its policy of extinguishment of Aboriginal

¹¹ Nina Wilson, Jessica Gordon, and Sylvia McAdam are all themselves Indigenous women and Sheelah McLean is a settler ally.

Title and recognize and affirm Aboriginal Title and Rights.”¹² The final of these five Calls for Change was for the government to no longer use legal instruments to erode treaty rights and land title and “officially repudiate the racist Doctrine of Discovery and the Doctrine of Terra Nullius.” In other words, Idle No More was founded to protect water and Indigenous land rights and title, rather than being primarily about the final Call for Change: the demand to hold a murdered and missing Indigenous women inquiry (Rutherford et al., para. 1).

While the first five of the Idle No More Calls for Change address protections for waterways as well as territorial and treaty rights, proving the Indigenous women’s treatment by Canadian society is intimately wrapped up in questions of Indigenous sovereignty, the last Call for Change directly addresses murdered and missing Indigenous women. It reads:

Actively resist violence against women and hold a national inquiry into missing and murdered Indigenous women and girls, and involve Indigenous women in the design, decision-making, process and implementation of this inquiry, as a step toward initiating a comprehensive and coordinated national action plan.

Being the sixth of six different demands, holding a murdered and missing Indigenous women inquiry was never the main thrust of the Idle No More movement. However, English Canadian media, while reporting on it in conjunction with Attawapiskat Nation Chief Theresa Spence’s hunger strike, which occurred simultaneously, shifted their focus away from the treaty rights and environmental protections on which the movement focused its own efforts: “Mainstream English newspapers and TV news programs instead sought to provide ‘crisis’ coverage that highlighted disruption, conflict, and Indigenous women’s bodies” (Rutherford et al., para. 7). This focus on Indigenous women’s bodies would continue into

¹² It should be noted that it was Harper government policy to work toward extinguishing Indigenous land title, and this policy has been continued by the Trudeau government since it gained power in 2015.

the Harper government's response for calls for an inquiry, the media reporting, and social media reactions to the issue.

The substance of the debate over whether to hold an inquiry into murdered and missing Indigenous women was set in late 2014 when the Harper government staked their position by rejecting calls for an inquiry. Bernard Valcourt, then minister of Aboriginal affairs, responded to calls for a missing and murdered Indigenous women inquiry by telling Indigenous leaders that the problem was with their communities and had little to do with the federal government. Speaking to a group of "First Nations chiefs," Valcourt states: "Obviously, there's a lack of respect for women and girls on reserves. So, you know, if the guys grow up believing that women have no rights, that's how they are treated" (Kennedy, para. 4). Placing the blame on Indigenous communities, many of which have traditionally been more egalitarian than settler societies, instead of examining the traumas caused by centuries of colonial subjugation, is the equivalent of blaming the victim for their own abuse (Green 21-22, Anderson 60-86).¹³ Further, while Valcourt is quick to condemn Indigenous men for missing and murdered Indigenous women, even saying that most missing and murdered Indigenous women are victims of Indigenous men, the RCMP's own report, which he cites, does not back this up.

In his discussions with Indigenous leaders, Tanya Talaga of the *Toronto Star* reports that Valcourt went on to say that 70 per cent of missing and murdered Indigenous women went missing or were murdered due to the actions of Indigenous men (para. 7), which is a statistic not borne out by the data presented by the RCMP report he claims to have been

¹³ Green is careful to note that "some Aboriginal cultures and communities are patriarchal, either in cultural origin or because of incorporation of colonizer patriarchy," (23) thus it would not make sense to place the blame fully on settler colonial systems as entirely and completely responsible for abuses toward Indigenous women. However, examination of traditionally patriarchal Indigenous cultures is beyond the scope of this work.

citing. With this statistic, Valcourt seems to be backed by data showing the problem of violence against Indigenous women is a problem for Indigenous communities to deal with, rather than an issue for the federal government to grapple with. For Valcourt, this is an argument that answers all calls to hold an inquiry into murdered and missing Indigenous

Figure 8 – Offender-to-victim relationship, female homicides, 1980-2012

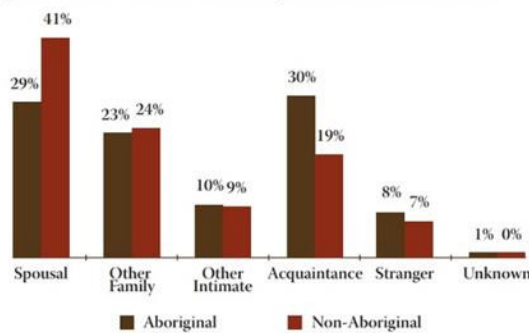


Figure 1: "Offender-to-victim relationship, female homicides, 1980-2012" from the RCMP report "Missing and Murdered Aboriginal Women: A National Operational Overview."

Indigenous women are killed by their own spouses, family members, and intimate partners (Figure 1). However, because the RCMP data are not conclusive and do not provide the number of Indigenous women killed by Indigenous versus non-Indigenous men, it thus cannot be assumed that all "spouses, family members, and intimate partners" are Indigenous and that all "acquaintances, strangers, and unknown" are non-Indigenous. This uncertainty cuts both ways, and Valcourt does not have the evidence he claims he does that this violence is endemic to Indigenous communities rather than being endemic to Canada as whole—in both Indigenous and non-Indigenous communities alike. Valcourt's statements, made in the year leading up to the 2015 federal election, justified the Harper government's inaction on dealing with murdered and missing Indigenous women; however, during the election the debate would begin in earnest with opposing political viewpoints coming to the fore.

During the 2015 federal election, Justin Trudeau, then leader of the then-third-place

women. However, the RCMP's own report does not say that 70 per cent of Indigenous women are killed by Indigenous men. While not conclusive, the report does say that over 70 per cent of non-Indigenous women are killed by their own spouses, family members, and intimate partners, around 60 per cent of

Liberal Party, stated his clear intention to hold an inquiry into missing and murdered Indigenous women. On September 15, Trudeau made a statement on Twitter,¹⁴ which gained prominence during the 2015 Canadian federal election as a source of political statements: “A Liberal government will call an immediate inquiry into missing and murdered indigenous women and girls.#mmiw [sic] #upfordebate.”¹⁵ The #upfordebate hashtag in Trudeau’s tweet is a reference to the Up For Debate panel on gender justice (Jefferys), which was an event attended by each of the party leaders on September 23, 2015, with the exception of Stephen Harper of the Conservative Party. Many, but not all, of the replies to Trudeau’s tweet exemplified the settler colonial mentality and attitudes toward Indigenous women that are in play in Canadian society. While few tweets seemed to defend Trudeau’s position on holding an inquiry, many more were off-topic entirely and addressed other grievances and issues.

As shown in the response to Trudeau’s tweet, federal political parties had already well established their positions on a MMIW inquiry and much of the Twitter discourse regarding an inquiry was already firmly set before the start of the 2015 federal election. For example, many responses advocated for police solutions, specifically by the RCMP. Twitter user @eieioink writes: “@JustinTrudeau¹⁶ in other words you are inferring that RCMP and other various police departments are incompetent in their investigations ?? [sic],” to which @ahcros replies: “@eieioink @JustinTrudeau You make an excellent point, Humfry. How many multi-layers of investigations do we need?! RCMP is our vehicle.” The accusation that

¹⁴ It should be noted that Twitter allows users to change their screen name, or “Twitter handle.” Consequently, many people have since changed their Twitter handles since making the initial comments, or “tweets,” that are documented here.

¹⁵ Twitter, like other social media platforms, allows users to place “hashtags” (signified by a hash symbol: #) in their tweets. These hashtags, replicated in the titles used in this thesis, allow users to quickly search Twitter for other tweets that use the same words or the same hashtags.

¹⁶ At the time of the 2015 federal election, tweets began with the handle of the Twitter user being replied to as a part of the tweet. This has since changed and tweet replies no longer carry handles as a matter of course.

Trudeau thinks the police are incompetent and that murdered and missing Indigenous women is a problem best solved by the RCMP belies the fact that these women went missing or were murdered under the watch of the police, that the RCMP had already released reports but had offered no solutions, and that systemic racism in police departments across Canada means that Indigenous peoples would not want a police solution to this issue.

Replies also advocated for education and social programs, presumably aimed at Indigenous people, though the short length of Tweets means that this is often not specified. For example, Twitter user @twang_this writes: “@JustinTrudeau fuck with the inquiry -- how about stopping them from going missing in the first place?! Educate, better social programs [sic].” User @_bobbilou, replying to @twang_this states: “@twang_this @JustinTrudeau no. You can't make societal change if you don't study the root causes of issues and if you have no data.” To which @twang_this further replies: “@_bobbilou @JustinTrudeau this has been going on for years...don't need research to find out its a social problem that's [sic] starts at home.” Apart from advocating for social programs and education, @twang_this repeats the Conservative Party line that murdered and missing Indigenous women are endemic to Indigenous households and communities, rather than being endemic to all of Canada as a whole as the RCMP’s own data suggests (Figure 1).

Another type of reply to Trudeau’s tweet blamed Indigenous women for violence done to them and suggests unorthodox measures be used to prevent future violence. In his reply to Trudeau, @glen_lees writes: “@JustinTrudeau , [sic] rather than an inquiry Jethro, how about actually doing something, maybe put all native women in a Burqua, yes???” While the sexualities of Muslim immigrant women are seen as too constrained, the sexualities of Indigenous women are seen as too loose, and thus threatening. This leads user

@glen_lees to suggest the contradictory and punitive measure of forcing Indigenous women to wear burquas. Overall, these replies to Trudeau's tweet express an opposition to a murdered and missing Indigenous women inquiry, though none of them suggest any alternate solutions or courses of action.

Months after the federal election, in which the Liberal Party won a comfortable majority government, Trudeau officially announced a murdered and missing Indigenous women inquiry. CFWE, an Indigenous-run radio station in Alberta and part of the Aboriginal Multi-Media Society (AMMSA) tweets: "Justin Trudeau: A Liberal government will immediately launch an inquiry into murdered and missing Indigenous women and girls. #MMIW." Replying to this tweet, @nativekittens writes: "@CFWENews RCMP already did a study.. Get onto more important issues.. [sic]." Again, this Twitter user suggests that the RCMP has already conducted studies and that this is not an important issue that the federal government should be devoting any time to, which is the party line for the Conservatives. These and other talking points can trace their origins to media commentary from pundits within Canada's fourth estate.

The *National Post*, in an unsigned editorial from May 2015, defends the Harper government cabinet ministers who said they were acting regarding murdered and missing Indigenous women by targeting programs at men and boys. The editorial further dismisses the need for an inquiry, repeating a point that would become standard with Conservative Party MPs and election candidates: enough study has been done on the matter and the causes are known. For the editorial authors, the need for an inquiry is dismissed outright and is paired with accusations that Indigenous lobby groups and scholars have inconsistent logic when they speak of this issue:

It's proof of how unhelpfully muddled the thinking at work here is that women's rights activists actually seem willing to view the perpetrators of violence as victims. They might well be: Violent childhoods often beget violent adulthoods.

There may well be things to learn about that specific problem from an inquiry. But the bulk of the problem is bound up in precisely those "sociological phenomena" — poverty, misery, addictions, hopelessness — that can be relied upon to produce violent outcomes in any society, of any ethnicity. Especially with the government in Ottawa dead set against an inquiry, activists would be better off advocating for measures we can all agree will help than trying to shame heretics into signing onto something they don't believe in. ("National Post View: The Solutions" paras. 4, 7)

This editorial is striking in that the authors ignore the effects settler colonial attitudes and institutions of which Indigenous women are subject; however, this attitude is not surprising, because, as Lorenzo Veracini notes, "settler colonialism obscures the conditions of its own production" (qtd. in Glenn 61). The idea that Indigenous men should be blamed for the levels of sexual violence against Indigenous women is a common theme in Canadian media narratives, with politicians and police stating that Indigenous men are responsible for the vast majority, if not all, of the violence against Indigenous women (Galloway).

Indigenous communities worldwide are interested in protecting Indigenous women from colonial violence, which is in part due to the loss of egalitarian status with men because of settler colonial power structures forced on these communities. The *National Post* editorial, on the other hand, operates under the assumption that men from Indigenous cultures are to be blamed for violence against women (para. 4). Many Indigenous women scholars tend to disagree with this assertion, tackling the colonial and patriarchal structures that have

destroyed egalitarian Indigenous cultures instead: “Native men are not the root cause of Native women’s problems; rather, Native women’s critiques implicate the historical and ongoing imposition of colonial, heteropatriarchal structures onto their societies” (Arvin et al. 18). Anderson agrees with this claim: “I think many Native women are aware that the social problems that hit them the hardest are the outcome of colonization. The struggle, then, becomes a struggle against the systems, policies and institutions that were enforced upon us by the colonizer” (55-56). By ignoring the “criminal” aspect of violence against women and rejecting the terms of the debate set forth by conservative politicians and press, these scholars hope to delve into the “root causes” of the debate to decentre and eradicate these very colonial and patriarchal power structures that they see as oppressing them (Arvin et al. 16-17).

In a 2015 *Globe and Mail* editorial titled “A National Inquiry Can't Solve the Problem of Missing, Murdered Aboriginal Women,” columnist Jeffrey Simpson writes that an inquiry is not necessary because the causes of violence against Indigenous women are too complicated for an inquiry, and since the problem is mainly confined to Indigenous communities and families, they should deal with it themselves. Simpson replicates Bernard Valcourt’s already quoted statement by saying “that more than 70 per cent of the cases involved assaults by aboriginal men against aboriginal women” (Simpson, para. 10) and cites an RCMP-authored report called “Missing and Murdered Aboriginal Women: 2015 Update to the National Operational Overview” to support this supposition. However, the RCMP report Simpson directly quotes does not say that most cases of murdered or missing Indigenous women involve Indigenous men. The RCMP report states that “data reveals that the offender was known to the victim in 100% of the solved homicides of Aboriginal women in RCMP

jurisdictions, and in 93% of cases of solved homicides of non-Aboriginal women” (para. 4). Andrew Kurjata notes on *CBC News* that the RCMP’s statistic leaves out unsolved murders (para. 7), “victims in cities and regions policed by forces other than the RCMP, such as the Toronto and Vancouver police departments” (para. 8). The RCMP also defines “known to the victim” as anyone who is even a casual acquaintance with the victim, thus the victim knowing their murderer “does not mean that these women knew their killer well or intimately” (para. 9). The press conference given by the RCMP announcing the “2015 Update” placed emphasis on raising awareness of violence within Indigenous families and communities, despite RCMP data itself not showing whether the perpetrators were Indigenous or non-Indigenous. Even the RCMP had a specific slant they wished to take despite the caveats within their own report.

What might have caused Simpson’s misleading conjecture about Indigenous women being “killed or assaulted disproportionately by those with whom they live or are in relationships” (para. 8) is the RCMP’s slanted news conference. As the executive summary of the RCMP report goes on to say, “violence within family relationships is a key factor in homicides of women, and has prompted the RCMP to focus intervention and prevention efforts on familial and spousal violence” (para 4). This line does not specifically mention Indigenous women; instead, it mentions women in general, which further muddies the waters since the line immediately preceding this one is statistics on murder rates for non-Indigenous women.

Further examination of the RCMP report reveals that Indigenous women who are victims of murder are less likely to share a home with the offender, less likely to be murdered in their own home, more likely to be murdered in the offender’s home, and more likely to be

murdered at neither the victim's nor the offender's homes than non-Indigenous women (Figure 2). The report notes that there is a difference of 7% between Indigenous and non-Indigenous women being murdered in the home: "female homicides often



Figure 2: "Female Residential Homicides, by Occupancy of the Home, 1991-2012" from the RCMP report "Missing and Murdered Aboriginal Women: 2015 Update to the National Operational Overview."

occurred in a home that was jointly shared by the victim and the offender. This was the case for 44% of Aboriginal women and 51% of non-Aboriginal women" (para. 13). The very report that Simpson uses to infer that murdered Indigenous women are victims of their families is not borne out by the conclusions he reaches in his article. Thus, the RCMP's "2015 Update to the National Operational Overview" does not make the claims that Simpson believes it does due to incomplete information and a misleading executive summary.

Based on this inaccurate reading of the RCMP "2015 Update," Simpson goes on to write that because RCMP statistics show that all cases of missing and murdered Indigenous women happen within Indigenous communities, and instead of holding a national inquiry, these communities should discuss this issue themselves:

What they should be doing, especially the AFN, is demanding a meeting of aboriginal chiefs and other aboriginal leaders to discuss what is going on in their communities that has led to the murdered and the missing. What can they, as aboriginal leaders, do about this? After all, the violence is disproportionately happening in their communities, under their watch, among their people. (para. 11)

In this section of the editorial, Simpson either completely disregards or is ignorant of the

history of colonial violence against Indigenous peoples and places the blame for murdered and missing Indigenous women solely on these communities. This section is also based on Simpson's misinterpretation of the RCMP reports, which consistently show that violence is done to Indigenous women inside the home at lower rates than for non-Indigenous women.

In 2014, after the death of Tina Fontaine, Stephen Harper went on record as opposing an inquiry into missing and murdered Indigenous women. Quoted by *CBC News*, Harper said: "It's very clear that there has been very fulsome study of this particular... of these particular things. They're not all one phenomenon. We should not view this as a sociological phenomenon. We should view it as crime" ("No Murdered and Missing," para. 1). Harper then said that cases of missing and murdered Indigenous women would not be brought to an inquiry, but rather they would be solved by the RCMP (para. 5). The man suspected of murdering Tina Fontaine was later brought to trial and acquitted of Fontaine's murder by a jury, which was widely seen as a miscarriage of justice by Indigenous people and their allies. Harper's apparent uninterest in finding "sociological phenomenon" to the deaths of Indigenous women is typical of the attitude colonial settler society has toward confronting the effects of colonialism (Glenn 61); further, Harper, in a later interview, shows his government's low ranking of Indigenous women's issues as a priority.

When asked about his government's intention to hold an inquiry or investigation into missing and murdered Indigenous women in a late 2014 interview with Peter Mansbridge, Harper expresses the mainline attitude of those who wish to maintain colonial hegemony over Indigenous peoples, while giving the impression that their tough stance on crime will save Indigenous women from violence. His reply is somewhat rambling:

Um it, it isn't really high on our radar, to be honest, Peter. You know, our ministers

will continue to dialogue ah with ah those who are concerned about this. They're studying it. But we have an awful lot of studies and information on the phenomenon and an awful good ah indication of what the record is in terms of investigation and prevention of these sorts of things. I really think the important thing – you know, we can spend literally as we have in the past on some of these royal commissions or inquiries, we can spend hundreds of millions of dollars to get the same report for the 41st or 42nd time, or we can actually take action. And that's what we're trying to do. We've, as you know, taken strong laws to prevent and to punish ah criminal activity which a lot of this is. We've taken, ah made significant investments into ah preventative measures, particularly involving family violence measures on reserves and elsewhere. We've done things to try and enhance the legal and social status of women in aboriginal communities and reserves. You know, things like, basic things like having protections under the Human Rights Act, matrimonial property rights, these kinds of things that were not done in the past. So there's still more work to be done but I would – I would rather spend my time focusing on what actions we can take to improve ah these situations, prevent these situations than, than have more multimillion dollar inquiries. (para. 112)

This interview is, perhaps, the genesis of many of the talking points Conservative politicians would then use to justify their resistance to holding a MMIW inquiry. For example, Harper maintains that “we have an awful lot of studies and information on the phenomenon,” and “we can spend hundreds of millions of dollars to get the same report... or we can actually take action,” which is reflected in later comments made by Bernard Valcourt and Bob Zimmer. The rest of Harper's answer is indicative of the political desire to deny the effects of

settler colonialism with an imposition of its institutions.

Harper once said that looking at the “root causes” of terrorism was inappropriate and that it was not right to “commit sociology” (Fitzpatrick). That attitude is reflected in touting his government’s efforts to get “tough on crime.” Harper emphasises that they have “taken strong laws” in order to fight “criminal activity” (para. 112). Here he talks about using the criminal justice system to punish those who they see as offenders, resulting in the fact that Indigenous people are disproportionately represented in prisons and the criminal justice system. As Foucault observes, the prison is but one method of panoptical control over the body (199), a method which is employed via settler violence against Indigenous people aimed at segregating and controlling them. Harper suggests that policies to mitigate crime are coupled with appeals for the legal rights of Indigenous women, but these appeals are hollow.

Harper notes that his government has been determined to “enhance the legal and social status of women in aboriginal communities and reserves” (para. 112). What he does not say in the interview is that reserves and band chiefs and councils are governed under the *Indian Act* and thus purview of the federal government. While he may wish to improve the legal and social status of women on reserves, these legal rights were always under the authority of the federal government, especially the department of Aboriginal Affairs and Northern Development,¹⁷ thus within his power to grant since 2006. However, in the interview, Harper does not mention what about the “social status” of women on reserves needs to be “enhanced.” While some Indigenous scholars agree with this point, they tend to

¹⁷ Band chiefs and councils are elected by the people of their First Nation but are accountable to the department of Aboriginal Affairs and Northern Development (historically Indian and Northern Affairs Canada (INAC), which was split into two departments and renamed “Crown-Indigenous Relations and Northern Affairs” and “Indigenous Services” in 2019 by the Trudeau government. For more information see the “Bands” webpage at the UBC First Nations and Indigenous Studies website: indigenousfoundations.arts.ubc.ca/bands/.

be careful to take the context of colonialism into account rather than using this argument to dismiss the fact that anything should be done about it. This also seems to be the beginning of Valcourt's talking point that Indigenous women are not respected in their communities.

Harper shows an interest in the cost of an inquiry—he mentions the theoretical multimillion dollar amount twice—at the expense of other, non-monetary considerations. Even if an inquiry cost “hundreds of millions of dollars” (para. 112), undoubtedly a hyperbolic cost rather than a real one,¹⁸ there would be concrete recommendations to reduce, and perhaps end, the systemic violence Indigenous women face. In objecting to an amount that is a mere rounding error in the hundreds of billions of dollars the federal government spends every year, Harper indicates that the monetary costs are more important to him than addressing endemic violence against a segment of the population in the country he governs.

At the beginning of the interview, Harper candidly admits that murdered and missing Indigenous women are not a Conservative government priority when he says that an inquiry “isn't really high on our radar;” he expresses an almost complete dismissal of violence against Indigenous women. Combined with his aversion to the monetary costs and belief in using an ineffective criminal justice system to handle this violence, Harper is arguing for maintaining the status quo rather than confronting any uncomfortable truths that would be uncovered by holding a national inquiry. This attitude shows not only that the then-government of Canada did not intend to hold an inquiry, but also that the high number of dead and missing Indigenous women was not something they worried about.

It is perhaps telling that Harper later denied uttering the remark that missing and murdered Indigenous women “isn't really high on our radar” in an interview with *Chatelaine*

¹⁸ The final cost of the MMIWG Inquiry was budgeted for around \$54 million.

(Onstad, para. 11). For Harper, addressing crime and offering basic human rights, that are protected on reserves only, appears to be the proper way to address such a burning issue. Like the *National Post* or Jefferey Simpson's editorials, Harper does not acknowledge the history and current reality of patriarchy or settler colonialism, probably because he and his government are both the result and continued perpetrators of these systems of oppression on Indigenous women.¹⁹ The reason why these dismissals are so prevalent from national leaders, like Harper, is because they are seemingly indoctrinated in prevalent stereotypes of Indigenous women's "deviant" sexuality that violates established norms. According to this line of reasoning, these women-as-threats to the "patriarchal social order" (Spencer-Wood 478) deserve any terrible thing that befalls them because it is simply conceived of as punishment for their transgressions rather than the tragic result of colonial settler patriarchal system.

This disregard for the safety of Indigenous women is encapsulated in an interview former Member of Parliament John Cummins gave to the CBC Radio show *The Early Edition*. He displays the same disregard for the lives of Indigenous women as Stephen Harper does above:

"Many of those cases where people have been on the highway — northern British Columbia, Highway 16 — they've been picked up by God knows whom and their remains are found days later and there simply aren't any clues." Cummins told host Rick Cluff on CBC Radio's *The Early Edition*.

"It's not simple and easy to solve these matters. But what is I think fairly clear

¹⁹ Harper is not the only person I would include in this assessment. I would argue that almost all of Canada's governing institutions, many Indigenous institutions, and much of Canada's population is "both the result and continued perpetrators of these systems of oppression on Indigenous women."

is that, you know, quite often people are engaging in behaviour — hitchhiking on these lonely roads by themselves at night, that behaviour is dangerous,” Cummins said.

“The rationale for Mr Harper's comments are that the RCMP and other police agencies, I think, have done the very best that they can under difficult circumstances to determine just what has happened to these missing women,” Cummins said.

Cummins was asked directly whether he felt the women and girls who have gone missing or been murdered along Highway 16 were themselves at fault.

“What I'm saying is that if you engage in that risky behaviour — hitchhiking on a lonely road in the middle of the night — you're putting yourself at risk,” he replied. “And that's a reality.” (“John Cummins Says” paras. 2-3, 6-8)

Cummins places the blame for Indigenous women going missing or being murdered on Indigenous women themselves. Again, there is no mention of socioeconomic or historical and political factors that deem the lives of Indigenous women to be worthless. The women who engage in “risky behaviours,” which is a term often used to describe sexual activity outside of prescribed patriarchal norms, are responsible for whatever happens to them because of their own actions. Not only does Cummins not implicate the interlocking forms of oppression, such as white supremacy and heteropatriarchy ingrained in dominant social structures, but even absolves the men who murder women of responsibility for their actions. This goes beyond the desire to treat missing and murdered Indigenous women as a crime control issue to the assertion that Indigenous women should prevent their own abductions and murders by simply changing their behaviour and properly controlling their bodies.

The persuasion that Indigenous women are to blame for their own victimization was

also exhibited during an election debate in Fort St. John by Bob Zimmer, incumbent Conservative Party MP for the Prince George-Peace River-Northern Rockies riding, who suggested that Indigenous women should stay on reserves if they wish and that they generally leave reserves because they lack jobs:

One of the major drivers of missing and murdered aboriginal women is the lack of economic activity, or simply put, the lack of a job. And I think our perspective, and we have tried to do things where we bring economic activity or jobs to reserves and different other legislation to see that through. Ultimately, when people have a job, they're not in despair. They can stay on reserve, and that's where we want them to be. We want them to be happy where they live and go from there with their families. I know a lot of them don't want to live off reserve, they want to stay there, and I support that. We just want them to be able to live there happily and healthily. (00:20-01:30)

This stance exemplifies settler colonial attitudes that consolidate around the dispossession of Indigenous peoples' land and resources by making them "productive," according to capitalist norms, and confining them to reserves out of sight from the rest of society (Glenn 57).

Zimmer later claimed his comments were taken out of context, and that Indigenous women hitchhiking is to blame for the high number of missing and murdered women, in concert with the statement made by Cummins (Daybreak North, para. 11), followed by a "completed studies—warranted action" formula.

After repeating the above standard line from the Conservative script at the beginning of his speech, Zimmer went on reiterating the call for action, without ever concretizing what should be done:

There have already been forty-two studies²⁰ that have been done. The most recent one is the RCMP study on Missing and Murdered Aboriginal Women. It talks about the issues, it talks about what's the major cause of those missing and murdered Aboriginal women. The study's been done. There have been many other studies that have been done. I think the key is that we respond to it. (00:01-00:20)

He attempted to clarify his remarks during the second debate at UNBC in Prince George by referencing "a RCMP study," presumably the "Missing and Murdered Aboriginal Women: A National Operational Overview," and stating that he believes everyone is equal:

I was making a statement based on a RCMP study that had already been done on missing and murdered Aboriginal women. And one of the risk factors listed there is what I spoke about. Just to be completely clear, I believe everybody is created equal, I honestly do. And I have a daughter, I have a mother, I have a wife, and I look at them all the same. And I can't imagine anything worse than losing a child, and a daughter. So, I say this with all my heart, is that we need to fix this, and that's where I'm at, we need to make sure there's action on the ground that deals with the issue of missing and murdered Aboriginal women, straight up. (26:00)

This response falls back on the Conservative position, as if a national inquiry is equivalent to an RCMP report. Zimmer also exemplifies his "egalitarian" views by referring to his daughter, wife, and mother, thus ignoring the unique circumstances faced by many Indigenous women and revealing a "colour-blind" approach to racial issues. During the UNBC debate, Zimmer further mentions the forty-two studies that have already been done,

²⁰ Perhaps Zimmer got the number "forty-two" from the Stephen Harper interview with Peter Manbridge, where he mentions "we can spend hundreds of millions of dollars to get the same report for the 41st or 42nd time, or we can actually take action." Zimmer's comments closely follow Harper's rhetoric expressed in that part of the interview (see page 59).

stating that action should be taken instead (26:37). His comments during these two debates demonstrate the settler colonialist attitudes toward Indigenous women: an unwillingness to face the destructive effects of ongoing domination, the desire to minimize Indigenous women's presence and visibility whenever possible, and to delay solutions in the hope the debate will move on, thus displaying a mindset that stands in the way of dismantling colonial structures in Canada.

Chapter 3

Canada Unveiled: The Colonial and Patriarchal Enforcement of Traditional Gender

Expectations during the #Niqab Debate

The 2015 Canadian federal election was a historic affair that saw debates about the nature of Canada concerning the acceptance of cultural practices that collide with those in Canada as a traditionally white, patriarchal state; specifically, a debate regarding the niqab and whether it is permissible for Muslim women to wear it in public roiled during the election. Politicians, journalists, and regular citizens employed everything from campaign speeches to traditional newsprint media to social media to express opinions and debate the merits of allowing Muslim women to dress in traditional face-covering garb. While Canada is ostensibly a liberal democracy, with respect for human rights and individual freedoms, constitutional mechanisms and the so-called “court of public opinion” allow governments a great deal of leeway when passing laws that have the potential to infringe on a specific group’s rights and freedoms. For example, sections 1, the “Reasonable Limits clause,” and 33, the “Notwithstanding clause,” of the *Canadian Charter of Rights and Freedoms* allow for constitutional restrictions to be placed on freedom of expression, religious freedoms, as well as equality rights (found in sections 2 and 15 of the *Charter*), though some argue that the *Charter* enshrines religious and expressive freedoms without exceptions (Thomas 188). With the political will of the Canadian electorate behind any political party that can form government and then pass these restrictions, the election niqab debate took on an importance not yet seen, but with past echoes, on the Canadian political landscape. The niqab debate acquired a particular significance as a sort of proxy war between those who believe Canada to be a traditional, white, male dominated settler-state and those who see it as a pluralist

society where women and people of colour are afforded robust individual rights.

The “traditionalist” view of Canada assumed the patina of liberal feminism, invoking women’s rights to be free of the requirement to wear the niqab even if this freedom was mandated by force and came at the cost of religious freedoms and freedom of expression. This traditionalist view of Canada can be defined as a patriarchal and colonial view of the country that enforces a male dominated society, where women are often relegated into roles of sexual subservience to male desires, and is based on the pre-eminence of settler history and culture whereby people of colour are seen as interlopers into white spaces so that they must shed all cultural and social baggage to conform to, and strive to become, part of the white hegemony. In the case of the niqab debate, a neo-Orientalism, as defined by Edward Said in the 2003 preface to *Orientalism*, imbues the dialogues surrounding the debate with a certain amount of viciousness that goes beyond the expectation for foreign-looking Muslim women to comply with Western gender roles (xix). The Muslim world is uniformly seen as oppressive to women, while the Western world is seen as an enlightened bastion of women’s rights (xix). This contrasts with the strain of Orientalism that assumed the harem was a common Oriental practice and eroticized the Orient rather than judged it negatively for its supposed polygamy. Frantz Fanon argues that the harem is something of which all Frenchmen dream, placing it in the erotic space consistent with Western modes of male-dominated sexuality rather than as any objective reality (46). Thus, the root of the ready-made political excuse of saving Muslim women from oppressive Muslim men can be found in the neo-Orientalism that entails conceptual continuities with its precursor and has been prevalent in Canada since the 9/11 terror attack.

In my examination of the imposition of Canadian patriarchal structures upon women

seen as “Oriental” and foreign by Canada’s dominant culture, I am dealing with the media narratives surrounding the niqab debate in order to discover some of the prevailing themes regarding how Canada’s majority white culture interacts with and perceives Canada’s Islamic minority. Like in the previous chapter on the Missing and Murdered Indigenous women inquiry debate, I am using political statements, news media articles, and social media posts, specifically Twitter, to show how narratives surrounding the niqab debate reinforce Canada’s dominant settler culture at the expense of immigrant women.

The niqab debate can trace its roots in Canada to two events: a 2011 announcement by Jason Kenney, then the minister of citizenship, immigration and multiculturalism of a new policy of the Canadian government that required any women who wore a niqab to remove it during citizenship ceremonies, and the challenge of this policy in the Federal Court of Canada by Zunera Ishaq in 2014, the year before the election. Ishaq, a Sunni Muslim who immigrated to Canada from Lahore, Pakistan, successfully argued in court that removing her niqab would violate her religious freedoms, though the court ruled based on the procedural issue that she could take the oath while veiled rather than as a Charter issue (Fluker 2-3). Regarding the government’s policy, Kenney’s announcement read, in part:

This is not simply a technical or practical measure—far from it. It is a matter of deep principle that goes to the heart of our identity and our values of openness and equality. The citizenship oath is a quintessentially public act. It is a public declaration that you are joining the Canadian family, and it must be taken freely and openly—not with faces hidden.

To segregate one group of Canadians or allow them to hide their faces, to hide their identity from us precisely when they are joining our community is contrary to

Canada's commitment to openness and to social cohesion. All I ask of new Canadians is that when you take the oath, you stand before your fellow citizens openly and on an equal footing.²¹ (para. 15-16)

With this speech, the tenor of the debate has now been set. Kenney not only uses appeals to nationalism and tradition in his speech, "that you will be loyal to our traditions that go back centuries" (para. 12), but also states that disallowing the niqab is a matter of openness, equality, the prevention of "segregation," and the preclusion of having "two classes of citizens" (para. 17). By setting the terms of the debate in this manner, the Canadian Government hoped to ally itself with liberal feminists who would share in the denunciation of the authoritarian "anti-woman" culture that oppresses poor brown women (Harper, para. 11). It is for this very reason that "postcolonial theory tends to regard liberal feminism as a type of neo-Orientalism" (Gandhi 88). In other words, by marshalling the forces of Orientalism and Islamophobia while flying the liberal feminist banner, the government of the time could appeal to liberal feminists and blunt claims by opposition that the government was itself "anti-women" (Hamandi). Defined as the "diversionary effect," this is the process that allows the majority culture to focus on the gendered power imbalances of minority cultures and thus to deflect attention and criticism from the majority's patriarchal structures (Song 7). This is a fruitful distraction, as focusing on the "third-world women" promotes women from the "first world" (Gandhi 86), acting as a sort of divide and conquer strategy against those fighting to end colonialism and fighting injustices against women.

²¹ On July 15th, 2021 Kenney denied ever supporting a niqab ban. He is quoted as saying "I've never supported a proposed ban. To the contrary, I've always said that Canada is a country that protects and respects religious freedom and pluralism, and the government has no business regulating what people wear unlike in certain European and Middle Eastern countries that do have bans on face coverings. That has never been proposed. I've always opposed that" (Bellefontaine, paras. 3-5).

While the announcement that the government of Canada was to ban the niqab from citizenship ceremonies came in December of 2011, the debate reached its fevered pitch during the 2015 federal election. Leading up to the election, the prime minister of the day, Stephen Harper, spoke on the issue in the House of Commons:

However, the leader of the Liberal Party [Justin Trudeau] continues to bring up his position on the niqab, not seeming to understand why almost all Canadians oppose the wearing of face coverings during citizenship ceremonies.

It is very easy to understand why we do not allow people to cover their faces during citizenship ceremonies. Why would Canadians, contrary to our own values, embrace a practice at that time that is not transparent, that is not open, and frankly is rooted in a culture that is anti-women? That is unacceptable to Canadians and unacceptable to Canadian women, and that is why this government— (paras. 10-11)

Despite being interrupted by the hoots and hollers of “Some Hon. Members,” the message was clear: Muslim “culture” is “anti-women,” and “almost all Canadians oppose the wearing of face coverings during citizenship ceremonies.” Harper’s conflation of the huge number of Muslim cultures as a single homogenous cultural formation is classic Orientalism. His further assumption that this homogenous Islamic culture is “anti-women” and contrasted with Canadian culture and “Canadian women” who find this anti-women culture to be unacceptable, reveals a government that had itself been accused of being “anti-women” (Hamandi; Teitel, paras. 1-3) co-opting the language of liberal feminism for its own ends. Not being “transparent” or “open” reveals Canadian patriarchal structures where the feminine must be policed in the public sphere to ensure adherence to performative gender norms (Bartky 95).

Steven Chase opens his article for the *Globe and Mail* that summarizes the former prime minister's statement by quoting Harper's "anti-woman" comment and continues:

A debate over reasonable accommodation in Canada is playing out again, this time over the niqab. Mr. Harper is arguing, as a Conservative fundraising e-mail recently put it, that is 'not the way we do things here,' while Mr. Trudeau is championing religious freedom as protected by the Charter of Rights. (para. 4)

It is not until paragraph seven does Chase begin to offer the opinions of Muslim women who would be affected the most by a niqab ban. Reporting on the niqab ban is typically done this way in Canadian media, with journalists favouring the government's line over that of Muslim women who wear niqabs (Thomas 192). In fact, Chase favours the statements of Justin Trudeau, then the leader of the third party Liberals,²² over that of Muslim women:

"The Leader of the Liberal Party continues to bring up his position on the niqab, not seeming to understand why almost all Canadians oppose the wearing of face coverings during citizenship ceremonies," Mr. Harper said.

Mr. Trudeau responded by saying Tuesday's comments prove his allegations that Mr. Harper is using fear of Muslims for political effect. (paras. 11-12)

As the champion of those who oppose the niqab ban, Trudeau is granted primacy, along with government sources, over Muslim women. In a widely quoted speech given at the McGill Institute for the Study of Canada, Trudeau is quoted as staking out his position on the niqab debate:

For me, it is basic truth that Prime Ministers of liberal democracies ought not to be in

²² From 2011 to 2015, the New Democratic Party was elected to the second largest number of seats in the Canadian House of Commons, with 103 seats, forming the Official Opposition. The Liberal Party, of which Trudeau later became the leader, was reduced to the status of a third party elected with 34 seats, not recognized as the Government nor the Official Opposition.

the business of telling women what they can and cannot wear on their head during public ceremonies.

Cloaking an argument about what women can wear in the language of feminism has to be the most innovative perversion of liberty that conservatives have invented in a while. It is of course not the first time the most illiberal of ends has been packaged in the language of liberation.

You can dislike the niqab. You can hold it up it is [sic] a symbol of oppression. You can try to convince your fellow citizens that it is a choice they ought not to make.

But those who would use the state's power to restrict women's religious freedom and freedom of expression indulge the very same repressive impulse that they profess to condemn.

It is a cruel joke to claim you are liberating people from oppression by dictating in law what they can and cannot wear.

Whatever happened to a free society's requirement that we can disagree with a person's choices, but must defend their right to make them?

But what's even worse than what they're saying is what they really mean. We all know what is going on here. It is nothing less than an attempt to play on people's fears and foster prejudice, directly toward the Muslim faith. (paras. 115-123)

Here Trudeau resonates with Leela Gandhi's thoughts on the incompatibility of liberal feminism and postcolonialism (86) while touching on an important fact: Western patriarchy tends to no longer enforce performative gender norms by the force of law (Bartky 102). Had the Canadian government of the time succeeded in passing laws banning the niqab in citizenship ceremonies or for the public service (MacLeod and May), the practice of not

using the law to enforce gender performativity would have changed in Canada, and performative femininity would have then been forced upon Muslim women, who wish to veil themselves, by the force of law.

While defending the right of Muslim women to wear the niqab, Trudeau also maintained his status as a feminist, though in this case, he could be considered a “Liberal feminist.” On Twitter, Trudeau wrote, “I am a feminist. I’m proud to be a feminist. #upfordebate” (@JustinTrudeau). The “#upfordebate” hashtag was aimed at Stephen Harper, who had refused to participate in some debates, including the Up For Debate panel on gender justice (Hamandi). The replies to Trudeau’s tweet exemplify the neo-Orientalist thinking at play in Canadian society at the time. @glen_lees writes in reply to Trudeau:

“@JustinTrudeau and your friends in the mosque, are they feminists as well?female [sic] genital mutilation, is this one of your customs, Jethro? [sic].” The use of the name “Jethro” as a pejorative implies that Trudeau and his “friends in the mosque” are barbaric and backwards. @glen_lees also implies that female genital mutilation is a widespread and typical Muslim custom, engaging in the broad stereotyping that is common in neo-Orientalist parlance.

In enforcing the idea that feminists are necessarily against the practice of wearing a niqab, @annedeblois writes, “@JustinTrudeau No, you're not! You can't be a feminist and support #niqab at the same time!” These sentiments are echoed by @thunderdaisy who writes, “@JustinTrudeau What about the Niqab [sic] That's not feminist its submission,” and in reply to someone else, insists that “@Ideal1957 @JustinTrudeau submission is not a right it's brainwashing.” By claiming that the feminist position is to oppose the niqab while denying that Muslim women have any sort of agency and are instead brainwashed,

@thunderdaisy expresses colonial and misogynistic sentiments under the guise of feminism. Expressing the neo-Orientalist view of Muslim women lacking any agency and self-determination, @DrBoeing writes, “@JustinTrudeau as you cozy up with Islamics who think women are just dogs for breeding and have no rights.” This tweet seems to be crafted with the maximum intent of insulting Muslims, many of whom do not believe in keeping dogs as pets. Picking up on the theme that niqabs erase the individuality of Muslim women who wear face-covering garb, @ContentCanadian writes, “@JustinTrudeau If you support a woman's ‘right’ to wear identity erasing headbags you are no feminist. Nice try tho [sic].” This tweet includes a black and white image of two women wearing burqas, the author does not seem to care about the distinction between burqas and niqabs. By invoking individuality, @ContentCanadian invites Muslim women to expose themselves for public panoptical viewing (Bartky 95). These tweets, again, re-establish the tension between Western feminism and postcolonialism that Gandhi writes about, bringing the debate full circle (86).

Other tweets written during the 2015 federal election include assertions that can only be chalked up to Islamophobia. Manny Montenegro (@manny_ottawa),²³ a lawyer and



Figure 3: Shiite women re-enact the Battle of Karbala. Image taken from @manny_ottawa's tweet.

popular commentator in conservative circles tweeted, “Hey, Liberal/NDP Niqab lovers why not take it up a notch,” with an image of women wearing burqas and chained at the wrists, which was really “taken in Lebanon during the Shiite ceremony of Ashura during

²³ Manny Montenegro, tweeting under the Twitter handle @manny_ottawa, has had his Twitter account suspended. This may be a permanent or temporary suspension, but as of June 2021 any tweets written by Montenegro no longer exist on Twitter's website.

which women reenact the battle of Karbala” (Figure 3) (Malterre, para. 17; McGrigor, para. 6). Claiming women re-enacting a historical event as proof of Muslim barbarity is the same as claiming that a picture of a “passion play,” where the crucifixion of Jesus Christ is re-enacted, is proof that Canada practices the horrific torture of crucifixion. It should be noted that Jason Kenney tweeted the same image in 2015 while thanking the Canadian Forces for fight ISIS and their “campaign to enslave women & girls” (McGregor, para. 2). Some replies to Montenegrino’s tweet included “@Outofnames @manny_ottawa Where are all the feminists when you need them?” (@AndrewThrashes), which once again continues the narrative that feminists must oppose Muslim women wearing niqabs, and “@manny_ottawa It would be easy for terrorist to hide under a niqab. They must show their face for passport, drivers license etc [sic] too risky” (@fight4women) which repeats the neo-Orientalist view that Muslim woman wearing a niqab is probably a terrorist and thus represents existential danger.

When it comes to Bartky’s assertion that Western society encourages women to display sexuality for the panoptical gaze, a set of tweets by @ezrelevant could not illustrate this point any better: “A lot of liberals are whitesplaining why it’s just fine for Muslim women to be bullied into wearing chastity belts on their face in public,” followed up with “What is a niqab? It is a medieval chastity belt for the face that radical Muslim men pressure women to wear. In Canada. #elxn42.” Levant is unwittingly admitting that by wearing the niqab, Muslim women are thwarting the “panoptical male connoisseur” written about by Bartky (101-102). By denigrating the niqab using the imagery of a chastity belt, a device intended to prevent sexual intercourse, Levant, a man who can be described as the “id” of conservatism in Canada, confirms that the purpose for opposing the niqab is that it prevents

the male gaze evaluating Muslim women as sexual objects (103). Far from being motivated by feminist concerns, Levant is driven by his desire to maintain societal norms that define women as second-class citizens always under the watchful eye of the male gaze. Despite their awareness of this masculinist agenda, many journalists and politicians still maintain the veneer of feminism when arguing for the niqab ban.

Tasha Kheiriddin, writing in the *National Post*, accepts the government's of the day "feminist" rationale for banning the niqab at face value. Quoting Stephen Harper, who stated that the niqab "is rooted in a culture that is anti-women... That is unacceptable to Canadians and unacceptable to Canadian women" (paras. 10-11), Kheiriddin writes:

Cue the cognitive dissonance. According to their critics, aren't the Tories supposedly anti-women? Isn't their income-splitting policy a disguised attempt to send mothers back to the kitchen? Aren't their backbenchers constantly introducing private members' bills that attempt to circumscribe abortion rights? Furthermore, aren't they the party that was elected based on the support of immigrant and ethnic voters, and their appeal to such common causes as traditional family values? (para. 6)

Accepting that the Tory government of the day is truly being feminist for their niqab stance means that it would be "cognitive dissonance," holding two opposing and contrary thoughts in one's mind at the same time and believing both to be simultaneously true, to accuse the Tories of being "anti-women" for their various policies. This, of course, ignores the simpler explanation that the government's niqab stance was not, in fact, feminist. Assuming Kheiriddin is genuine in listing all the issues where the Tory government is "anti-woman," it would require cognitive dissonance to assume that their niqab stance must be feminist. On one hand, Kheiriddin shows some knowledge that the Muslim world is not a homogeneous

culture: “The niqab is banned in some countries including Turkey, Tunisia and France; in others, including Saudi Arabia, Yemen, Afghanistan and Syria, it is not legally required, but is a norm that when violated is met with ostracism and physical abuse” (para. 2). On the other, this knowledge is later undercut by the assumption that the niqab necessarily always represents oppression and the domination of women by the Muslim world mandating niqabs. Kheiriddin uses the example of the niqab being not required, but as “a norm that when violated is met with ostracism and physical abuse” (para. 2) to justify her later assertion that the niqab must be a political symbol for the oppression of women. This contrasts with Fanon’s contentions that the French attempted to stamp out the wearing of the *saik*, a form of traditional veiled garb for women in colonized Algeria, as a symbol of anti-colonial resistance (37). It then appears that where the veil is banned, especially in the colonial context, it becomes emblematic of freedom for the local culture, and where the veil is required, it becomes symbolic of oppression for the local culture. Kheiriddin ignores this nuance and maintains that the niqab must always, by virtue that some Muslims engage in violent terrorism, be oppressive and represent a rejection of enlightened modernity:

In the context of the current conflict between fanatic Islamic terrorism and the West, the niqab has transcended both vestment and faith to become a political symbol. It represents a rejection of the very enlightenment values that Trudeau supposedly defends: equality of men and women, freedom of expression, movement and association, and even pluralism itself. The niqab cannot be judged in isolation, but for what it represents. Countries where women wear the niqab do not allow them to travel alone. They do not allow them to drive cars. They do not allow them to vote. They do not allow girls to go to school. They do not allow them to perform the same

occupations as men, or to mix with men in the public sphere. (para. 8)

Kheiriddin immediately poisons her argument by raising the specter of “fanatic Islamic terrorism” with the argument that the niqab represents a “political symbol” of a rejection of “enlightenment values.” Erik Bleich, in his article “What Is Islamophobia and How Much Is There?”, argues that an indiscriminate condemnation of all Muslims is a prime feature of Islamophobia (1585). By misleadingly associating all Muslim women who choose to go veiled with terrorism, Kheiriddin falls into the trap of vilifying a huge number of Muslims based on the actions of a few. Kheiriddin also repeats the tropes about *all* Muslims being from an authoritarian, patriarchal culture while writing about what “They” do not do. Kheiriddin’s “Othering” of Muslims in general and Muslim women in particular has the effect of robbing Muslim women of the choice of what garb they wear and how they express their culture and religion, thus setting back the feminist project for that segment of society. In Kheiriddin’s rush to conflate Muslim women with every perceived and real evil of the Islamic world, she invites the gender-specific enforcement, by law, of a dress code.

In bringing up past laws banning “barbaric cultural practices,” Chris Alexander and Jason Kenney defend the niqab ban stance and push the rhetoric further than it has yet gone:

Chris Alexander, the Conservative immigration minister who’s facing a tough Liberal challenge in his Toronto-area riding, held a news conference Friday to remind the electorate of last November’s “Zero Tolerance for Barbaric Cultural Practices Act,” and to promise even more government resources if re-elected, including a proposed RCMP tip line where people could report “information about incidents of barbaric cultural practices in Canada.”

Alexander directly linked the message to a proposed Conservative ban on

women wearing facial coverings at citizenship ceremonies, the so-called niqab debate that targets a tiny subset of Muslims and has roiled Internet comment boards with hate-filled, racist rants.

“We need to stand up for our values,” said Alexander. “We need to do that in citizenship ceremonies. We need to do that to protect women and girls from forced marriage and other barbaric practices.”

In Halifax, Conservative Jason Kenney stoutly defended his party’s policy — since rejected by the courts — of banning the wearing of niqabs at citizenship ceremonies.

“Let’s be clear,” said the former Conservative immigration minister who nows [sic] holds the defence portfolio. “This practice of face covering reflects a misogynistic view of women which is grounded in medieval tribal culture.” (Cheadle, paras. 2-6)

In the case of Alexander, invoking language of “barbaric cultural practices” and conflating these “practices” with the niqab has the effect of encouraging a sort of moral panic where all members of the Muslim community are seen as inferior to the cultural majority in Canada. When Kenney first announced the niqab ban in 2011, the terms of the debate were that the niqab was a “tribal custom” and that the government of Canada wanted Muslim women to be “equal” in Canada (Thomas 193). With the denunciation of the niqab as “a misogynistic view of women which is grounded in medieval tribal culture,” Kenney seems to have raised the level of his rhetoric by denouncing Muslim cultures as entirely backward and barbaric while stating in the strongest possible terms that the niqab is based on a hatred of women. In framing the debate this way, and in the process opening Muslim women up to the brunt of a

moral panic, both Kenney and Alexander work to establish the punishment for betraying Western patriarchy.

Like Kenney and Alexander, Larry Miller, the then Conservative Party Member of Parliament for Bruce-Grey-Owen Sound, expressed sentiments that were intended to exclude veiled Muslim women from what the Conservatives came to define as the “Canadian family.” These remarks are quoted in full in the first five paragraphs of the article in which they appear:

In blunt remarks to an Oldies radio station in Ontario’s cottage country Monday, Conservative MP Larry Miller told prospective Canadians wanting to wear a niqab at their citizenship ceremony to “stay the hell where you came from.”

“I’m so sick and tired of people wanting to come here because they know it’s a good country and then they want to change things before they even really officially become a Canadian,” said Mr. Miller, the MP for Bruce-Grey-Owen Sound.

“Like, frankly, if you’re not willing to show your face in a ceremony that you’re joining the best country... if you don’t like that or don’t want to do that, stay the hell where you came from.”

“I think most Canadians feel the same,” he said. “That’s maybe saying it a little harshly, but it’s the way I feel.” (Edmiston paras. 1, 3-5)

Miller was later forced by the Prime Minister’s Office (PMO) to retract his comments; however, he was sure to reiterate that he did support the niqab ban at citizenship ceremonies, which the article notes was the official position of the PMO:

“I stand by my view that anyone being sworn in as a new citizen of our country must uncover their face,” he said in a statement. “However, I apologize for and retract my

comments that went beyond this.” (para. 7)

Even though these remarks were made several months before the election, they express familiar themes that would later gain traction during it. Karim H. Karim writes that despite Canada’s official government policy on multiculturalism, there are ingrained power structures in Western societies that discourage participation:

Crossing borders, especially for the disadvantaged peoples of the southern hemisphere, inspires simultaneous feelings of courage and terror. Once in the new country, the newcomer is faced with a hierarchy of power, even in the countries that consider themselves champions of democracy, human rights, and cultural pluralism. (273)

Miller’s remarks reinforce this “hierarchy of power,” which helps create a society hostile to veiled Muslim women, which is a group that may already face heightened levels of discrimination (Thomas 188). Miller takes an argument put forward by those who advocate for a niqab ban, that the ban is intended to protect women from unscrupulous Muslim men, only to deconstruct it by his statements. His hostility toward veiled Muslim women and his fear that “they want to change things” (Edmiston para. 3) display an Islamophobic reaction toward them; he places the onus on Muslim women to conform to Canadian society even though it is ostensibly multicultural (Thomas 194). Ultimately, Miller’s take on the niqab issue is far more blunt and far less nuanced than most opinions expressed on the debate.

In his take on the subject published in the *Globe and Mail*, Patrick Lagacé notes that Quebec represents special opposition to the wearing of the niqab. Referencing the *Charter of Québec Values* that the Parti Québécois introduced, but did not manage to implement, in 2013, Lagacé notes that he reacted with disapproval at the Parti Québécois government’s

attempt to prevent Muslim women in Québec's public service from wearing hijabs.

In Quebec, the hijab is collectively looked at with a sense of disapproval. Under the guise of the state's religious neutrality, the Quebec Charter would have, for instance, forced Muslim women working in the province's daycare system to make a choice: your head covering or your job. Employees paid by public funds would have had to shed any ostentatious display of religious faith. A majority of Quebecers approved of this measure. (para. 3)

However, Lagacé continues that he is entirely in agreement with the niqab ban. By giving hijabs a pass and then denouncing the niqab, Lagacé has drawn an arbitrary line in the sand that he advocates, in print, be the benchmark for determining the level of covering that Muslim women should wear in public. Unfortunately, events in the meantime have shown that there are people who do not have such restraint: to give the inch of the niqab, they are more than willing to take the mile of the hijab (Al-Hakim). If the niqab is a signifier, then the hijab must also act as signifier. To support his assertion that the hijab be given a pass while the niqab be banned, Lagacé appeals to liberal ideals, such as individuality:

The face-concealing niqab, unlike the hair-covering hijab, hides an individual's prime interface with the world, while denying her individuality. Of course, one could argue that a "choice" is involved here when a woman wears one, but it is also a symbol of cultural and religious diktat that goes against every tenet of an open and equal society.

Let's not forget about that. (para. 7)

Using the trope of the Panopticon, Bartky contends that it is the very concept of individualism that fuels Western patriarchy (95). Because the enforcement of performative gender norms involves both self-discipline and an "openness" that allows one to be viewed

perpetually from the outside (95), Lagacé is simply advocating for a “clash of patriarchies” instead of anything liberatory for women (Grosfoguel and Mielants 7). He also makes the point of insisting that the removal of the niqab during the citizenship ceremony is not too onerous a prospect, which then necessitated an editor’s note: *“Eds note: An earlier version of this column suggested that a niqab might not be removed during a citizenship ceremony. In fact, it is required to be removed to verify identification, but this can be done in private before the public oath is taken”* (para 12). This note reinforces the fact that Lagacé’s only real objection to the niqab is its face-hiding quality, which he sees as a feminist issue since it is denying women’s individuality.

In aligning themselves with “progressives” and “feminists,” many notably conservative writers attempt to co-opt the language of liberal feminism to justify arguing in favour of the niqab ban. One notable example is Margaret Wentz. In her piece for the *Globe and Mail*, she summarizes the niqab debate as follows:

According to the critics, Conservative Leader Stephen Harper’s crusade to make women remove their face veils when they take the citizenship oath is despicable beyond measure. It is a direct attack on religious rights and freedom of expression, as well as an insulting effort to impose a dress code on women. At worst, it’s nothing more than naked pandering to the lowest common denominator. At best, it’s a distraction from the serious issues that ought to define this election. (para. 1)

By framing the debate in terms evoking medieval military expeditions aimed to defend Christendom from the Muslim world, Wentz gives the impression that the side supporting women’s right to wear the niqab sees the entire debate as an apoplectic, and maybe even an apocalyptic, issue. She is careful not to attribute the above stances of the niqab being “a

direct attack on religious rights and freedom of expression, as well as an insulting effort to impose a dress code on women” to any particular side. Wenté reveals her purpose in doing so as the article continues: “feminists and progressives are dismayed by the niqab. They see it as an attack on the collective right to be free from oppressive religious symbols. In the rest of Canada, feminists and progressives are enraged at the Conservatives’ attack on a woman’s right to choose” (para. 4). Wenté has established a schism between factions of liberal feminists, which she defines as the Quebec wing and the Rest-of-Canada wing. In fact, this analysis belies the fact that many people across Canada who call themselves liberal feminists oppose allowing Muslim women to wear the niqab. Wenté then rightly points out that polls have shown that the majority of Canadians actually support banning the niqab: “A recently released Leger poll, commissioned by the government and conducted in March, found that more than four out of five people – 82 per cent – supported the Conservatives’ position that there is no place for niqabs in citizenship court. In Quebec, the figure was 93 per cent” (para. 6). A reading of these poll numbers once again establishes that Quebec—a society more feminist and more secular than the rest of Canada—especially disapproves of the niqab. While Quebec is seen as a convenient scapegoat for justifying why the rest of Canada should follow suit in “discouraging” the niqab, Wenté never addresses why Quebec might hold a different opinion on such a matter, that being the enforcement of *laïcité*, or a state-mandated secularism, a propensity to be more Islamophobic than the rest of Canada, and decades of intellectual and political labour spent fighting to preserve French language and culture in majority-Anglophone North America. Wenté herself tries to stake claim to a middle ground where the niqab is not actually banned, but rather “strongly discouraged,” since it does not belong in Canada:

As for the thorny issue of the niqab, I'm torn. I believe that Canada is strong and confident enough to tolerate a few women in face coverings. I also believe that the niqab has no place in Canada, and that women who wear them should be strongly discouraged (but not, under most circumstances, barred) from doing so. Symbols matter. And this one matters more than most. (para. 10)

Wente joins her fellow journalists and columnists in asserting that the niqab is a signifier for everything that is wrong with Islam today. It is not enough that Canadians should strongly discourage Muslim women from wearing the niqab—Wente is silent on how, exactly, this is to be done—but we must imbue the niqab with every neo-Oriental and Islamophobic fear we can muster in society. The burden of these fears is then placed upon Muslim women while Muslim men, lacking a similar signifier since they are not required to display a public profession of faith or culture, get a pass and are more likely to remain anonymous while in public. By creating a signifier out of the niqab, the liberal feminists on Wente's side of the debate are thus specifically and purposely targeting women.

It is relatively simple to claim that one's stance is supportive of liberal feminism: one simply has to find a signifier for the oppression of women, inculcate that signifier with coded Islamophobia and Orientalism, claim common cause with *all* women, but especially feminists, and then scapegoat an entire group of people, in this case Muslim women, denying them agency and autonomy while simultaneously attributing to them the worst excesses of the myriad of cultures that make up the Muslim world. Spurred on by the decision in 2011 to ban niqabs from citizenship ceremonies and resisted by Zunera Ishaq, one of the very people the ban was aimed at, the debate over banning the niqab had the potential to metastasize into something greater and more pernicious. As the then-prime minister Stephen Harper

speculated, the niqab ban would be expanded to include the public service, and perhaps beyond (“Niqab Ban for Public Servants”).

The implications for Muslim women of an ever creeping niqab ban may hold special horrors, as the ban is tailor-made to exclude and marginalize an already vulnerable racial and gender minority in Canadian society. Jasmine Thomas writes in her article “Only If She Shows Her Face:”

Banning the niqab during citizenship ceremonies illustrates how Canada is only willing to incorporate cultural practices perceived as congruent with European-white mainstream expectations of immigrant and minority integration. By prohibiting Muslim women from wearing the niqab, the Canadian government marginalizes a population that already faces discrimination in Canadian society. This ban may discourage or prevent women who wear the niqab from obtaining citizenship, and potentially excludes them from full participation in Canadian society. Additionally, the ban infringes upon the religious and personal freedom of minority groups to wear cultural and religious symbols. (188)

Preventing Muslim women from participating in the wider Canadian society is seen by Thomas as a case of discouraging civic participation; however, violence against Muslim women during the 2015 federal election makes clear that involvement in social life can be influenced by political leaders working to restrict civic participation.

During the 2015 federal election, reports of violence committed against veiled women began to circulate (Barber, paras. 17-19). For example, Muslim women have reported having their hijabs ripped off their heads by some students at Dalhousie University in Nova Scotia (Al-Hakim). It seems that instead of the niqab debate being settled by the defeat of the

Conservative Party during the 2015 federal election (“Official Voting Results”), events have conspired to ensure that a more overt and virulent form of neo-Orientalism based on white supremacist ideology has reared its ugly head. Lorne Walderman, Zunera Ishaq’s lawyer during the niqab ban case, pointed out the day after the 2015 federal election that “even though the niqab controversy ended with the victory of Justin Trudeau, who opposed the ban, an undercurrent of anti-Muslim feeling remains, and needs to be confronted” (Fine, para. 4).

The question then becomes: what is the solution to the most Islamophobic forms of neo-Orientalism that are currently spreading through Western societies like a virus? As Thomas notes, when the niqab ban was first announced in 2011, “the diversity of opinions mentioned in the media obscure the absence of the most important stakeholder, women who wear the niqab” (192). She argues that the exclusion of Muslim women who actually wear the niqab from media discourse at the time “allows some politicians and reporters to generalize that these ‘cultural practices’ are contradictory to Canadian values and society” (195). In other words, while those affected directly and most intimately by the niqab ban were silenced, primacy in media was placed upon the white men, such as Jason Kenney, who advocated and were responsible for the ban. Thomas’s observations held true during the 2015 federal election until the media took notice of Zunera Ishaq and subsequently began sharing the voices of Muslim women, which then influenced how the Canadian electorate saw the niqab debate.

In the interim between the niqab ban in 2011 and the 2015 federal election, something changed in its media coverage. Zunera Ishaq challenged the policy of disallowing niqabs at the citizenship ceremony and gave interviews, speaking to the media extensively about the subject (Bascaramurty). It turns out that Ishaq is a university graduate who chose to wear the

niqab against the protests of her family after one of her professors, who wore the niqab, inspired her to take it up (“Why Zunera Ishaq”). By challenging the status quo and asserting her right to free expression and the free practice of religion, Ishaq became a “poster girl” for the very small number of women who wear the niqab across Canada. Soon, the media was seeking out veiled women and being sought out by veiled women. Simultaneous to Muslim women coming forward to share that many do indeed choose the veil, public opinion began to shift. While not necessarily in favour of a niqab ban, opinion polls showed that most Canadians saw the issue of Muslim women going veiled to citizenship ceremonies as being a very low priority for future governments (Grandia). This shift in opinion held true even in Québec, which was seen as the province that embraced the banning of niqabs most fervently. While not evidence of causation, the correlation between Muslim women sharing their experiences and this shift in public opinion is compelling.

The solution to the societal compulsion in Canada to force patriarchal and settler-colonial gender norms upon Muslim women seems to be the participation of veiled Muslim women in these debates as “the inclusion of women who wear the niqab in the news is the primary requirement for challenging commonly held misconceptions about women and Islam” (Thomas 191). By challenging those in power and the structures that reinforce Orientalist views and patriarchal attitudes, Muslim women begin to liberate themselves so they may practice whatever cultural and religious practices they see fit. Canadian media must capture the voices of those affected by government policy and include them in the national dialogue in order to counterweight those who are powerful and already have their ear. It is likely that there will always be politicians who will make cheap appeals to Islamophobic and Orientalist stereotypes as an easy way to gain popularity and votes, but we as a society get to

decide whether those who whip up panic against Muslim women and exploit them for political ends will gain power or be relegated to the fringes.

Conclusion

Canadian Colonialism Rising: Moving Forward in the Aftermath of the #Niqab and #MMIW Inquiry Debates

The years after the 2015 federal election have rendered the world a greatly changed place. Almost a year after the Canadian federal election saw the ascendancy of Donald Trump to the presidency in the United States of America riding a wave of populism and xenophobia. This type of authoritarian xenophobia was defeated in Canada but is now experiencing a surge across the globe with adherents to Trump-style politics and policy elected everywhere from the Philippines's Duterte to Brazil's Bolsonaro to the re-election of Orbán in Hungary. It would be a mistake to assume that these ideas have been defeated in Canada simply because of one federal election.

Although the Conservative Party of Stephen Harper, running on the alienation of Muslim women and the disregard for Indigenous women, lost the 2015 election, the message they fought to entrench still haunts Canada and rears its nasty head from time to time. For example, as of June 2019, Québec has passed a law banning some public servants from wearing conspicuous religious symbols. In theory, such a law is religion-neutral and in accordance with *laïcité*, Québec's principles of state secularism; however, in practice this law will target Jewish men, Sikh men, and Muslim women. In addition, while the Liberal government of Justin Trudeau convened a National Inquiry into Missing and Murdered Indigenous Women and Girls, it seemed as if a considerable slice of the Canadian conservative political elite and mainstream press that I examined challenged the Inquiry's report conclusion that the abduction and killing of Indigenous women and girls are a result of genocide (Webster, paras. 2, 11; Elliott, para. 8). The identifying and analyzing of narratives

surrounding Canada's intrinsically colonial hegemonic institutions, which favour predominantly white mainstream and disadvantage Indigenous peoples and immigrants, is clearly an ongoing project.

With the July 3, 2019 release of the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG Inquiry) final report, manifestly subtitled *Reclaiming Power and Place*, the 2015 federal election debate on whether to hold an inquiry at all seems like it took place decades ago; instead, a new debate developed over the Inquiry's use of the term "genocide" to establish the root causes of the epidemic of murdered and missing Indigenous women. The MMIWG Inquiry's *Executive Summary of the Final Report* laid the groundwork for the claim that the root of the murder and disappearance of Indigenous women can be found in Canada's history of settler colonialism and structures that shape it:

The truths shared in these National Inquiry hearings tell the story... of acts of genocide against First Nations, Inuit and Métis women, girls, and 2SLGBTQQIA²⁴ people. This violence amounts to a race-based genocide of Indigenous Peoples, including First Nations, Inuit, and Métis, which especially targets women, girls, and 2SLGBTQQIA people. This genocide has been empowered by colonial structures, evidenced notably by the *Indian Act*, the Sixties Scoop, residential schools, and breaches of human and Inuit, Métis and First Nations rights, leading directly to the current increased rates of violence, death, and suicide in Indigenous populations. (1-2)

²⁴The initialism "2SLGBTQQIA" chosen by the Inquiry means "Two-Spirit, lesbian, gay, bisexual, transgender, queer, questioning, intersex and asexual," and is intended to cover Indigenous sexual and gender minorities ("2SLGBTQQIA Pride Month," para. 1).

By referring both to acts of Parliament, such as the *Indian Act*, as well as institutions and policies created and supported by the Canadian state, such as the 60s Scoop and the Indian Residential School System, the *Executive Summary* articulates, unambiguously, that attempts at genocide can be traced back to the state, identifying it as the direct cause of the high levels of missing and murdered Indigenous women (1-2). While the Inquiry released a supplementary report justifying its use of the term “genocide,” certain mainstream media and political commentators loudly and fervently focused on the word “genocide” in a frenzied attempt to dispute these findings.

In “Is Canada Committing Genocide? That Doesn't Add Up,” an unsigned editorial published in the *Globe and Mail*, which is often considered Canada’s newspaper of record, the anonymous authors²⁵ employ faulty reasoning in an attempt to refute the Inquiry’s use of the term “genocide” as a contributing factor in the deaths and disappearances of Indigenous women. While much of the editorial is based around unsound reasoning and a failure to engage with the arguments made in the Inquiry’s report, the authors of the editorial do make some concessions: “Indigenous women and girls are five-and-a-half times more likely to be murdered than non-Indigenous ones. Since the 1960s, many have gone missing, their disappearances never solved” (para. 14). By acknowledging that Indigenous women are far more likely to be murdered or go missing than non-Indigenous women, the editorial concedes the fundamental purpose and mandate of the National Inquiry into Missing and Murdered Indigenous Women and Girls. While this is a marked improvement over the tenor of the debate during the 2015 federal election, examined in Chapter Two, the *Globe* editorial still

²⁵ Despite the anonymous nature of the editorial, the authors will be referred to in the plural form since it can be reasonably assumed that an unsigned editorial in the *Globe and Mail* is attributable to the *Globe*’s editorial board.

disputes the findings of the MMIWG Inquiry and fails to treat them with the seriousness they deserve.

The authors of the editorial argue that taking the claims of genocide to their logical end-point would necessitate investigating an incredibly small number of deaths as a genocide:

Let's take the finding to its conclusion. Is the commission saying that the deaths of the 38 Indigenous women who, according to Statistics Canada, died by homicide in 2017 should be investigated under Canada's Crimes Against Humanity and War Crimes Act, the law governing genocide? ("Is Canada Committing Genocide?" para. 5)

Here the *Globe* sets up a straw man: nobody but the *Globe* is arguing that the deaths of 38 people should be investigated as genocide; rather, the report points out that a continuing genocide against Indigenous people is the root cause of missing and murdered Indigenous women. To prove its point, the Inquiry lists three specific examples of genocide in the *Executive Summary* of its report (1-2), so a proponent of the report's findings might, instead, say that the thousands of dead or missing Indigenous women and thousands of dead Indigenous children who attended Residential Schools should, indeed, be investigated as a genocide.

Later in the *Globe and Mail* editorial, the unnamed authors boldly assert that the straw man they had earlier set up is unworthy of serious consideration, thus passing up an opportunity to address the real substance of the report. They write that if investigating the deaths of a relatively few people as genocide "seems ridiculous, it's because the charge of a continuing genocide in Canada is absurd. It simply does not bear scrutiny in 2019" ("Is

Canada Committing Genocide?” para. 7). Yes, the *Globe*’s straw man does seem ridiculous, but the anonymous writers intended it to “seem ridiculous” to cast doubt and aspersions on the findings of the Inquiry’s report. However, they had the opportunity to address actual arguments made in the report instead. As the *Executive Summary* notes, “Racist colonial attitudes justified Canada’s policies of assimilation, which sought to eliminate First Nations, Inuit, and Métis Peoples as distinct Peoples and communities” (*Executive Summary* 4). In other words, missing and murdered Indigenous women is not the genocide itself, but rather an aspect of the ongoing project wherein European powers, and later the nation-state of Canada “imposed its own laws, institutions, and cultures on Indigenous Peoples” to create preconditions for exploiting their land and resources (4).

The editorial makes some points that had already been debunked by the Inquiry in its report, which seems to either display a lack of comprehension of the report, or an unwillingness to engage with the arguments that had actually been made in it. In a paragraph marshalling the claim that no genocide against Indigenous people is actually happening, the authors note that “[s]ince 2006, Canada’s Indigenous population has grown by 42.5 per cent, more than four times the rest of the country’s growth rate” (“Is Canada Committing Genocide?” para. 10). This statistic is presented as proof that a growing population negates any accusation of genocide and is accompanied by examples of attempts at reconciliation by the Canadian government. The Inquiry’s report confronts the assertion that a growing population means that no genocide could be taking place:

The fact that First Nations, Inuit, and Métis Peoples are still here and that the population is growing should not discount the charge of genocide; the resilience and continued growth of these populations don’t discount the many actions detailed

within this report, both historical and contemporary, that have contributed to endemic violence against Indigenous women, girls, and 2SLGBTQQIA people. (*Executive Summary* 4)

Examples of genocide and colonial violence outlined in the report show that despite population growth, genocide has indeed taken place.²⁶ Simply because the resolution of the notorious “Indian problem” carried out through aggressive assimilation and literal erasure of Indigenous people did not utterly succeed, does not mean the genocide has not happened, harming and killing a countless number of people. Moreover, of the five genocides recognized by the Government of Canada, none of these resulted in the complete eradication of the oppressed group (Ramesh and Todic).

Most of the *Globe and Mail* editorial follows a similar theme: reasoning that either ignores the report entirely, or makes errors in logic. As well as the above specious arguments, the editorial specifies that because many of the actions pointed out to be genocidal by the report happened in the past, then it is inappropriate to include them in the definition of genocide (“Is Canada Committing Genocide?” para. 11). They make this claim despite the fact that genocide is a temporally bounded process and, as maintained by the Inquiry, an ongoing process in Canada (*Executive Summary* 3). Another argument made by the authors is that the colonial violence against Indigenous people can be attributed to “racist attitudes [that] persist among some people” and to the fact that “Canada has not moved quickly enough to undo the harm its governments caused in the past” (“Is Canada Committing Genocide?” para. 12). However, by doing so they attempt to side-step the systemic and institutional nature of colonial violence in Canada, examined in Chapter One, and instead

²⁶ See Chapter 4, “Colonization as Gendered Oppression,” of the MMIWG Inquiry *Final Report*, pp. 229-320, for a history of colonialism, specific events, and impact on First Nations, Métis, and Inuit women and girls.

give attribution to the issues Indigenous people face to a few bad actors. As the *Executive Summary* of the Inquiry's report states, "Ultimately, and despite different circumstances and backgrounds, what connects all these deaths is colonial violence, racism and oppression" (4). The historical thread of Canada is entwined with colonial violence and cannot be separated from it; this colonial violence includes actions and systems from hundreds of years ago up to and including the present day.

Like the *Globe and Mail*, the *Toronto Star* also published an editorial taking issue with the National Inquiry into Missing and Murdered Indigenous Women and Girls use of the word "genocide" in its final report. This editorial titled "We Need a New Word: 'Genocide' Isn't It" was, unlike the *Globe* editorial which went completely unsigned, formally attributed to the Star Editorial Board. The *Star* editorial appears to be in better faith than the *Globe* editorial as the Star Editorial Board obliquely engages with some of the arguments made by the MMIWG Inquiry. In roughly the middle, the editorial states the need to properly engage with the findings and conclusions of the Inquiry's report:

How, then, can the inquiry argue seriously that genocide is the right label for Canada's actions, right into the present day, toward Indigenous peoples? Those who oppose using the word should at least grapple with the inquiry's real arguments, which are set out at length in a supplementary report issued along with its findings this week, rather than the caricatures presented by too many critics. (para. 8)

This paragraph is ironic since the Star Editorial Board, like others "who oppose using the word" genocide, has not substantively engaged "with the inquiry's real arguments" and instead argued past the reasoning set out by the Inquiry in the *Supplementary Report*. While the editorial accuses other critics of presenting "caricatures" of the report's findings, the Star

Editorial Board, like too many other critics, does not fully present, or grapple with, any of the Inquiry's arguments at all.

Under the full title *A Legal Analysis of Genocide: Supplementary Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*, the MMIWG Inquiry presented their legal reasoning as to why their final report identified genocide as the root cause of why Indigenous women are disappearing or dead. As *A Legal Analysis* states, "The National Inquiry has determined that colonial structures and policies are persistent in Canada and constitute a root cause of the violence experienced by Indigenous women, girls, and 2SLGBTQQIA people" (1). By noting that colonialism is "persistent," or ongoing, the MMIWG Inquiry identifies that this colonial violence is very much present to this day. For example, the MMIWG report notes that forced sterilization was historically practiced between the 1920s to the 1970s, and that sometimes the practice is continued even to this day (266-267). Some forced sterilizations of Indigenous women have happened as recently as 2019 (Baig, para. 10).

The Inquiry then notes legal definitions of genocide and quotes Canada's *Crimes Against Humanity and War Crimes Act*, the UN's *Genocide Convention*, and customary international law. The United Nations *Convention on the Prevention and Punishment of the Crime of Genocide* defines "genocide" as "committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group," and Article II further breaks down genocide into five distinct categories:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its

physical destruction in whole or in part;

(d) Imposing measures intended to prevent births within the group;

(e) Forcibly transferring children of the group to another group.

The *Final Report* makes the argument, through historical and current examples, that all five of these things have happened, and many are happening to Indigenous peoples in Canada, though the *Legal Analysis* admits that “there is little precedent in international law for situations where the state is the perpetrator of genocide through structural violence, such as colonialism” (5). However, noting the case of the Srebrenica genocide, where the International Criminal Court ruled that states have the obligation not to commit genocide, the MMIWG Inquiry contends that in Canada

[g]enocidal acts were not perpetrated by a group related to the state, but in direct application of governmental policies. As such acts of genocide perpetrated in application of the policies established and maintained by the Canadian state are attributable to Canada under the rules of customary international law. (5)

In other words, the MMIWG Inquiry has established a legal basis under customary international law for considering Canada’s settler colonialism to be genocidal.

However, the supplementary report argues that the genocide of Indigenous peoples within Canada cannot be seen as the same phenomenon as “traditional genocide,” but rather a different form of genocide. The *Legal Analysis* goes on to define “colonial genocide” as a unique form distinct from “traditional genocide,” which is uses examples of the Holocaust and the Rwandan genocides, defining colonial genocide as

Canadian colonial policies certainly included physical destruction, but they also endeavoured to elicit subjugation and obedience through violent and coercive

“absorption” and assimilation. These policies were implemented sporadically, against diverse Indigenous communities, with varying intensity, and over different temporal and geographical territories. (9)

The report quotes scholars Andrew Woolford and Jeff Benvenuto, who say that “culturally oriented forms of Indigenous group destruction that characterize Canadian colonialism challenge entrenched colloquial and scholarly understandings of genocide as nothing more than mass murder” (9). Establishing its legal reasoning places a renewed focus on the MMIWG Inquiry’s report and allows for a consideration of not only the issues addressed by the Inquiry, but also the reality of colonial violence for Indigenous peoples.

After a brief introduction of the Inquiry’s report, whose assertion about an ongoing genocide against Indigenous peoples in Canada the Star Editorial Board describes as the “dramatic charge,” they outline their first argument: “On one level, the answer is easy. Placed against the horrific events that have defined the word in modern times — the Holocaust, the slaughter in Rwanda, massacres of Muslims in Bosnia — Canada’s current treatment of Indigenous peoples obviously doesn’t compare” (para. 3). According to this kind of reasoning, the Rwandan Genocide cannot be considered “genocide” because it was not as severe as the Holocaust. This is fallacious reasoning because no genocide will ever compare to the worst atrocities; it simply makes no sense to measure genocides against each other in order to determine the validity of their qualification. This is why the MMIWG Inquiry based its definition of genocide on scholarship and legal definitions (*A Legal Analysis of Genocide*).

Continuing the use of slanted language, the Star Editorial Board invokes “the most appalling images,” or what they see as the worst of genocides of the past:

concentration camps, gas chambers, wholesale slaughter and mass graves. No wonder such people as Sen. Roméo Dallaire, who knows a thing or two about genocide from his time in Rwanda, say using the word to describe the Indigenous experience in this country goes way over the mark. (para. 4)

This thinking has two fatal flaws: as previously stated, comparing the worst aspects of one genocide with another is a fruitless exercise, and invoking this type of imagery ignores that some of those “most appalling images” did indeed happen in Canada to Indigenous peoples. For example, many Indian Residential Schools had mass graves where children, who died from both diseases that they were deliberately infected with—through placement in close quarters, the lack of any isolation or quarantining measures, and inadequate medical care—and the abuse they suffered from, were interred (Spear, paras. 10-11). The discovery of a mass grave with the remains of 215 children at the Kamloops Indian Residential School (Peters, paras. 2-3), and of 751 unmarked graves, many of the remains of children, at the Marieval Indian Residential School (Eneas, paras. 1-2), with the ongoing search for other grave sites at other Indian Residential Schools (Blum, paras. 4-6), belies the Editorial Board of the *Toronto Star*’s assertion that none of the “most appalling images” that the word genocide conjures up go “way over the mark.”

The Editorial Board then notes that Roméo Dallaire, a retired brigadier-general in the Canadian Forces and a former senator, is presented as someone who “knows a thing or two about genocide” also disputes the use of the word “genocide.” This is despite the fact that while Dallaire has experience witnessing a genocide in Rwanda, he is neither an expert on genocide nor a legal scholar who studies it. The MMIWG Inquiry was careful to provide a legal definition of genocide and cites experts in the area, such as genocide scholar Andrew

Woolford, in its supplemental report (*A Legal Analysis of Genocide*).

The Star Editorial Board continues their terminological arguments with the MMIWG Inquiry by asserting a common theme among commentators who took issue with the report: accepting the charge of an ongoing genocide by the Canadian state against Indigenous peoples could embarrass Canada internationally: “Further, asserting that ‘present-day Canadian state conduct’ — not just the actions of long-dead colonial figures — amounts to actual genocide comes with a host of legal, financial and political consequences under international law” (para. 5). This argument by the Star Editorial Board is a mixture of “it’s in the past, get over it” and noting that an admission by the government that it is culpable for an ongoing genocide might have consequences. This is the equivalent to a murderer saying “I can’t admit to murder! I’ll go to jail if I do!” and completely ignores the fact that the treatment Indigenous peoples have, and continue to receive in Canada, can only end, and healing can only begin, by acknowledging historical and current settler colonial violence and working to end it.

The Star Editorial Board continues this “appeal to embarrassment” by noting that “only three countries (Germany, Rwanda and Cambodia) now acknowledge responsibility for genocide within their borders. Is that a club we want to join? Most importantly, have we thought through the implications?” (para. 7). This argument by the Star Editorial Board expresses more worry that Canada might look bad rather than confronting the arguments made by the MMIWG Inquiry. If the Star Editorial Board were based in Rwanda, perhaps they would make the exact same argument against recognizing the genocide that happened there.

The political comments regarding the Missing and Murdered Indigenous Women and

Girls Inquiry's use of the word genocide followed many of the themes as outlined in the media commentary. Much like the spate of newspaper editorials that were released within days of the MMIWG Inquiry's report, comments made by current and former politicians, such as Andrew Scheer, Roméo Dallaire, Bernard Valcourt, and Irwin Colter, among others, disputed such use, often downplaying what happened, and in some cases continues to happen, to Indigenous peoples as not horrible or extensive enough to be called a genocide. Another theme found in the political comments was that invoking genocide carries consequences at the international level, as if Canada facing consequences for colonial violence against Indigenous peoples is a worse outcome than continuing to subject Indigenous peoples to systemic violence. Once again, neither the substance of the MMIWG Inquiry's report nor the supplemental report on genocide was addressed by these political figures; instead, personal feelings and a willful ignorance of the facts seem to have informed their opinions.

Speaking to a Radio Canada reporter who asked him about the MMIWG Inquiry's use of the word "genocide," Roméo Dallaire noted his discomfort with using the term, stating that to him it meant a deliberate extermination of an ethnic group:

I'm not comfortable with that. My definition of genocide, I read it very deliberately at the start of the Rwandan genocide, and it was a deliberate act of a government to exterminate, deliberately and by force and directly, an ethnicity or a group of human beings — and that meant actually going and slaughtering people. (Marin, para. 8)

Dallaire's description of genocide is based on his experiences as a direct witness to the purposeful killing of over 800,000 people in a matter of mere months of 1994 in Rwanda. However, in spite of being an eyewitness to the tragic events in Rwanda, he does not seem to

be aware of the historical, social, political, and legal contexts in which the MMIWG Inquiry determined a genocide is being conducted by Canada. As such, Dallaire's description of genocide as deliberate, by force, and directly by the government fits the MMIWG Inquiry's claim that genocide is being committed by the Canadian settler-state against Indigenous peoples.

The Missing and Murdered Indigenous Women and Girls Inquiry's report noted that Canada's genocide of Indigenous peoples is not constrained by time and place, unlike other genocides, such as in Rwanda, as there was a deliberate policy of assimilation by settlers from European nations and then by the settler-colonial state of Canada. Unlike Rwanda, where people were targeted and killed in a short period of time in horrifying numbers, Canadian scholars, and it could also be argued Canadian polity and the public, have not grasped, according to the *Executive Summary* of the MMIWG Inquiry's report, the realities of genocide in Canada because it happened in different forms over a long span of history (3). Assimilationist policies, set up by European colonial governments and then by Canada, were, and are, intended to eliminate Indigenous peoples from the cautious co-operation at Contact with Europeans and continued with European settlement of what is currently Canada. While many scholars depict Contact as a relatively benign event, the MMIWG Inquiry *Final Report* states that it "set the stage for a full-scale assault on Indigenous Nations and communities that has lasted nearly 500 years" (234). These policies included the establishment of Indian reserves, which were like open-air prisons, and Indian Residential Schools, which were like re-education camps. Despite this history and this reality of settler colonialism in Canada, political leaders still refuse to accept the finding of genocide in the MMIWG Inquiry's final report.

Speaking on Parliament Hill, then-leader of the Conservative Party Andrew Scheer also downplayed the use of the word “genocide” by the Missing and Murdered Indigenous Women and Girls Inquiry:

The ramifications of the term ‘genocide’ are very profound. That word and term carries a lot of meaning. I think the tragedy involved with missing and murdered Indigenous women and girls is its own thing, it is its own tragedy, and does not fall into that category of genocide. (The Canadian Press, para. 3)

Scheer is attempting to “thread the needle” by acknowledging that the phenomenon of missing and murdered Indigenous women is “a tragedy,” but downplaying this “tragedy” enough so that he does not have to acknowledge genocide against Indigenous peoples. As previously noted, the MMIWG Inquiry’s final report does not state that murdered and missing Indigenous women is itself genocide, but rather the result of an ongoing genocide of Indigenous people in Canada carried out by the government: “this genocide has been empowered by colonial structures... leading directly to the current increased rates of violence, death, and suicide in Indigenous populations” (*Executive Summary* 1-2). The full MMIWG report lays out arguments connecting colonial structures to violence against Indigenous women in Chapter 4: Colonization as Gendered Oppression. As the report states, “These historical forces shaped the lives of women, girls, and 2SLGBTQQIA people in distinct ways that ultimately are at the root of the crisis of missing and murdered Indigenous women, girls, and 2SLGBTQQIA people today” (229). The report charts the structures of colonialism (231-233), a history of the colonization of Canada from Contact up to the present day (234-311), and focuses on specific events in this history, such as forced relocations (279), Indian hospitals (268-271), the Indian Residential School System (259-266), forced

sterilization (266-267), and the Sixties Scoop (280-283). In the context of each of these historical periods and specific events, the report focuses on how Indigenous women and girls were affected, culminating in the spate of missing and murdered Indigenous women. For, example, the Sixties Scoop was aimed primarily at Indigenous women who had moved into cities and was predicated on the belief that they were unfit mothers (200-201).

Scheer also expressed fear of the consequences of Canada being implicated in committing genocide by the international community: “the idea that Canada would now be subject to the types of international actions that follow findings of genocide — I think we have to be very careful with the use of that terminology...” (The Canadian Press, para. 12). Like other politicians and commentators, Scheer seems more concerned about Canada having to acknowledge its responsibility for a state-run genocide within its borders rather than the grim realities of Indigenous peoples in an inherently eliminatory settler state, with territoriality as its irreducible element.

Scheer went on to note that he did not want to be distracted from the Missing and Murdered Indigenous Women and Girls Inquiry’s report; however, by adopting this stance Scheer ignores the main finding of the report: that it is genocide and colonial violence that have been causing Indigenous women’s murders and disappearances (The Canadian Press, para. 12). Scheer was also quick to reiterate, “I think that the tragedy is its own thing... and it does not fall into the category of genocide” (para. 12), repeating almost verbatim what he had already said previously. The consequence of politicians, like Andrew Scheer, casting doubt on the findings of the MMIWG Inquiry report is that its findings, no matter how often a politician insists that murdered and missing Indigenous women is a “tragedy,” are taken less seriously by other politicians, by the media, and by the public. A narrative then arises that the

MMIWG Inquiry cannot be relied and acted upon. However, as stated in the MMIWG Inquiry's report *A Legal Analysis of Genocide*, clearly defined terminology and comprehensive looks at the problem are essential for understanding and addressing it:

Genocide is a root cause of the violence perpetrated against Indigenous women and girls, not only because of the genocidal acts that were and still are perpetrated against them, but also because of all the societal vulnerabilities it fosters, which leads to deaths and disappearances and which permeates all aspects of Canadian society today.

(8)

By defining the core issue that activates the chain reaction which ultimately leads to the problem, society will be able to work toward dismantling those state structures and policies that have been perpetuating it.

While Andrew Scheer attempted to give the report its due, though casting doubt on its findings, Bernard Valcourt had a less charitable view of it. He took to Twitter to state his objection and blame an indistinct group of “activists” for the MMIWG Inquiry:

How far do those activists will go? What has been the cost to Canadians for this propagandist [sic] report? What have we learned that we did [sic] not already know? Who feels better in Canada among First Nations for that thunderous silly conclusion that all we wanted was to kill them all? (@BernardValcourt)

One can imagine that no Indigenous person in Canada “feels better” that the MMIWG Inquiry concluded that the deaths and disappearances of Indigenous women were due to an ongoing genocide against them. Valcourt also narrowly defines the act of genocide to be “kill[ing] them all,” which is contrary to how genocide is defined by the *Genocide Convention*, as quoted in *A Legal Analysis of Genocide* (3). By denouncing the report as

“propagandist,” written by “activists,” and by calling its conclusion “thunderous silly,” Valcourt is using less artful language than other politicians thus undermining the report’s importance. He later expanded upon his objections when speaking to the press.

In an interview with CBC News, Valcourt clarified his tweet claiming that his definition of “genocide” is based on the actual definition, even though at the time the Missing and Murdered Indigenous Women and Girls Inquiry had not yet released their supplemental report on why they chose the word genocide. Valcourt said: “I take offence to Canada being accused of genocide. My comprehension of genocide is measured by what genocide really is” (Barrera, para. 8). Despite his certainty that he was defining “genocide” by “what genocide really is,” Valcourt has not provided a definition beyond what he said in his tweet, namely that genocide means that “all we wanted was to kill them all” (@BernardValcourt). Offering a defence of the Canadian government, Valcourt went on to state: “I don't think it serves any purpose to call the action of the government genocide because it was not genocide” (Barrera, para. 8). Defending the Canadian government against the MMIWG Inquiry’s charges of genocide is another common theme amongst the Canadian political class’s dispute with the MMIWG Inquiry. Defending the state and government institutions is a great partisan unifier that politicians, regardless of political stripe, are quick to do. It is in response to these protests by Canadian politicians, such as Valcourt, who insist that the Canadian state is blameless and that the accusation of genocide is itself ridiculous, that the MMIWG Inquiry released a researched and referenced report that substantiated their claims.

As the Missing and Murdered Indigenous Women and Girls Inquiry’s final report points out, colonial violence in Canada is a historical and current reality. The *Executive Summary* of the report states that “the spatial and temporal boundaries of the case of

genocide in Canada are not obvious” (3). However, the report identifies the starting point that set into motion systematic policies aimed at the “erasure” of Indigenous peoples as the moment of Contact:

European nations, followed by the new government of ‘Canada,’ imposed its own laws, institutions, and cultures on Indigenous Peoples while occupying their lands. Racist colonial attitudes justified Canada’s policies of assimilation, which sought to eliminate First Nations, Inuit, and Métis Peoples as distinct Peoples and communities. (4)

These deliberate policies of assimilation were not only continued by the government of Canada, but were arguably refined and enhanced. As pointed out by Wayne K. Spear, in 1926 the Department of Indian Affairs Superintendent, Duncan Campbell Scott, wrote that the department was the “final solution of our Indian Problem” (para 11), thus coining a famous phrase later borrowed by the Nazis to describe their own genocidal program: the Holocaust.

Many of the historical and current realities of Indigenous life under settler colonialism in Canada have not been acknowledged by Canadian society at large. Much of the reason as to why can be attributed to the lack of Indigenous women’s representation in Canadian media, politics, and popular culture.²⁷ The purpose of the Missing and Murdered Indigenous Women and Girls Inquiry was to shed light on these realities and bring attention to them. As Ry Moran, representing the National Centre for Truth and Reconciliation, says, “the harder we look at Canadian history, the bleaker it gets” (Barrera, para. 26). This hard examination of Canada and its history was conducted by the Inquiry, and while it was

²⁷ This is not to say there are no Indigenous women represented in these areas. Women such as Pam Palmater, Cindy Blackstock, Tanya Tagaq, Chelsea Vowel, Alicia Elliot, Jody Wilson-Raybold, and Eden Robinson, amongst others, bring valuable and underrepresented voices to the mainstream.

opposed by the Conservative Party before the 2015 federal election, the party declared support for it afterward. Conservatives' support for policies banning the niqab took a similar turn after the 2015 federal election when all previous policies regarding the niqab were abandoned.

In the waning days of the 2015 federal election, the Conservative Party announced a series of initiatives designed to capitalize on the stigmatization of the niqab and the Muslim immigrant women who wore niqabs; however, they were soon discarded by the party after losing the 2015 election. These announcements included measures such as special RCMP units to enforce the so-called *Zero Tolerance for Barbaric Cultural Practices Act*, a “barbaric cultural practices” tip line (Powers, para. 2), as well as banning public servants in Canada from wearing niqabs (MacLeod and May). After the Conservatives decisively lost the 2015 election, apart from a few rumblings within the party, these policies were abandoned and not spoken of again. Some fears that the party choosing Andrew Scheer as the next leader after Stephen Harper would bring them back proved to be unfounded (Smith). That is not to say that many people in Canada have not been advocating Islamophobic views and Islamophobic policies in the interim; for example, a shooting at a mosque in Québec City that left six people dead and Québec passing a law to ban public servants from wearing niqabs, amongst other anti-immigrant or Islamophobic rumblings that permeate Canadian society.

On January 29, 2017, a gunman walked into the Islamic Cultural Centre of Québec City and opened fire murdering six people and injuring nineteen others, in an incident colloquially known as the “Québec mosque shooting.” The victims, Ibrahima Barry, Mamadou Tanou Barry, Khaled Belkacemi, Aboubaker Thabti, Abdelkrim Hassane, and Azzedine Soufiane, were all Muslim, immigrants to Canada, and Canadian citizens (“The

Victims”). The shooter was motivated by Islamophobia and what he described as his fear of terrorism after then-president of the United States, Donald Trump, announced a travel ban for residents of seven countries where the population is Muslim-majority and the prime minister of Canada, Justin Trudeau’s, subsequent response to the ban welcoming immigrants (Cecco, para. 1). The shooter was later charged with six counts of first-degree murder and six counts of attempted murder; he was convicted in February of 2019 and sentenced to 40 years in prison before he will be eligible for parole. While not prosecuted as a terrorist act as Canadian law requires proof of coordination with a terrorist group before charging someone with terrorism-related offenses (*Criminal Code of Canada*, s.83.01), the Québec mosque shooting was roundly condemned as an act of terrorism against Muslims by the media and politicians of almost every stripe. As an act of terrorism, the Québec mosque shooting advances the idea that political rhetoric can lead to crimes against vulnerable groups, such as Muslim immigrants to Canada, though this has not yet stopped politicians from adopting policies that target groups such as Muslim women.

Despite this act of violence toward Muslim immigrants to Canada, on June 17, 2019, Québec’s National Assembly passed Bill 21, also known as *An Act respecting the laicity of the State*,²⁸ against protestations that the law specifically targeted Muslim women who wore hijabs, niqabs, or other forms of head coverings. Bill 21 is ostensibly about enforcing *laicity* (secularism) in the province. In the preamble, the law affirms that state has “a stricter duty of restraint regarding religious matters should be established for persons exercising certain functions, resulting in their being prohibited from wearing religious symbols in the exercise of their functions” (para. 6). The law then prohibits provincial officials from wearing

²⁸ In French, the law is known as *Loi sur la laïcité de l'État*.

religious symbols, which are defined as “any object, including clothing, a symbol, jewellery, an adornment, an accessory or headwear, that (1) is worn in connection with a religious conviction or belief; or (2) is reasonably considered as referring to a religious affiliation” (s.6). By specifically mentioning headwear, the law is clear that Muslim women who wear the hijab, niqab, or other types of head covering are no longer welcome to become part of Québec’s public service.²⁹ It can be argued that the authors of the law knew that it specifically violates constitutional protections for freedom of expression as the law specifically invokes the notwithstanding clause of the *Charter of Rights and Freedoms* (Bill 21 s.34). Many have protested against Bill 21 as discriminatory and causing societal divisions, though the law remains popular in Québec and is defended by many Québec politicians.

On January 29, 2020, the third anniversary of the Québec mosque shooting, the president of the Islamic Cultural Centre of Québec City, Boufeldja Benabdallah, argued against Bill 21, saying that it targets Muslims, especially Muslim women, and creates divides in Québec society; this interpretation of Bill 21 was disputed by the premier of Québec, François Legault. Benabdallah argued that Muslims “feel in the minority and targeted, especially the Muslim woman who finds herself penalized” (Plante, para. 21), and that Bill 21 “led to new divisions in society that we do not want” (Authier, para. 9). Responding to this, Legault claimed “that Bill 21 is putting a framework to make sure that we don’t have extremes in Quebec, including racists” (para. 4). He did not explain how Bill 21 would reduce extremism or racist extremism in Québec. His comments emulate statements made by Philippe Couillard, the premier of Québec at the time of the mosque shooting: Couillard

²⁹ Bill 21 also targets Jewish men who wear kippahs and Sikh men who wear dastars.

denied that Trump's actions of instituting a travel ban on people from majority Muslim nations impacted the shooting (Kassam and Lartey, para. 14), whereas the shooter later told police that he was directly influenced by those actions (Cecco, para. 1). Politicians in Québec seem to be unaware that legislating restrictions on civil rights that target minority groups, such as Muslim women, can lead to those groups being targeted by the majority group.

Québec's education minister, Jean-François Roberge, in response to a question about a meeting with Malala Yousafzai, a Pakistani education advocate and the Nobel Peace Prize winner, asserted that Yousafzai would be welcome to teach in Québec should she remove her head covering in order not to be in violation of Bill 21. Salim Nadim Valji, responding to a tweet with a picture of the minister with Yousafzai asked: "Mr. Roberge, how would you respond if Mme Yousafzai wanted to become a teacher in Quebec?" (@salimvalji). Roberge's reply was that Yousafzai, who was training to become a teacher at the time, would be excluded from teaching in Québec because she wears a head scarf: "I would certainly tell her that it would be an immense honor and that in Québec, as is the case in France (where we are now) and in other open and tolerant countries, teachers cannot wear religious symbols in the exercise of their functions."³⁰ This statement was later backed up by Québec premier François Legault, "She can teach in Quebec if she accepts to remove a religious sign... That's the decision we took, and it's supported by the vast majority of Quebecers" (Thomas, para. 8). Apart from the obvious fact that just because something is popular does not make it right, this debate is of men deciding what women should or should not be allowed to wear entirely in the absence of the very women in question.

³⁰ In the original French: "Je lui dirais certainement que ce serait un immense honneur et qu'au Québec, comme c'est le cas en France (où nous sommes actuellement) et dans d'autres pays ouverts et tolérants, les enseignants ne peuvent pas porter de signes religieux dans l'exercice de leurs fonctions. #ÉduQc." Translation by Google Translate.

Even though none of the men involved in this exchange asked the opinion of Malala Yousafzai, she had previously gone on record as supporting the rights of women to wear what they wish. Yousafzai told the *Guardian* in an interview, “I believe it's a woman's right to decide what she wants to wear and if a woman can go to the beach and wear nothing, then why can't she also wear everything?” (Shamsie, para. 11). Yousafzai, who does wear a head covering, has also been previously photographed without her head scarf, raising the possibility she wears it as a fashion choice or for cultural reasons rather than as a religious symbol. This exposes the arbitrary nature of Bill 21, as it expressly forbids “headwear that is worn in connection with a religious conviction or belief” (s.6). It should also be noted that, in the same interview, Yousafzai supported certain restrictions on women covering their faces “where it's necessary to show your identity” (Shamsie, para. 11). The sentiment that veiled women show their faces when their identity is required is shared by Zunera Ishaq, the woman who fought for her right to wear her niqab at a Canadian citizenship ceremony.

Zunera Ishaq won the right to participate in the ceremony in her niqab, which she did in private a few days before the 2015 federal election, preliminarily unveiling herself to prove her identity (“Woman at Centre” para. 13). After the ceremony, speaking to the press and referring to Stephen Harper, Ishaq said: “The ex-prime minister tried to manipulate the people but the results have shown us that general Canadians are sensible people, they know and do accept cultural differences” (Crawford, para. 16). Despite the attempts of Stephen Harper and the Conservative Party, the electorate in Canada overwhelmingly rejected their tactics to win the election by stoking fear of veiled Muslim women in particular, and the fear of Muslims in general. By the end of the 2015 federal election, driven by narratives proposed by the Conservatives, the niqab debate had gained prominence in the minds of the electorate

(McNeney 75), but subsequent press coverage of what Muslim women believed about themselves and the act of veiling can be correlated with a change of public opinion, proving that belief in what women tell us about their experiences is a powerful tool in opposing oppression.

Women, especially those who are racialized, like Indigenous or Muslim immigrants, tend to be dismissed when they relate their traumas caused by oppression and discrimination. The rise of the #MeToo movement revealed that sexual assault and harassment against women is endemic all over the world, but that women are rarely believed when they come forward with these experiences. Just as public opinion on the importance of the niqab debate changed as the press gave more coverage to the voices of Muslim women, listening to Muslim and Indigenous women when they recount their experiences of oppression, or even genocide, but what is more important, hearing those voices when spoken, would ensure their right to self-representation and thus empower them. To tell their often inconvenient and shocking stories, these women need access to tell their stories in public forums, media, academic venues, halls of power, and the justice system. Reaching a wider public with these stories is essential to allow those who are not familiar with the experiences of immigrant and Indigenous women to “walk in their shoes” and empathize with them. These shared lived experiences can provide an insider perspective which, when digested by the body politic, heightens awareness and influences public opinion. A fluid combination of these factors might eventually lead to social change and, in turn, influence politicians who write laws and create policies.

As noted in the introduction, Shawn Wilson writes that through researching colonialism in Canada, we can develop “antibiotics” to deal with its effects (“Using

Indigenist Research” 312). By adapting this concept, we can incorporate Indigenous people’s experiences of colonization and immigrant’s experiences of assimilation into public discourses and education in Canada. In doing so, we can bring awareness of these issues to the mainstream and “inoculate” the public against harmful ideas, such as neo-Orientalism, Islamophobia, and white supremacy. By mobilizing public opinion and the forces of liberal democracy, such minority voices can contribute to dismantling various public prejudices and mythologies, such as superiority, inevitability and naturalness of the settler-colonial order, and the positioning of white mainstream as the sole rightful inhabitants of Canada while ignoring the systemic displacement of Indigenous peoples, and strong underpinnings of perennial patriarchy, to name a few. The latter assumes that certain segments of the population, particularly women, are incapable of defending themselves, are passive or defined by immanence, and thus unable to act and shape their own lives. Much how the rulers of the British Raj in India assumed that *sati* was a heinous crime against women while ignoring other forms of ritual suicide (Spivak 302), settler-colonial male-dominated agencies in liberal democratic countries such as Canada operate, more often than not, on the assumption that women must come under their protection either from their “barbaric cultural practices,” or that they are themselves responsible for sexual and physical violence committed against them and therefore must be erased from public sight, allegedly for their own and communal good. Tragically, some of them have been effaced literally.

During the 2015 federal election, a forum that had the attention of both politicians and journalists which allowed, in an unprecedented way, marginalized voices and their allies to speak, entered the national consciousness. This forum was social media. Using the hashtag #MMIW, with other associated hashtags, activists, friends and family members, and allies

have brought awareness to the ongoing issue of murdered and missing Indigenous women and girls, both in Canada and in the United States. By posting pictures of those who have gone missing or were murdered, appeals to politicians, memes, information about protests, gatherings and other forms of activism, amongst other things, the issue of murdered and missing Indigenous women was not allowed to be ignored or brushed aside by those in power and their gatekeepers in the traditional media. This new breed of online activism did not happen in a vacuum; it was based on decades of real-world action.

Breaking the silence about Indigenous women who went missing on Highway 16 started with the 1998 commemorative vigil when Florence Naziel, whose cousin vanished on the 725-kilometer stretch of road, renamed it the Highway of Tears. Naziel's memorable coinage appeared in the title of the 2006 Highway of Tears Symposium Recommendations Report, "A Collective Voice of the Victims Who Have Been Silenced." It inspired an aesthetic response by Jamie Black—a multidisciplinary artist of Anishinaabe and Finnish descent—to the staggering number of missing and murdered Indigenous women in Canada. Installed in public spaces across Canada and the USA, her REDress Project, whose title plays out the meaning of the word "redress" as setting right an undesirable or unfair situation, consists of red dresses hanging from the tree branches in the open and in galleries. Each represents an Indigenous woman who has been murdered or is missing, and aims at getting, over and over again, the mainstream attention they are deserving of. This mobile art installation, which has been attracting the general public and media, gives Indigenous women much-needed voice, and has trended on social media using the hashtag #RedDress. Black's red dress has become an eponymous symbol of the Red Dress Day, the National Day of Awareness for Missing and Murdered Indigenous Women and Girls, which is marked in May

across the country to honor the victims of violence. Undoubtedly, amplifying the voices of Indigenous and immigrant women is vital to supporting them since it is inherently acting as a feedback loop and leading to a wider public awareness, understanding, and empathy, and ultimately to social change.

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