

**GOVERNING DISAPPEARANCE:
RE-FIGURING CANADIAN RESPONSES TO VIOLENCE AGAINST INDIGENOUS
WOMEN AND GIRLS**

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Abstract

This dissertation considers the history of Canadian policy responses to violence against Indigenous women and girls. I think through how these policy responses constitute processes that figure Indigenous women as objects of policy cut off from social relations and histories. In turn, these measures erase Indigenous agency and augment structures that sustain the disappearance of Indigenous women and girls. In this way, I expose how knowledge production is implicated within processes of disappearance and how relations of elimination are reproduced within policy responses to violence. I argue that settler-expert discourses subtly reassert state power through narratives of care by figuring Indigenous women and girls as “damaged.”

I build upon Eve Tuck’s (2009) writing on deficit models of advocacy and Michel Foucault (1978) and Wendy Brown’s (1995) analysis of knowledge production to interrogate the assumptions emerging from expert discourses and truth-telling commissions. My work also draws on critical insights from 15 key informant interviews to consider specific policies within four areas: social planning, harm reduction, human rights, and policing. With these theoretical and methodological insights, I undertake a discourse analysis to consider the figuration of Indigenous women across 17 government and nongovernmental reports from the 1960s to the early 2000s.

I examine the creation of policy figures as a technique of governing. Through this work, I consider how expert discourses produce new policy figures and generated new techniques of regulation and surveillance that targeted Indigenous women and expanded outward to target Canadian society. My work finds that the downloading and privatization of public and social responsibility to the community and the individual persisted across the postwar period and were enduring facets of disappearance. Expert discourses of care were central in depoliticizing the assertions of Indigenous peoples and their allies while normalizing state power.

Dedication

To all those who struggle for change and for a brighter future.

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List of Acronyms

AFN	Assembly of First Nations
AIDS	Acquired Immune Deficiency Syndrome
AJI	Aboriginal Justice Inquiry of Manitoba
ASP	Alliance for the Safety of Prostitutes
BC	British Columbia
BCCLA	British Columbia Civil Liberties Association
BCCFS	B.C. Ministry of Child and Family Service
BCLEAF	British Columbia Legal Education and Action Fund
CAP	Canadian Assistance Plan
CBC	Canadian Broadcasting Corporation
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CHST	Canadian Health and Social Transfer
CMHC	Central Mortgage and Housing Corporation
CPIC	Canadian Police Information Centre
CROWE	Concerned Residents of the West End
CSSD	City Social Service Department
DERA	Downtown Eastside Residents Association
DEYAS	Downtown Eastside Youth Activities Association
DIA	Department of Indian Affairs
DTES	Downtown Eastside of Vancouver
Expo '86	1986 World Exposition on Transportation and Communication (World's Fair)
FAD	Fetal Alcohol Disorder
FAFIA	Feminist Alliance for International Action (Canada)
FASD	Fetal Alcohol Spectrum Disorder
LEAF	Legal Education and Action Fund
HIV	Human Immunodeficiency Viruses
HRW	Human Rights Watch
ICCPR	International Covenant on Civil and Political Rights
INM	Idle No More
IACHR	Inter-American Commission on Human Rights
LSC	Legal Strategy Coalition
MMAWG	Missing and Murdered Aboriginal Women and Girls
MMIWG	Missing and Murdered Indigenous Women and Girls
NAC	National Action Committee on the Status of Women
NHA	National Housing Act
NAS	Neonatal Abstinence Syndrome
NWMP	Northwest Mounted Police
NDP	New Democratic Party
NPO	Nonprofit Organization
NGO	Non-government Organization

NSO	Neighbourhood Safety Office
NSC	Neighbourhood “Safety” Committee
NWAC	Native Women’s Association of Canada
OFIFC	Ontario Federation of Indian Friendship Centres
OHCHR	Ontario Commission of Human Rights
ONWA	Ontario Native Women’s Association
PEERS	Program for the Education and Enrichment of Relational Skills
RCAP	Royal Commission on Aboriginal Peoples
RCMP	Royal Canadian Mounted Police
SIDS	Sudden Infant Death Syndrome
SRO	Single Room Occupancy (Unit)
TRC	Truth and Reconciliation Commission of Canada
UBCIC	Union of British Columbia Indian Chiefs
UN	United Nations
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNECOSOC	United Nations Economic and Social Council
UNPFII	United Nations Permanent Forum on Indigenous Issues
UNWCAR	United Nations World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerances
VPD	Vancouver Police Department
VNHS	Vancouver Native Health Society
YMCA	Young Men’s Christian Association
YWCA	Young Women’s Christian Association

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Entrance Song

On Oct 13, 2015, I went to a “Teaching Indigenous Content” workshop led by Ruth Koleszar-Green and Elizabeth Brulé. One of their main recommendations for non-Indigenous researchers was to situate oneself for entering Indigenous spaces. They posed the following questions: (a) why are you entering this space to do research; (b) how are you grounded in this research; (c) who are you; (d) where do you come from; and (e) what do you want? They called this process an “Entrance Song.” I draw upon this technique to situate myself in this research.¹

Knowledge production—especially the positioning of knowers—is at the centre of my work. Throughout my work I attempt to reverse the gaze to focus on settler colonial knowledge producers. I also attempt to counter settler erasure of Indigenous scholarship and bodies within the academy. As Linda Tuhiwai Smith (2012) and Shawn Wilson (2008) have marked out, the differences in knowledge production between Western and Indigenous knowledges and how these systems discredit Indigenous systems of being and knowing. Central is the question of knowledge production and the assumptions and frameworks scholars bring to the interpretation of knowledge. Bonita Lawrence (2004) and Audra Simpson (2014) have suggested that national identifications can become complicated due to the regulation of Indian status under Canada’s legal order. Also, writing and working in a time of resurgent neonationalism and xenophobia

¹ I am using the term Indigenous to refer to the descendants of the original inhabitants of territories that have been subjected to practices of settlement such as Turtle Island (North America), Australia, and Aotearoa/New Zealand. When engaging governmental and historical reports, I utilize the language used therein. At times I may interchange Indigenous with more constitutional categories like Aboriginal, which refers to First Nations, Métis, and Inuit. I highlight this because, as Indigenous scholars have explained, the external regulation, homogenization, and dehumanization of Indigenous identity by governments has operated through definitions that work to erase Indigenous precontact rights and humanity (Alfred and Corntassel 2005, 598). Where possible, I use the specific name of a people to reflect their distinctiveness from statist identifications.

there is a need to question the unquestioned assumptions of various settler-experts. There is an ever-present danger of reperforming the same nationalist projects that I am attempting to trouble.

To return to the questions presented by Koleszar-Green and Brulé, they help to ground my work and the relations I seek to build with Indigenous politics. In that spirit, I hope that by sharing my own Entrance Song, you can understand where I am coming from and what led me forward on this journey.

My ancestors are Irish, British, and French Canadian. I was born in Ottawa and grew up on the traditional territories of the Algonquin. I recognize the financial, social, health, material, and political benefits I receive as a cisgender, white, male settler under a white supremacist settler colonial society. The city I work and study in is under the Upper Canada Treaties and Mississaugas of the Credit Land Purchase. Today, Tkaronto (from the Haudenosaunee word meaning “where the trees are standing in the water”) is still a meeting place and home to Indigenous people from across Turtle Island and beyond. Historically, Tkaronto has been caretaken by the Haudenosaunee, the Métis, and, most recently, the Mississaugas of the New Credit First Nation. The occupied territory is under the protection of the Dish with One Spoon Wampum Belt Covenant. The ecological rift of settler colonialism troubles the relations between the Iroquois Confederacy and the Ojibwe and allied nations to care for the resources, entities, and life systems around the Great Lakes. I suggest that settler colonialism disrupts relations of care and reciprocity that exist underneath and beyond settler formations of power. I also draw out my own noncompliance with these relationalities as a trespasser on these territories. A trespasser who knows histories of settler colonialism is still a trespasser.

I became aware of violence against Indigenous women and girls while working as a cooperative education student at the Department of Indian Affairs and Northern Development

Canada (now Indigenous-Crown Relations) in the winter of 2010. Since its inception, the Indian Act and Indian Affairs have controlled Indigenous communities from the cradle to the grave. Knowing this, I joined the department hoping to make change. That winter, the Indigenous women's advocacy organization, the Native Women's Association of Canada (NWAC), documented 600 cases of missing and murdered Indigenous women and girls across Canada (NWAC 2010c, i).

By March, toward the end of my co-op term, NWAC had presented its findings to the federal government. People I worked with were part of working groups responding to NWAC's findings and developing a government-wide response. The governing party at the time, Stephen Harper's Conservative government, responded by downplaying NWAC's findings and defunding the Sisters in Spirit project, which was investigating root causes and the number of cases of missing and murdered Indigenous women and girls. I was unsettled by the defunding of NWAC's work and the transfer of remaining funding to Canada's federal police service (The Royal Canadian Mounted Police [RCMP]).

Politically, however this was a profound moment. The Native Women's Association of Canada had gone to United Nations hearings in New York and Geneva to factually demonstrate that ongoing violence was taking place in the Canadian criminal justice system, services, infrastructure, and the law. In my mind, the reports proved that there was a need for reform. Intellectually, I was shocked—not only by the cynicism of the government's response, but also by the banality of the bureaucratic indifference that followed. This governance of disappearance, as I came to understand it in pursuing the research for this project was a highly disturbing policy dynamic. It was the campaigns by Amnesty International and NWAC that brought these issues to the foreground and led me to investigate the ways in which the governance of disappearance

resists challenge and reform efforts to better understand how policies, institutions, and the law contribute to settler colonialism's "slow violence." I understand the term, and the gradual and enduring impacts of the settler colonial system, according to Rob Nixon's description: "violence that occurs gradually and out of sight, a violence of delayed destruction that is dispersed across time and space, an attritional violence that is typically not viewed as violence at all" (2011, 2).

This conception of slow violence connects with what other scholars have said about the logic of elimination within settler colonialism. Patrick Wolfe (1999) scrutinizes the logics that structure settler colonialism as distinct from colonialism and imperialism. For Wolfe (1999), settler societies are "premised on the elimination of native societies. [...] The colonizers come to stay—invasion is a structure, not an event" (2). Political decolonization or the return of settlers to the metropole never took place in the Canadian context. Even if not consciously perceived, these relations comprise a web of legal, political, and social structures predicated on settlement. The structure of a settler colonial society is such that, regardless of individual designs within specific institutions, these structures continue to displace Indigenous rights to territory, culture, and governance. Even as discriminatory laws are replaced by versions of reconciliation and political self-government, these logics of settlement are enacted in subtle and unspoken ways due to the structures remaining untouched.

Rather than historical and transitory, the invasion is enduring and operates through ongoing practices such as high rates of incarceration, discrimination in health care and frontline services, environmental contamination, and displacement from territories and communities. In my writing, I draw attention to the settler trope that Indigenous peoples are destined to disappear from their territories. I do so by pointing to a range of expert discourses that circulate assumptions about the necessity and inevitability of disappearance as a foundational concept of

settler colonial dispossession. The logics of dispossession takes many different forms, but across different political eras, parties, and areas of specialized knowledge, the assumptions that focus on Indigenous integration into Canadian society or vanishing from Canadian existence are always in the foreground of these discourses.

As a writer, teacher, and thinker, I want to understand and challenge these systems that maintain Indigenous dispossession and disappearance. I am doing this work because I want to see a world where Indigenous friends, colleagues, communities, and extended relations can live in a good way. I hope for a world where Indigenous solutions to problems are not discounted or taken up in a piecemeal fashion by governing authorities, communities, and organizations.

Chapter One

Introduction: Disappearance as Governing

This dissertation emerges out of a tension between the condemnation of the violent deaths of Indigenous women by charitable organizations, nonprofits, humanitarian groups, and state institutions and the reproduction of settler colonial assumptions about Indigenous women in discourse responding to this violence. My response to this seeming paradox—settler colonial logics advanced through appeals to the state—is two-fold. First, there is the familiar contention, variously argued by Michel Foucault (1978), Wendy Brown (1995), and many others, that calls for state intervention often further the operation of power rather than impeding it. I map out how these power relations often erase and reintegrate critical assertions of rights back into state power structures. Second, drawing on the work of Eve Tuck (2009), I see this operating through damage-centred assumptions about Indigenous women. In this study, I examined the historical and political underpinnings of the “Missing and Murdered Indigenous Women and Girls” (MMIWG) discourse in Canada since World War II. I analyze how these assumptions reproduce Indigenous elimination as an ongoing structuring pattern within Canadian society. To do this, I trace these assumptions and their implications in 17 governmental and nongovernmental reports.

There is a large and growing body of literature by Indigenous women and their allies on violence against Indigenous women, the causes of MMIWG, and the effects of settler institutions on Indigenous women and their families. Several key collections have offered detailed discussions of the effects of colonial violence against Indigenous women, girls, and communities, including *Strong Women Stories: Native Vision and Community Survival* (2003); *Until our Hearts are on the Ground: Aboriginal Mothering, Oppression, Resistance and Rebirth* (2006); *Forever Loved: Exposing the Hidden Crisis of Missing and murdered Indigenous Women and Girls in Canada* (2016); and *Keetsahnak / Our Missing and Murdered Indigenous Sisters* (2018). *Strong Women Stories* (2003),

edited by Kim Anderson and Bonita Lawrence, provides a nuanced discussion by Indigenous scholars, activists, and leaders confronting status, cultural loss, and patriarchal relations. Dawn Martin-Hill (2003) discusses traditionalism in eliding male violence and patriarchal displacement of Indigenous women from roles of power. Kim Anderson (2003) considers the tensions surrounding family planning and women's reproductive control in the wake of residential schools and the child welfare system. In *Until Our Hearts are on the Ground* (2006), Jeannette Corbiere Lavell and D. Memee Lavell-Harvard's edited volume also discusses the impact of residential schools, policing, and child welfare on Indigenous mothering. *Forever Loved* (2016), edited by Memee Lavell-Harvard and Jennifer Brant, unpacks Indigenous women's efforts to investigate colonial violence through inquiries and the Native Women's Association of Canada's (NWAC) campaign. Helen Knott (2018) offers a discussion of gendered colonial violence from resource extraction to community violence. Collectively, these texts capture different facets of violence and dispossession shaping Indigenous women's struggles against settler colonialism.

In this dissertation, I aim to build upon the insights of Indigenous women and this literature without taking space away from this established and growing body of scholarship. I am not studying Indigenous women or Indigenous peoples; instead, my work considers settler colonialism and, specifically, the work of settler-experts in shaping conceptions relating to MMIWG. I focus on the power relations of settler-expert discourses and examine how these discourses affirm the logic of elimination and settler colonial power through a logic of care that seeks to maintain political, economic, and social control over Indigenous peoples. To do this, I consider four moments of expert knowledge production that have normalized the disappearances of Indigenous women and girls in Canada. These expert discourses have given rise to four policy figures that, I will argue, have reproduced a binary view of Indigenous womanhood. These figures concern "transience" in social planning in the 1960s Vancouver; harm reduction in 1990s Vancouver; humanitarian discourses at the

federal and international level in the early 2000s; and policing in the mid-2000s in British Columbia and under Stephen Harper's Conservative government. I examine how these policy figures positioned some women as deserving and others as undeserving of protection. I contend that these settler-expert discourses maintained the view that Indigenous peoples were vulnerable and disappearing from Canadian society, even as they advocated on behalf of these women and girls.

Overall, the central premise of my thesis is that settler-expert discourses have reinforced damage-centred assumptions about Indigenous women, girls, and communities. These damage-centred understandings erase Indigenous experiences and solutions to the structural conditions that give rise to violence. Disappearance operates through discourses of care that individualize and erase broader Indigenous assertions of rights to territory, self-determination, and cultural continuity. Denials of Indigenous agency have reproduced the structural, institutional, and historical patterns that dispossess Indigenous peoples from their traditional territories in Canada. Hence, settler colonial dispossession operates through a perverse logic of care. Vital to my study is Tuck's suggestion that settler governors, and many others, view Indigenous women, children, and communities as "depleted subjects" (2009, 409) instead of resilient, self-determining, thriving, and healing. This view, I contend, necessitates and normalizes practices of surveillance and discipline against Indigenous women and communities.

Analytical Approach: Damage-Centred Assumptions and Expert Discourse

Tuck defined damage-centred research as "research that operates, even benevolently, from a theory of change that establishes harm or injury in order to achieve reparation" (2009, 412). In her 2009 letter to the *Harvard Educational Review*, Tuck asked Indigenous communities to issue a moratorium on damage-centred research to provide communities with time to reflect upon these strategies (409). Tuck suggested that "damage can no longer be the only way" of discussing

Indigenous communities (422). Her concern was that these narratives, no matter how well-meaning, reproduce racist assumptions about Indigenous communities as unequal to settler states.

For Tuck, damage-centred research—as a strategy of advocacy that characterizes “entire communities as depleted” (Tuck 2009, 409)—is the continuation of power relations rather than a clear break with prior colonial discourses. It produces Indigenous communities through the “pain or loss [of] an individual, community, or tribe” by emphasizing what a particular student, family, or community is lacking to explain underachievement or failure” (413). In these ways, damage-centred research reasserts dominant patterns of life and normative categories of development. It denies the complexity of present existence under settler colonial rule. As explained by bell hooks (1990), racialized peoples are only allowed to participate within official spaces of hearings and the law when they ““speak from that space in the margin that is a sign of deprivation, a wound, an unfulfilled longing”” (as quoted in Tuck 2009, 413). In considering official hearings, commissions, and truth-telling proceedings, I see this strategy operating as part of governance. Truth-telling proceedings include official inquiries, commissions, and inquests run by government institutions. Truth-telling practices include the collection of spoken and unspoken (textual and auditory) statements that bring a fact or set of facts into being. Building on Tuck’s theorization, I attempt to chart out and analyze the implications of this strategy over the last several decades for Indigenous political struggles. For instance, state discourses often affirm Indigenous women as at-risk and traumatized subjects as a means of advocating on their behalf. These identifications assert the power of government over Indigenous communities.²

² Carmela Murdocca (2017) has argued that colonial inquiries tend to restrict the “narrative coherence” between historical forms of injustice and contemporary violence. For instance, in her study of Coroner’s Inquest into the deaths of Jamie Goodwin and Ricardo Wesley, two Kashechewan young adult men, she reveals that settler inquests reproduce distinctions between different forms of evidence and periods of settler colonial time (126). Indeed, in her concept of “testimonial time” she

According to Tuck, damage-centred research and legal appeals attempt to demonstrate that Indigenous communities are wounded to “obtain particular political or material gains” (413). This type of research furthers the dominant assumptions that these communities are “broken, emptied, or flattened” (414). Tuck theorized that securing legal and political benefits also limit the political gains of speaking one’s pain. Drawing on Tuck, I suggest that when telling peoples stories and narrating settler colonial violence, these truth-telling discourses reaffirm colonial power structures, especially around gendered violence.³

In contrast, Tuck (2009) offered a parallel framework of analysis that moves away from positioning Indigenous communities as “damaged”: desire-centred research. The purpose of this

argues that inquiries represent a distinct form of racial governance that reinforces divisions between state governance, the everyday, and the Indigenous political subjectivity (126-7). Inquests, specifically, reinforce this division between the grief of the present and their future oriented outline (128). So, by ruling testimonies predicated on Indigenous knowledge and political affects out of order before inquiries, commissions, and inquests these practices cut discussions of past omissions of guilt and historical violence from present calls to justice and cases being investigated (2017, 143).

³ National memorialization as a form of collective memory has multiple political potentials. I do not deny the healing, reciprocal, and restorative dynamics that acknowledgement, public education, or national awareness can hold. Nor do I mean to critique feelings of recognition or acceptance that national commissions can embody. I am concerned with the temporalizing function of inquiries, the political function for governing subjects, and the enabling functions these practices can have. In the temporalizing function, policy makers use official investigations to draw a line in Canadian history between periods of violence and reconciliation. The tension at the heart of this issue is that many of the recommendations from various royal commissions and inquiries –*The Royal Commission on Aboriginal Peoples (1996)*, *The Truth and Reconciliation Commission of Canada (2015)*, and *the National Inquiry into Missing and Murdered Indigenous Women and Girls (2019)*— have not been implemented. This in-action has continued the dispossession, elimination, and assimilation of Indigenous peoples. While these investigations into the relationships between the Canadian state and Indigenous peoples can shed light on legal, structural, and institutional violence, they can also produce findings that policy makers can use to erode claims of capacity for Indigenous self-determination and autonomy rights. Collective memory can be a decisive moment of public learning for unlearning settler colonial modes of thought and having difficult conversations for organizing across different geographies and lived experiences. Memorialization (as a process of national truth-telling) can contain transformative potentials and rehabilitate state institutions and structures responsible for violence. However, different levels of collective memory across families, neighbourhoods, communities, and grassroots databases and archives preserve knowledge until it is ready to be shared.

approach, for Tuck, is to “depathologiz[e] the experiences of dispossessed and disenfranchised communities so that people are seen as more than broken and conquered.” This approach upends “typical scripts of blame” while provoking “latent assumptions about responsibility” (416). Tuck writes that desire is “both the part of us that *hankers* for the desired and at the same time the part that *learns to desire*” (418; emphasis in original). Rather than simply denoting lack, Tuck understands desire as a potentially subversive set of practices that position those subjected to dehumanization as “having pasts and presents and futures” that they narrate for themselves (418). The theory of justice that underwrites desire-based understandings opens questions of agency. In this way, desire-based practices do not easily collapse into a binary between “reproduction” or “resistance” (419). At specific moments, I examine where these political potentials come to the foreground. I argue that these logics of desire can exist in parallel and even alongside damage-centred assumptions.

The reception of Tuck’s letter has been mixed. Some scholars have expanded her approach while others have pointed to the necessity of opening up new possibilities to contest the ongoing oppression of marginalized communities. Vanessa de Oliveira Andreotti (2014) draws attention to the temporalizing dynamics of reducing education and other struggles to either past injustices, normative understandings of a liberatory future, or struggles over aesthetics and ethics. A monolithic conception of agency can erase “education (as a space of lingering) precisely by foreclosing the possibility of their own insufficiencies (as spaces of arrival) and of the gifts offered by other traditions of thought” (393). The work and struggle of the present can be erased by postcolonial critiques. There is a need to think about educational spaces and moments of contestation as holding alternative political possibilities in the present.⁴

⁴ Tuck’s approach has resonated beyond Indigenous concerns. Bianca J. Baldrige (2014) applied Tuck’s writing to examine deficiency and deficit thinking around Black youth in extracurricular programming. This reflection has allowed Baldrige to examine both humanization and

In another way, Angela May (2021) argues there is a need to not only offer a moratorium on damage-centred assumptions but to also reflect on the responsibilities of knowing and drawing out refusals to these tropes. May states that in her work on the hotels in Vancouver’s Downtown Eastside, “We might consider, then, how the history of white supremacy involves not only the actuality of violence, but a whole set of discursive practices by which settler colonial societies legitimated violence against non-white people, commodified their suffering, and represented and consumed their pain” (91). She challenges “the idea that there is some pain about which we need to know, particularly those expressions of pain that undercut or complicate its more dominant representations.” Drawing on Audra Simpson (2014), May notes that “[r]efusal in research makes way for other r-words—for resistance, reclaiming, recovery, reciprocity, repatriation, [and] regeneration” (91). Although these r-words are crucial, I worry about how researchers and scholars might take them up as moves to innocence, statements that erase complicity with settler colonial structures of power, rather than earnest investigations into, as Audra Simpson articulates, “what you need to know and what I refuse to write in” (cited in 2021, 91). By asking how specific narratives that contain pain and loss can also challenge and disrupt taken-for-granted White understandings of violence, there is a need to mark out the critical readings and dimensions on the part of researchers. Central to May’s work is the challenge that, following Simpson (2014), refusal need not equal the reproduction of a silence, but rather assert more complex understandings beyond damage. Following this invocation, I attempt to draw out the complex moments where desires for different relations and glimpses of submerged knowledge that counter settler colonial damage emerge.

pathologization in Black community-based youth organizations under neoliberalism. As Baldrige suggests that “[d]espite neoliberal forces that stifle flexibility and critical thinking in schools, it would be deeply unfortunate to force after-school community-based educational spaces into diminishing their much-needed comprehensive approach to working with youth” (467). There is a need to acknowledge the often complex and contradictory workings of power at a given moment rather than projecting a monolithic view of agency.

My work departs from Tuck's writing in certain ways. Tuck and Yang (2014) note that "[u]tilizing a desire-based framework is about working inside a more complex and dynamic understanding of what one, or a community, comes to know in (a) lived life" (231). I agree with Tuck and Yang that a more nuanced and complex reading of desire rather than solely one of domination is necessary and important to expand the basis of thinking; however, I believe there is a middle path between this moratorium on research and knowledge production. Tuck and Yang go on to note that: "[r]ather, we see the collecting of narratives of pain by social scientists to already be a double erasure, whereby pain is documented in order to be erased, often by eradicating the communities that are supposedly injured and supplanting them with hopeful stories of progress into a better, whiter, world" (231). For me, this represents a tension, as narratives of pain and loss are often intertwined with decolonial moments that produce desire and "a hankering" for Indigenous subjects. I agree that these truth-telling narratives may re-enact the power of the settler state, as when, they argue that "there are some stories that the academy has not yet proven itself responsible enough to hear" (232). I agree with the authors that the innumerable, extractive, and exploitative practices are the basis of producing "intellectual products" and unaccountable research relations.

At the same time, Tuck and Yang write from a place of situated knowledge about the genocidal racism of settler states (2014, 233). Sometimes sharing stories of pain and violence can disrupt settler colonial imaginaries and reveal a different set of aspirations and political sites of solidarity. Although part of settler colonial power does desire the extraction and telling of truth, the stories Indigenous peoples hold also contain truths that are disruptive to the normative foundations of settler colonial order. At specific moments, Indigenous and non-Indigenous activists and lawyers may need to use pain-centred narratives to secure immediate gains and resources. There is a need to think more readily about how these strategies can be shifted to minimize long-term harm and political ossification, but in the ongoing violence of settler coloniality, immediacy is important.

In problematizing expert discourses, my intent is to counter Western knowledge systems. With that being said, I follow Lisa Monchalin's (2016) warning that good intentions can often have unintended and negative consequences. In investigating the above contradiction, I do not want to obscure Indigenous agency. My intervention comes with some necessary dilemmas. First, I am caught between the utility and limits of what Tuck (2010) has critiqued in post-structural theories around a lack of political possibilities in the present and the view of subjects as either empty containers for power or those that have been trained to desire (conceptualizing desire as lack). In drawing on post-structuralist theory, I remain pinned between post-structural accounts that conceptualize the subject as a historical project that is produced to desire and regulate themselves and Indigenous knowledge systems that view desire as cultivated across generations and functioning in complex relations with structures (2010, 644). I am interested in pointing to what patterns of damage have erased, as well as to the contention that desire does not always need to denote an absence.

Second, I consider settler-expert discourses as opposed to Indigenous ways of seeing and knowing. My work does not delve into Indigenous "teachings, approaches to relationships, ethics, histories, and futurities" (Smith, Tuck, and Yang 2019, 13–14). Here, Tuck uses the analogy of the crisscrossing routes of the New York City subway system going "all over the city, taking one below rivers, beneath stone and skyscrapers, above avenues and through the most sacred parts of the city" (14). As she explains, Indigenous knowledges usually offer signposts about the direction of knowledge and offers interconnections to specific "destinations." The hum of the settler academy is merely focused on the "gridlock of traffic" (14). My focus is on the surface traffic as opposed to Indigenous anticipations of "the ontological," "material," and "spatial" turns in social sciences (Smith, Tuck, and Yang 2019, 15). Indeed, my work attempts to bring settler denial of these knowledge systems and ways of seeing and interacting into view by pointing to these moments of visibility and their denial. At certain points, I flag moments where different groups burst forth and try

to talk about those deeper interconnections of Indigenous knowledge and relations. However, I acknowledge this still does not offer a sustained engagement with Indigenous systems of thought.

I defend this problematization of settler-expert knowledge on several necessary grounds at this political moment. First, patterns of urban spatial mapping remain a dominant mode of governing urban poverty and segmenting urban space. Second, the development and application of specific techniques for extracting population-level strategies for managing and reintegrating subjects can be seen occurring at different moments across the histories I take up. Settler-expert discourses not only constitute subjects as damaged, but devise techniques to further their governance that are then applied to other segments of the settler colonial population. Structurally, settler colonialism is not only destructive and damaging, but also experimental and extractive. It is necessary to consider these rationalities—of the “benefits” and “productivity”—as a systemic feature of how the settler colonial system reproduces itself. Finally, and somewhat, pragmatically, as Canada moves into a renewed phase of domestic integration of international Indigenous human rights, there is a need to consider how past efforts erode Indigenous rights through domestic law and territorial appeals by the Canadian state can prove useful for understanding tactics being applied to the United Nations Declaration of the Rights of Indigenous Peoples.

My work concerns the discourses governing the everyday structure of Indigenous peoples’ lives. Although my work traces these discourses, I do not view this process as either complete or inevitable but rather as always contested by decolonial resistance. By governance, I mean the process of governmentality described by Foucault (2003a) that served to manage the norms and the arrangement of populations under modern statecraft (e.g., demographics, birth rates, and death rates) (242). I draw on Foucauldian analysis to make visible the seemingly “natural” processes when a government brings a social problem into being as a site to be managed by state or non-state authority (2003, 235). By discourse, I mean the textual and non-textual ideas, practices, and beliefs delivered by

public officials, institutions, and policy makers across reports, speeches, and public debates that shape norms about subjects (Foucault 1978).

In what follows, I draw on almost forty years of critical insights into Foucault's discussion of power under liberalism, where power is understood to be non-deductible, atomistic, or possessive. However, my analysis veers from Foucault in several ways. First, Foucault's analysis was primarily focused on European forms of governance that exceeded the state and offered only scant attention to the context of settler colonial development (Morgensen 2011, 54). As a result, I necessarily situate Foucauldian analysis in dialogue with different arrangements of governance that stretch the life-preserving and life-sustaining dynamics found in the management of population in the metropole to draw out relations of settlement predicated on elimination. This dialogue includes sweeping critiques by neo-Marxist feminist scholars like Sylvia Federici. Federici (2004) challenges Foucault's lack of analysis of the violent dispossession of women and radical governance of their bodies under Christianity following the dispossession of men and women from their lands during feudal society. Also, important here is the mass violence used to subjugate women to produce a new sexual division of labour and construct a new patriarchal social order to which Foucault does not attend (11). I navigate these challenges by centring the ongoing and gendered relations of settler colonial dispossession and elimination.

Second, while Foucault is attentive to the emergence of race and nationalism as strategies of governing within Europe (Foucault 1978, 222), Ann Stoler points to the need to expand Foucault's analysis around race and colonial geographies (1995, 22). For Stoler, the colonial and imperial context, which serves as a background condition for Foucault's writing, demonstrates that racial, sexual, and national power were most discernable within the colonial world, but also had a significant role in remaking bourgeoisie society in the metropole (1995, 7). From a historiographic point of view around settler colonialism, I concur with both Stoler (1995) and Morgensen (2011) that Foucault must

be stretched on this point to consider how settler colonial relations cemented divisions between colonizer and colonized at various moments.

Finally, given the embodied nature of violence against Indigenous women under settler colonialism, I draw upon insights from Indigenous women's writing that dispossession targets Indigenous women differently from Indigenous men. As Audra Simpson (2016a) has described, relations of gendered violence specifically target Indigenous women because of their ability to pass on culture and create life. Hence, I view expert discourses as implicated within relations that attempt to displace Indigenous peoples from their traditional territories while also having uneven and contradictory impulses and effects, as well as being rooted in Western modernization and the logics of disappearance.

Indigenous decolonial thought has challenged post-structuralist scholarship to engage with the mediation of land and the realities of Indigenous peoples. Glen Coulthard's critique of settler colonialism is trained on relations of recognition stemming from the state and how these forms of rule structure Indigenous dispossession and territorial acquisition (2014, 3). I see two key areas of expansion here. First, there is the need to extend Coulthard's analysis through governmentality to areas not normally included in conceptions of recognition: social planning, clinical sites, and policing. In doing this, I consider the generative moment of constituting figures that recognizes a subject and constitutes them as a subject/object of governance. Second, there is the need to expand his critique beyond its focus on symbolic forms of recognition to consider how discursive representations emanating from the state elide or visualize gendered violence against Indigenous women: child welfare, prisons, and policing (2014, 5). My concern across this work is to stretch Foucault's analysis alongside Coulthard (2014) and others to make clear the centrality of dispossession and elimination across Canadian patterns of governance. This is not a pure reading of Foucault, but one that stretches Foucault's insights around governance to consider discourses of damage and desire and their effects.

Theorizing Disappearance

My research examines the role settler-expert discourses play in urban planning, harm reduction, human rights, and policing to affirm understandings of Indigenous disappearance. Through this analysis, I examine how these discourses reproduce settler colonial perceptions of disappearance in their efforts to protect Indigenous women and girls. Three questions guide my study. First, how did a given understanding of violence against Indigenous women and girls gain prominence at a specific time? Second, what logics and practices preceded the historical emergence of these ways of speaking about Indigenous women and girls in expert discourses? Finally, what governmental and political implications went along with these shifting discourses? In answering these questions, I argue that the disciplines of urban planning, harm reduction, human rights, and policing brought violence to the foreground while affirming a damage-centred understanding of Indigenous women, girls, and communities. In turn, these understandings presented Indigenous subjects as incapable of governing themselves and their communities. These moves reassert power over Indigenous peoples, generally, in urban spaces like Vancouver through the rhetoric of care, rehabilitation, and health. These assumptions affirmed the settler colonial understanding that Indigenous women and girls, specifically, were disappearing from political existence and modern life across Canada.

To undertake this study of damage and desire, I considered four figures that have emerged from governmental and nongovernmental reports about violence facing Indigenous women and girls. It is my contention that the reports reproduce specific understandings about Indigenous women and girls that feed into settler colonial tropes and terminology that rationalizes and desires government intervention. First, I consider accounts of the “transient” Indigenous woman from the mid-1960s as a means of regulating divisions and entitlements during a period of urban assimilation. Second, I

examine the rise of the discourse of “vulnerability” during the 1990s as producing a new mode of disqualifying Indigenous women from urban space. Third, I examine how NWAC’s Sisters in Spirit campaign from 2001 to 2010 came to align with state assumptions on policing. Finally, I contend that the “Missing and Murdered Aboriginal Woman” served as a figure of policing recuperation. Each policy figure obscured state responsibility for violence, marginalization, or inequality.

It is important to clarify by what I mean by “figures.” In line with Ahmed (2000), I am attempting to draw out the unspoken and elided intersubjective and social premises that structure the recognition of subjects and also call them into being. In describing this process, however, I am also cognizant of Ahmed’s warning that the “fetishization of the subject,” can involve a “cutting off” of subjects from social and material relations, thereby overdetermining their existence (5). I have accordingly drawn upon Tuck’s writing (2009, 2010; Tuck and Yang 2012) to help balance this totalizing impulse of overdetermining Indigenous women and cutting them “off from the histories of [their own] determination” (Ahmed 2000, 5).

Ahmed explains that taking “figures” as natural or given assumes subjectification as outside of the operation of power or blurs boundaries to such a degree to make subjection applicable to all subjects in the same way (2000, 5). This boundary-blurring can cause subjects to become undifferentiated figures. One remedy is to situate how particular groups of Indigenous people have been made the subjects of government within the sociopolitical context. From this, I seriously consider Ahmed’s call to historicize the “determination” of figures as contentious and unstable encounters that emerge in policy and public terms. By pointing to policy figures, I am drawing attention to something that is going on across different periods of Canadian history. I view these patterns of policymaking as deeply implicated within the operation of government policies that shape society. Figures are part of the operation of power that elide other political formations of recognition and belonging (Ahmed 2000, 5–6). In this context, my use of the term “figures” is as an attempt to

historicize and make visible the workings of power by contesting the taken-for-granted nature of policy categories and decisions. By using the term, I am pointing to a series of practices and projects being undertaken by specific experts at given moments of power. Figurization is central to governing Indigenous disappearance in that it erases the power effects and the structural conditions that make Indigenous women vulnerable. It also reveals the role of experts in shaping policy and social responses to violence.

Everyday Violence

Political accounts of Indigenous violence in British Columbia have focused on political standoffs around Indigenous land claims and political rights. My work departs from these in two ways. First, Indigenous rights in British Columbia are often considered through the lens of conflicts over land and resources (de Leeuw 2016, 18). This strand of analysis has omitted a focus on the lives of Indigenous women and girls around the “tender, intimately-scaled, lived violence that is constantly being reproduced and reborn through individual bodies and relationships” (17). Sarah de Leeuw (2016) has called for the rescaling of analysis to focus on spaces “where power relations are affective and invisible” in the lives of Indigenous women and girls (20). Following de Leeuw’s call to shift scales of analysis, I examine how street-level clinical processes reproduce settler colonial relations.

I shift focus beyond symbolic violence to consider disappearance and everyday gendered violence as a prominent form of social control under settler colonialism. For instance, Coulthard (2014) argues that settler state recognition has emphasized symbolic and legalistic forms of cultural recognition. These have erased historical and contemporary state violence against Indigenous peoples and structural patterns of dispossession that deny Indigenous territorial presence and authority (35). He argues that a settler colonial politics of recognition has operated since the 1970s as the primary arm of liberal strategies for maintaining control over Indigenous peoples (15). These legal and

symbolic practices rested on affirming Indigenous cultural rights but not material or structural changes to Indigenous lived realities (3–5). To counter this, he has called for Indigenous peoples to turn away from the state (44–45). His discussion has a particular reading of state violence and power in mind. Coulthard’s writing offers a partial focus on embodied forms of settler colonial violence such as the child welfare system or the prison system. This is not to suggest that Coulthard is not critical of these systems, but that there is a possibility to pursue lines of analysis suggested but not explicitly considered in his writing. His thinking around “turning away from the state” is complicated by the carceral and extractive dynamics of settler colonialism that do not allow for easy separations, but rather prompt strategic contestations over rights.

Coulthard also does not delve into how embodied violence fits into institutional and daily encounters with state agents beyond legal proceedings and official commissions. For instance, he asks, “What are we to make of contexts where state violence does not constitute the regulative norm governing the process of colonial dispossession?” (2014, 15). In footnote 59, he clarifies his point, stating that “strategically deployed state violence no longer constitutes the *first response* in maintaining settler colonial hegemony vis-à-vis Indigenous nations” (188; emphasis in original). The violence Indigenous women experience is systemic, institutional, and daily; however, when gendered settler colonial violence is considered in urban spaces, policing is still a dominant strategy for administering public space. Coulthard’s approach emphasizes military violence over intimate and lived forms of violence.

Sarah Hunt (2015a) notes that “the genealogy of political thinkers who frame [Coulthard’s] analysis [has] developed masculinist conceptualizations of what is politically significant” (3). Hunt argues that Coulthard has not theorized the violence of police interactions with Indigenous women on the same level as the symbolic forms of recognition. She argues that “[i]n fact, the violences being reproduced in these two state engagements are integrally connected” (4). Even Coulthard suggests

that his analysis was “not as attentive [...] to the ways in which bodily violence is constantly an effect of colonialism in the interpersonal and lived reality of Indigenous women, girls, queer, trans, and Two-Spirit peoples” (Coulthard 2017). My work addresses this gap by considering the implications of urban planning and policing as having decidedly gendered and violent implications.

This focus on microlevel violence allows me to map out how expert assertions of settler stereotypes and norms affirm the view that Indigenous people are depleted subjects in society. By reflecting on how settler colonial power can function through slow and daily forms of violence in planning and policy discussions, I analyze the indirect and invisible violence that structures the disappearance of Indigenous women and girls (Nixon 2011, 2). In doing so, I examine the continuation of stereotypes around “politically neutral” bodies of knowledge like urban planning, harm reduction, human rights, and policing. In this thesis, I present a history of how different images brought violence against Indigenous women to the foreground in the Canadian context; I then mark out the implications of this discourse for disappearance.

Community Governance and Keynesian Planning

The sources and emergence of neoliberalism are still debated. Deborah Cowen (2005) argues that Toronto’s municipalities maintained privatized assumptions of leisure, cost-recovery, and consumerism during the height of social citizenship and welfare state capitalism. She argues that in the 1950s and 1960s these policies served as an antecedent for neoliberal social policy and allowed for Toronto’s neoliberalization in the 1990s (336). In the context of Vancouver in the 1960s, I see a similar process occurring around the designs for an Indigenous women’s hostel and the Indian friendship centre. Urban planning reports sought to produce autonomous subjects for the marketplace through community governance. I contend that a network of services around the Indian friendship centres, hostels, rehabilitation programs, and prisons were meant to produce self-regulating

Indigenous subjects from welfare state supports. This decreased access to supports and protections impacted Indigenous women entering the city.

Around discussions of urban planning in the postwar welfare state, I argue that the policies that are thought to be a hallmark of neoliberal social policy, like community governance, emerged at the heights of welfare state planning. Nikolas Rose (1996) argues that community became a means of governing populations in “advanced liberal” societies of the neoliberal era (330). However, he distinguishes this from use of “community” as a technology for governing subjects during the Keynesian welfare state. He sees it applied to social dislocation and not yet expanded to everyday governance (332). For Rose, the narrowing of the social bonds is part of the devolution of responsibility under community governance within neoliberal social relations. First, the community replaces the social to target microlocal problems in a specific community (e.g., gangs, drugs, poverty) (333). Second, there is a shift in the “ethical character” of collective wellbeing and reciprocal responsibilities under the welfare state and the return to moral individualism to focus on immediate connections to the individual (i.e., family unit or moral community) (334). I argue that community responsiblization (being produced as responsible) is evident in Vancouver’s 1960s urban planning documents. I see this not solely as a response to “social dislocation” but as the leading edge of assimilating Indigenous peoples entering urban centres in the 1960s. For planners, community governance was targeted and focused on specific geographic neighbourhoods. However, a closer study of community governance in the Keynesian era in Vancouver exceeds Rose’s (1996) analysis because of these community models of management dislocated peoples from community and public supports. Rather than spending public funds, responses to Indigenous urban movement in the 1960s privatized social provisioning for Indigenous peoples entering cities. This was also a durable logic for managing urban policy and dislocation from space.

What Rose describes also resembles Dale Turner's (2006) discussion of "White Paper liberalism" within the context of the 1969 *Statement of the Government of Canada on Indian Policy (White Paper)*. This policy paper was a political doctrine under Prime Minister Pierre Elliott Trudeau that attempted to amend the Indian Act, assimilate Indigenous peoples into Canadian society, and remove Indigenous title to land. According to Turner, White Paper liberalism viewed the individual as "the fundamental moral unit of a theory of justice" and understood equality in terms of individual freedom. By reflecting on urban planning logics in the 1960s, I make evident a minimalist (cost-reducing) and discriminatory view of liberal citizenship: the kind of citizenship espoused in the White Paper and operationalized in urban assimilation killed Indigenous women.

The origins of neoliberal urban and social policy within the Canadian context have received critical treatment (Cowen 2005). What is at stake within this discussion is the understanding of how deeply the welfare state supported different groups of people. Can the exclusions of Indigenous peoples from urban supports of 1960s Vancouver be viewed as an early adoption of neoliberalism's policies or be viewed as discriminatory exclusions of welfare state policy? I contend that it represents both. Periods that are conventionally thought of as two distinct periods—the welfare state and neoliberalism—overlap. In my analysis, I delineate how this policy approach was evident to federal bureaucrats and urban planners alike. Specifically, I point to the murders of Indigenous women as implicated within this milieu.

Foucault's analysis of liberal society is useful when considering the affinities between moments of liberal governance and the propensity for exclusion of certain populations from nationalist projects. He defines liberalism not as "a theory of ideology" but as a practice that operates as a "principle and a method of rationalizing the exercise of government" (2003a, 202). By understanding liberalism as a form of limited governmentality that is limited, skeptical of the previous mode of rule, and a regulatory scheme, I can trace out the continuities across periods

of liberal rule (204). In my work, this allows me to parse how binaries within liberal governance limit social entitlements and manage different subjects within society as deserving or undeserving. Neo-Marxist (Smith 1996) accounts tend to view the management of community problems as occurring through new ideological structures for managing urban poverty around gentrification. Likewise, neo-Foucauldian approaches (Rose 1996) understand community governance as a hallmark of later forms of urban poverty management and greater precarity under neoliberal formations of governance.

By drawing on Foucault's analysis of governance, I contend that community governance has represented a continuity with managing urban poverty across different capitalist eras. Doing so allows me to trouble the rigidity of the division between the Keynesian welfare state and neoliberal forms of governance. I trace out how liberal assumptions shape access to resources and responsabilize communities both from the top-down and from the bottom-up through planners, city officials, and community organizations that sought to govern Indigenous peoples entering Vancouver. By doing this, I can analyze continuities between the management of urban poverty across different periods of welfare state capitalism around the offloading of responsibility for Indigenous peoples within cities.

Gentrification and Biological Sorting

On a different axis of consideration, gentrification and the elimination of Indigenous women have been conceptualized in academic literature as two leading dynamics in Vancouver's Downtown Eastside (DTES) in the 1990s and early 2000s. Neo-Marxist geographers Sommers and Blomley (2002) outline the urban poor's redevelopment in 1960s Vancouver. However, they omit a discussion of the same processes in the 1990s (35–36). This omission may be due to their focus on Neil Smith's analysis of "rechauvinism" a class-based *chauvinism* predicated on the violent securing and

reappropriation of public space. Neo-Marxist critiques of gentrification tend to take property rights as the leading edge of analysis. In turn, this marks out the urban poor as a barrier to capital accumulation and gentrification. This analysis fails to consider how new ways of responding to biological, genetic, or medical risk around infectious disease, addictions, or treatments have become their own autonomous set of responses (Murray 2015, 278). Smith (1996) and Sommers and Blomley (2002) assume that the medical treatment arguments for removal are mainly an ideological justification and not a form of profit or governance unto themselves. In this regard, their work leaves space to consider how the nonprofit industry and clinical services in the DTES maintain the area as a space of containment for transcription into profit. Rather than simply being an ideological construct, populations described as “vulnerable” under gentrification become the targets of medical and technical interventions that give rise to entirely new ways of intervening into urban populations.

Likewise, Pratt (2005) offers a study of included exclusion in Canadian law in structuring the lives of Indigenous women within Vancouver’s Eastend (1074). She situates this reading of the exclusions of protection and the dynamics of sacrifice around Giorgio Agamben’s articulation of “bare life”—life extracted from political existence and social protection. The issue in Pratt’s use of bare life is that this theorization does not go far enough in unpacking why containment around bare life unfolds in the DTES. If containment were solely repressive, resistance would be continuous. The durability of containment and drawing in of different humanitarian and philanthropic investments to the DTES require further investigation into the forces that sustain this violence. Although Pratt (2005) is correct in terms of the destructive nature of settler colonial elimination, I point to the “subtle” reproduction of these logics of gentrification and elimination through this caring industry to show how circuits of knowledge production, profit, and research are implicated within settler law. I contend that the containment Pratt describes serves the interests of medicalized modes of control. I situate how the model upholds spatial divisions and limited protections.

My argument is that dispossession and elimination practices were active in 1990s Vancouver. However, a new focus on Indigenous women as biological and medical subjects in terms of their maternal health surfaced to secure these women for the neoliberal economy. The perception that these women were disqualified from urban supports upholds the assumed divide between government funding and nonprofit agencies. It also elides new categories of value and profit that were emerging around the medical industry in Vancouver. By pointing to the binary and often damage-centred logics reproduced through harm reduction discourses and clinical spaces, my work threads the divide between a focus on states of exception grounded in an overt politics of elimination and more liberal understandings of rehabilitative rescue. Traditional critiques cite how these same public agencies circulated narratives of a lack of Indigenous capacity that undermined Indigenous political authority. In turn, these accounts also leave space to consider how advocacy strategies became caught within these understandings of “vulnerability” as a means of securing supports for these women. Also, access to benefits became coded through “being vulnerable,” which meant that Indigenous women and girls seeking supports in Vancouver’s DTES had to represent themselves through language that would be amenable to understandings of “vulnerability” to secure resources. “Vulnerability” emerged in tandem with harm reduction and produced Indigenous women and girls as deserving of protection, but also as “risky” subjects. These nonprofit narratives upheld the view that Indigenous women were a threat to public space. This rationalized police campaigns targeting Indigenous and non-Indigenous women in the DTES sex trade.

One key insight stemming from Foucault’s analysis of governance is the circulation of different patterns of regulation between colonies and the metropole. European models were deeply influenced by the colonial and settler colonial encounters in terms of boundary generation, production of norms, and the radical inscription of status-based hierarchies (2003b, 103). In contrast to the division between containment and elimination in Vancouver’s East End, I theorize the linkages

between how modes of elimination operate around street-level clinical centres and their circulating techniques for governing the population. This informs the central argument of my thesis: that settler colonial formations of governance operate through a kind of perverse logic of care that seeks to maintain political, economic, and social control over Indigenous peoples.

I add to the literature around elimination in Vancouver's East End, in that I see these containment practices giving rise to new patterns of hub-based service management that are applied to the broader settler colonial population. This departure distinguishes my work from the existing scholarship in three ways. First, while liberal accounts tend to view knowledge production as apolitical and outside of the operation of neoliberal political forms of governance (Benoit and Carroll 2001), the operation of nonprofit programming and community governance is both an effect and a site of neoliberal policy. Second, Marxist (Sommers and Blomley 2002), and post-structural (Pratt 2005) accounts alike capture the eliminatory and disqualifying potentials of discourses that remove Indigenous women from public space. My work attempts to make visible the knowledge economies and circuits of research that emerge around spaces as well as how these sites of research on vulnerability give rise to entirely new techniques that are applied to street-involved Indigenous mothers and generalized to the settler colonial population. Third, Foucault's analytics of power allow me to consider how the vulnerable are both contained and positioned as vital to specific research economies—something that the theoretical frameworks concerned with elimination do not capture.

Truth-Telling and Humanization

In the same vein, humanitarian appeals at the United Nations are thought of as a check on state power and a place for violence to be brought to light (NWAC 2010c; Harper 2016). Like nonprofit advocates who take on the language of "vulnerability," humanitarian agencies and Indigenous nongovernmental organizations face both structural and systemic considerations in challenging state

power. These moments of contestation are vital for asserting Indigenous women's rights (Green 2014a). However, the state response to human rights as predicated on physical security and individual rights elides the collective and systemic potentials brought forth by Indigenous women's struggles. These individualizing and narrowing discourses, such as policing, can bound and even undermine the breadth and depth of Indigenous political struggles.

My concern is how liberal human rights frameworks limited the systemic critiques Amnesty and NWAC made from 2001 to 2010. These limits provided openings for the settler colonial state space to advance a tough-on-crime-based response that suppressed the systemic concerns raised by prior reports. Indigenous women's groups, like NWAC in their 2004–2010 Sisters in Spirit Campaign, brought violence to the foreground. However, the assumptions imbedded within the liberal rights frameworks the group used also had the unintended effect of maintaining the damage-centred assumptions about Indigenous communities. Some of these reports implicitly gave space for the state to reproduce the understanding that Indigenous women were “at-risk” and “risky” to Canadian society, as opposed to being made at risk through systemic discrimination, denial of Indigenous rights, and ongoing dispossession from territory.

Some Indigenous and non-Indigenous scholars have pointed out that liberal truth-telling practices may disrupt certain settler colonial assumptions about Indigenous peoples while reproducing others. Dian Million (2013) argues that official truth-telling processes at the United Nations reproduce Indigenous communities as traumatized. Her concern is that truth-telling is “a logic that itself belongs to trauma. Trauma supposes a kind of violence that overwhelms, wounding [the] individual (and collective) psyche” (2). Subjectivity can be mediated and depoliticized within humanitarian spaces. Million suggests the conventional “belief is that when victims of state violence speak their truth in the presence of oppressors, a new story will emerge, a reconciled national history.” However, human rights disputes unfolded under neoliberal capitalism and settler colonial contexts that circumscribed

Indigenous subjectivities (3). Fundamental to the mediation of Indigenous testimony and narratives before human rights bodies is humanitarian victimhood under settler state sovereignty. Million outlines that victimhood-based understandings present in humanitarian modes of recognition can produce Indigenous peoples as damaged, allowing the settler state to maintain a relation of stewardship. Centrally, she sees these power relations operating within Amnesty International's reporting on violence facing Indigenous women and girls. Her core critique is that the liberal understandings of rights, while generating space for Indigenous political claims to be heard, curtail and delimit how Indigenous rights are internationally and domestically responded to and interpreted. My work builds on her insights to demarcate how the Canadian settler state further delimits and subverts the critiques and policy proposals of Indigenous women and humanitarian groups like NWAC and Amnesty International.

Regarding the legal arguments made to advance women's rights, Sherene Razack (1991) has noted the dilemma faced by feminist legal advocates in reading feminist critiques into the law (12). She observes that the Women's Legal Education and Action Fund (LEAF) had to struggle against "the limits it places on our seeing and knowing" (12). The challenge can be understood as "[w]hen women and other oppressed groups articulate the problems of our daily lives using the concept of rights and all that it entails, we are consciously or unconsciously squeezing our lived experience into a pre-ordained mould" (13). Liberal understandings of rights insist upon the necessity of justice, fairness, and individual rights as inextricably bound together. The central problem for feminist readings of the law coming out of LEAF was that the framework of the individual was wholly incompatible with a feminist reading of women as comprising a group. Establishing feminist claims into the law required either using preexisting understandings of infringement/compensation or difference under the law because of a lack of distinctions between individuals within liberal theory (13). Hence, understandings of community and group rights have posed a challenge for theories of

rights, such as the procedural liberal theory of John Rawls (1971), that have individuals as their foundation (15). Claims to a gender-based oppression of women as a group required expanding the categories already assumed within the law.

As Razack, goes on to explain, the post-structural solution does not speak of rights, which “limits what we can know and say” (1991, 19). The problem of rights-based appeals for post-structuralist thought is that “rights concepts, the resort to group rights and to an ethic of care also fail to confront those very issues that post-modernists are most anxious about; namely, the definition of self and the notions of community, difference, and otherness” (19). The tension between scholarly critique and actual legal assertions is not easily dispelled. Razack suggests that there is an escapable necessity in asserting rights to ensure women’s safety in the case of LEAF. Women’s legal claims have been positioned as a zero-sum-game against male rights and state authority.

Centrally, in her reading, Razack shows how the tools that are used to make a particular argument can shape how action is undertaken. For instance, “LEAF will be unable to present various women’s realities in all their complexities if gender remains the prism through which all other oppression is viewed. To understand the realities of Native women in the prison system, for example, LEAF will have to move beyond grading race and class on sex oppression” (1991, 133). The depth and quality of categories used to make rights-based arguments shape what becomes visible. Following Razack, it is not that rights-based appeals are inherently problematic or fraught, but rather it is the power effects of the categories used in rights-based discourses themselves that are at play here. As with Razack’s LEAF example, my interest is in the power effects of liberal rights-based discourses as taken up during Stephen Harper’s tenure in office, in response to NWAC’s final report.

From this, what unfolds within this human rights process is the reembedding of Indigenous discourses back into state legal frameworks (Million 2013, 31). Similarly, Robyn Bourgeois (2014) and Alison Hargreaves (2017) remark that NWAC’s discourses became contained in its final Sisters

in Spirit report in 2010. Million (2013), Bourgeois (2015), and Hargreaves (2017) have each considered elements of NWAC's reports and the implications of the 2010 Federal Budget. Million has focused on the therapeutic and carceral operation of power around Amnesty's reports. Bourgeois has pointed to the downgrading of NWAC's more critical arguments from the early reports to NWAC's final report. Even Hargreaves' focus on the humanizing effects of storytelling-based approaches to social change prominently focus on NWAC's readings. However, these studies have left room to consider the denial of the systemic critiques within a range of federal expert discourses from policy makers and federal officials following 2010. The denial of Amnesty and NWAC's systemic critiques of the state can be read as an issue of tensions within liberal rights frameworks, but a new discourse can also be seen to emerge as a defusal and repressive response to these challenges to state power.

These readings build off Foucault's (1978) account of silence and discourses as processes linked through knowledge production (55). Foucault explains that "[t]he production of silence gives rise to entirely different means of speaking about a set of practices" (27). Every discourse is also a moment of obfuscation. He maintains that nineteenth-century bourgeois society, rather than silencing sexuality, proliferated expert discourses on governing subjects and subjectivities through practices of truth-telling around behaviours and conduct classified as deviant (105). Silences were strategic rather than total and were punctuated by expert techniques such as confession and therapeutic intervention to manage populations as individuals (27). The regulation of nonnormative subjects saw a threefold system of reintegration into different circuits of knowledge production (i.e., counting), social commodification (i.e., profit), and disqualification from normative society (i.e., boundary setting). In effect, medicine, psychiatry, and penal experts took charge over a terrain they defined and problematized. Instead of a complete silence or erasure, their techniques gave rise to processes of reintegration, knowledge production, and the regulation/disciplining of the conduct of subjects against an abstract norm (4). Silence and erasure are part of this complex of knowledge production and

containment. The two are not mutually exclusive as knowledge-power constitutes modes of speech that carve out certain actors and agents as authentic in speaking about certain subjects while displacing others. As with all workings of power, silence and erasure are never complete because these modes of governance run into counter political projects, competing political projects, and competing strategies of governing. Central to these techniques was the participation of subjects in their classification by experts (59). In doing this, subjects are moulded into regimes of regulation and discipline that positioned them based on how they fit within social norms ascribed by power.

Silence is not the primary way that power within a society governed by norms operates. The bourgeois society of the nineteenth century did not refuse to recognize sexuality but instead “put into operation an entire machinery for producing true discourses concerning it. Not only did it speak of sex and compel everyone to do so, but it also set out to formulate the uniform truth of sex” (Foucault 1978, 69). Foucault makes evident that governing unfolds not through prohibition but by dividing spaces and peoples between normative and nonnormative (e.g., juridical, medical, psychological power). This is not to suggest that there were not also many other prohibitions that were coercively enforced in relation to the systems of power and knowledge that Foucault described. He explains, “We are dealing not nearly so much with a negative mechanism of exclusion as with the operation of a subtle network of discourses, special knowledges, pleasures, and powers” (72). Foundational to this understanding was that the bourgeoisie of the Victorian era was not interested in madness or sexuality but with how these practices of exclusion, political advantage, and economic utility “consolidated the system and contributed to its overall functioning. The bourgeoisie is interested in power, not in madness, in the system of control of infantile sexuality, not in that phenomenon itself” (Foucault 1980, 102). These same formations of coded discourses, procedures of consolidation, and reembedding of bodies and techniques to secure settler colonial economic security can be witnessed around various truth-telling practices I mark out across this dissertation.

In unpacking the state response to NWAC's campaign from 2010 to 2011, it is necessary to consider this period not as merely a blunt suppression of speech and narrative but rather as state efforts to capture certain economies of truth within NWAC and Amnesty's reports. This focus on policing, criminal justice reform, and forensic investigation undercut the complex social, economic, and political critique raised by both Amnesty and NWAC. More importantly, it also rehabilitated understandings of state power through understandings of the individual and settler law. As with priority responses governing social order, like madness, sexuality, and public health, the settler state's response spoke in the language of social protection but was not interested in protecting Indigenous women. A central tension in this discussion can be seen around the logic of protection orders deployed by the state, discussed further below.

Brown (1995) notes that grievances can solidify certain forms of identity in place with their legalistic appeals. In turn, these affirm the power of capitalism and the state over these identities (59). Tracing out forms of political advocacy since the 1970s, Brown remarks that critiques rooted in identity politics became disconnected from critiques of capitalism. One facet of emphasizing specific identities over others was the depoliticization of other power relations. Brown explains that one identity "may bear all the weight of the sufferings produced by capitalism in addition to that attributable to the explicitly politicized marking" (60). Brown locates some of these identifications within state power transformations around deregulation, privatization, and localization. These forms of investment shaped different subjects and political contexts under neoliberalism (18). As with Tuck (2009), appeals that rest on subjectivities affirmed by the state rather than subverting governmental projects maintain hierarchical power over subjects. These legalistic appeals to the state depoliticized identities (55).

A primary concern Brown (1995) raises with feminist advocacy that rests upon the conflation of gender and sex is that it reinscribes concepts of "normal" and "deviant" and omits the masculinized

assumptions circulating within state power (168–9). Her critique of these projects relies on a dual appeal. First, the state-affirmed codes of protection that reproduce understandings of vulnerability and degradation. These movements protected some women as wives and mothers at the expense of others (170). Second, these appeals to state power also naturalize cleavages around economic precarity and inequality along racial and class lines eliding the increasing casualization of work and the erosion of welfare state supports (171). Masculinist assumptions operate within the neoliberal state, as they did with the liberal state of the nineteenth century. These assumptions have entailed the domination, dependence, discipline, and even protection of some women at historically and politically contingent moments, which have gendered state power (173). Brown proves helpful in marking out some of the contradictions of engaging humanitarian and state power in documenting lived violence. This analysis reveals that state appeals can create divisions between women and deemphasize the systemic nature of oppression.

Part of doing this analysis is to delineate how the state subverted NWAC's decolonial aims around territory and self-governance. By unpacking how the state subverted NWAC's advocacy, it is possible to consider how victimhood undercut political analysis in NWAC's findings (Million 2013). As with Foucault's (1978) analysis of silence and knowledge production, social subordination is not governed by prohibition but by speech. Instead, the legal frameworks NWAC drew upon contained specific assumptions about the role of state law in responding to violence. Brown's (1995) assertion that appeals to the state can draw upon a masculinist set of assumptions is helpful here. In the state's response to NWAC, these protection codes became the dominant mode of responding to systemic violence. This allowed policing discourses to discount NWAC statements through a narrow reading of human rights predicated on physical protection but not collective or progressive understandings of rights as access to economic, social, or political rights within the Canadian context.

My contention with the debates surrounding silence is twofold. First, by taking up a previously overlooked 2001 Durban Conference on human rights in South Africa, I point to the influence of settler state law shaping the process that NWAC's Sisters in Spirit Campaign engaged in 2001. I build on the insights of Million (2013), Bourgeois (2015), and Hargreaves (2017) to establish how the discourses and problems raised by Amnesty International and NWAC were subverted by policy maker discourses around policing. The Durban Conference reflects a crucial consideration as to how denial and subversion of Indigenous critiques of the state could be subverted by the international production of power. In considering discourses produced by policy makers responding to Amnesty and NWAC, I expand upon the foundation laid by the scholars named above to point to the subversion of NWAC's critiques by state power.

In this way, NWAC's legal strategy allowed for the widespread public "recognition" of collective violence facing Indigenous women and girls. However, the legal categories NWAC drew upon within their analysis presented openings that could be exploited by settler colonial experts. For future legal challenges and political advocacy strategies, it is imperative to consider how successful campaigns that elevate political violence through legal appeals and truth-telling practices function as spaces of agency for oppressed peoples and nations. It is also vital to consider the possibility of new formations of domination. In a political context, where government experts appear to speak in the language of reconciliation, nation-to-nation relationships, and Indigenous justice, it is imperative to consider how the state can redeploy elements of legal appeals against oppressed groups.

Following, Brown's (1995) discussion, struggles for political rights should not be contested because of the necessity and contingency of historical timing, social power, and political cultural context (i.e., the emancipatory value of rights) (1995, 100). The point here is not to critique rights-based appeals to justice or humanization, but to consider the subtle and often unconscious assumptions that are carried forward in their grammar. Human rights gains by Indigenous legal

advocates and organizations have transformed Canada's political landscape. Indeed, following Green (2014a), and Million (2013), it is important to consider how the political work done by Indigenous women on the ground in larger struggles for rights-based justice carries out the work of decolonization and reasserting Indigenous laws and cultures. The disavowal of Indigenous women's rights under the moniker of "women's libbers" or Eurocentric human rights discounts that the rights being asserted have a larger continuity with precontact ways of being, living, and knowing. My interest in this analysis is to discern the breadth of NWAC's appeals and demonstrate how the settler state subverted these critiques with discourses focused predominately on policing. The legal and political organizing taking place from 2001–2010 was vital in transforming understandings of dehumanization in the Canadian context and markedly departed from all prior discourses that came before.

Breakdown of Settler Colonial Recognition

Finally, a fourth gap persists in analyzing how truth-telling and recognition are understood during the Harper era. Coulthard (2014) argues that symbolic forms of recognition around the affirmation of cultural rights have perpetuated systems of discrimination and systemic oppression of Indigenous peoples since the 1970s (5). His point is that this has misrecognized Indigenous political aspirations and maintained structural inequalities within the Canadian state (33). He writes, "Their generative structures, in this case, [are] a capitalist economy constituted by racial and gender hierarchies and the colonial state" (35). However, he later remarks that the process of liberal recognition he saw operating from the 1970s onwards did not apply to Prime Minister Stephen Harper's tenure (2006–2015). In a 2017 interview, Coulthard explains that Harper's time in office did not adhere to the way in which recognition and accommodation were taken up with, say, Jean Chrétien or Paul Martin. Frankly, I think it has to do with his belligerence.

Harper was not interested in the more symbolic politics of recognizing differences and historical injustices. He was explicitly anti-Native. (Coulthard 2017)

I maintain that this period of nonrecognition was more nuanced than Coulthard has suggested. It is my view that, rather than a refusal of recognition, a narrow assessment of Indigenous women's rights around physical protections shaped policing reform. The recuperation of policing during the early 2000s involved garnering supports from Indigenous communities and representative organizations. Nevertheless, the findings of federal and provincial truth-telling practices were so divergent from the testimony that multiple groups withdrew and called for a public National Inquiry into Missing and Murdered Indigenous Women and Girls. Rather than an absence of recognition, governmental institutions affirmed damaged and depleted understandings of Indigenous women and targeted women and communities. These provincial and federal hearings served to recuperate policing and nonprofit responses to violence. The recognition framework Coulthard has described appears to have shifted to the international level around UN bodies like CEDAW during the Harper era. Domestically, recognition and truth-telling practices during this period revitalized and expanded policing powers over multiple hearings. Rather than an absence of speaking, there was an extension. In the next section, I will outline my research approach.

Research Approach

I employed decolonial feminist research methods to conduct a single case study analysis of Vancouver using semi-structured qualitative interviews. My methodologies were adapted from antiracist, decolonizing, and feminist methodologies (Tuck and Yang 2012; Arvin, Tuck, and Morrill 2013). To establish contact and trust with key informants, I drew upon Indigenous insights around reciprocity (Tuhiwai Smith 2012) and relationship building (de Leeuw and Hunt 2018). de Leeuw and Hunt call for developing reciprocal relations with communities by supporting the writing of nonpeer-

reviewed publications, community grant applications, court paperwork, toolkit development, and curriculum development under the guidance of Indigenous communities (2018, 8). The point here is to engage in labour and service to support Indigenous aims. To reflect on the information emerging from interviews, I was concerned with Foucauldian concepts of discourse around what was “sayable” and “knowable” and “silenced” within given discourses I was alerted to by key informants. Hence, my analysis built on concerns of damage from Tuck’s writing and how race, sexuality, gender, and their systems of oppression normalize specific modes of speech about violence facing Indigenous women and girls. My interviews sought to draw out how certain discourses of specialized knowledges such as antiviolenace organizing, reconciliation, policing, harm reduction, and wrap-around care visualized Indigenous women and how these discourses either reproduced or broke with prior understandings of violence.

To carry out my research, I travelled to the traditional territory of the Musqueam, Skwxwú7mesh (Squamish), and Tsleil-Waututh nations, also referred to as Metro Vancouver, to conduct archival research and key informant interviews. Over the summer of 2017, I undertook archival research trips to Library and Archives Canada (Ottawa), the Vancouver Police Museum and City Archives (Vancouver), and the Royal Archives of British Columbia and Museum of Anthropology (Victoria). During the fall of 2017, I spent three weeks in the Metro Vancouver area meeting with key informants. I interviewed 14 Indigenous and non-Indigenous key informants, including activists, health advocates, researchers, professionals, and employees at nonprofit organizations. These groups were selected for their public profile around advocacy for Indigenous women and girls. I also completed a single interview with a key informant in the Greater Toronto Area in the winter of 2018. I have anonymized my participants and obscured gender by using “they,” “their,” and “them” pronouns to avoid any slippages on my part. These key informants alerted me to historical and contemporary documents and reports that I would not have been able to independently

secure. These insights allowed me to sort through the considerable literature, and I ultimately selected seventeen reports.

I asked participants eight questions in the open-ended discussion (see: Appendix A). The interview process included questions about their histories collaborating with Indigenous women and communities, projects and programs they were involved with, and where they saw significant turning points in issues around violence against Indigenous women. Additional questions included the organization or group's framework (i.e., human rights, Indigenous cultural frameworks, reconciliation, Constitutional law). I also delved into questions around the impact of the Truth and Reconciliation Commission and the then-ongoing National Inquiry into Missing and Murdered Indigenous Women and Girls. In asking key informants about other groups, projects, and unpublished (grey literature) publications, I attempted to access community-level knowledge about the histories and moments of contestation or power that had taken place but were not prominent within academic discussions. This process drew my attention to community reports like Sue Currie's 1995 report on violence in the sex trade, a network of early childhood education and wrap-around care services, and different emerging trends around Indigenous and non-Indigenous organizing around rights-based advocacy.

Initially, I did not want to research Vancouver. The East End of Vancouver is described as Canada's "poorest postal code" (Culhane 2003, 596). A substantial body of academic and non-academic reports about the DTES portray a space of containment for "transient" populations and examples of urban decline (Sommers and Blomley 2002, 21). I view these assumptions as problematic because they embody a damaged account of the neighbourhood and its residents that ignores histories of resistance and contestation (41). These narratives constitute the DTES as an anarchic space that requires governing and redevelopment. These accounts neglect the different political potentials of Indigenous and non-Indigenous groups in the neighbourhood (Culhane 2003, 559). They also

subsume the rediscovery of urban poverty as part of redevelopment (Sommers and Blomley 2002, 35–36). I chose Vancouver because it has been vital in activism and research about violence facing Indigenous women and girls. It is also a centre of medical research and new techniques of urban management that warrant further consideration. It is precisely because clinics, store front service centres, medical researchers, and thinktanks were there that I did not want to reproduce the neighbourhood as a problem. I realized that Vancouver is the perfect site to critically examine the operation of discourses of damage and depletion. In the end, I chose Vancouver because I wanted to analyze these discourses.⁵

Indigenous peoples continue to assert their political and social presence in myriad ways within Vancouver and British Columbia, which has been at the intersection of multiple investigations into violence facing Indigenous women and girls. The 2016 Census indicates that Indigenous peoples account for 4.9% of Canada’s population and represent one of the fastest-growing populations in the country (Government of Canada 2017a). Vancouver contains approximately 61,460 Indigenous residents (2017a). According to RCMP data, BC represents one of the provinces with the highest rates of homicides against Indigenous women: 205 from 1980–2012 (2014b, 9). Vancouver was at the centre of the BC Missing Women Commission of Inquiry in 2012. It served as a focal point of advocacy that shaped the National Inquiry into Missing and Murdered Indigenous Women and Girls.

Ethics Protocol: Reducing Risks in Field Interviews

⁵ My concern is that, because zoning of spaces temporalizes and spatializes figures through language, this geography is somehow beyond the workings of urban law and settler processes to displace. Generally, in my thesis, when I am referring to the East End of Vancouver or the Downtown Eastside, I am referring to the six-block area between Main and E. Hastings St. and Cambie Street and Jackson Avenue; however, these boundaries fluctuate across different time periods. I use Gastown, Granville Woodland, Strathcona, and Chinatown at various moments to describe the neighbourhood.

To determine how best to conduct this research, I consulted numerous Indigenous and non-Indigenous academics. My goal in these conversations was to find strategies to address concerns over reciprocity in research, limit the retraumatizing effects of interviews, and avoid settler colonial tropes. I sought to guide my research according to the values of respect, reciprocity of knowledge and labour, and self-reflexivity. I also followed Chapter 9: Research Involving the First Nations, Inuit and Métis Peoples in the *Tri-Council Policy on Ethical Conduct for Research Involving Human Subjects*. I offered participants the ability to change the interview structure and split it up should they need a break. I also gave participants the option to refrain from answering questions and conclude the interview at their discretion. These measures allowed me to keep the emotional and mental dimensions of participant engagement at the forefront.⁶

I began each interview by validating the rights of the participants. Fontes (2004) notes that affirming ethical principles and commitments to participants can create a space that centres participants' needs. This practice asserts the ability of participants to withdraw consent (150). By asking if participants had any issues not open for discussion and maintaining respect for their control over what was asked, I acknowledged my responsibility to them and their agency in the interview. After the interviews, I followed up with the participants to check in about how they were feeling.⁷ I selected a semi-structured format for interviews. By having a dialogical approach to questions, interviewers challenge the rigid hierarchy between academic interviewer and participant. I offered participants a list of questions. I also provided them with the opportunity to ask questions of me. I

⁶ Lisa Aronson Fontes (2004), Juliet Corbin and Janice Morse (2003), and Mary Ellsberg (2002) suggest using informal discussions to increase the agency of participants. They contend this allows for greater feelings of safety, power, and control for participants in the interview process. These authors also discuss practicing care for the emotional/mental needs of participants.

⁷ Consent, as Fontes states, should involve asking permission when moving to difficult topics in the interview (2004, 150). Corbin and Morse (2003) offer the example: "Now I would like to ask you some questions on violence. Would you like to continue?" (145).

allowed the participant as much or as little control over the interview process as they desired. As interviews can be draining, I gave participants opportunity/(ies) to collect their thoughts. By providing a break or pause in the interview, time was given to move out of potentially triggering topics of discussion.⁸

In my interviews and field work, I offered the key informants and participants the choice of being tape recorded. Using a tape recorder or notebook can be, in some instances, distracting to participants and can hinder what participants might otherwise feel comfortable discussing.⁹ After each interview, I produced a rough outline of the conversation and submitted it to the participant. This approach created a general transcript of the interview's main points that would not rely on direct citations of exact text from participants. The recording of every detail can take away from the meaning participants conveyed in the conversation.¹⁰

Fieldwork and Key Informant Interviews

Travelling between different cities creates a challenge in developing trusting relationships between researchers and participants. One way I built trust was to share the information I obtained about state antiviolence policies involving *Māori* women in New Zealand, which was distinct from what Canada was doing in the early 2000s. A second method I used to build respectful relationships was to offer tobacco to Indigenous participants. Many Indigenous communities on Turtle Island use

⁸ For instance, Corbin and Morse (2003) discuss the limiting effect structured interviews can have on participants, whereas semi-structured and unstructured interview formats appear to grant participants more agency.

⁹ Lianne Leddy (2010) notes that tape recorders and transcription can give rise to negative interactions. While interviewing her grandmother, Leddy found that the tape recorder distracted her grandmother. Susan Tilley (2016) remarks that the women she interviewed in prison were distracted and concerned about being audio-recorded, even when notes were taken while they were speaking.

¹⁰ Leddy goes on to note that the exactness of transcripts around “hesitations, inelegancies of speech, or even emotional reactions—including laughter” can be off-putting to participants reviewing them (2010, 11).

tobacco as one of the sacred medicines. In discussing this matter with a Cree Sun Dancer, they provided advice on how best to offer tobacco. Sarah Marie Wiebe (2016), Nathalie Kermaal and Isabel Altamirano-Jimenez (2016), and Greg Halseth et al. (2016) point to the offering of tobacco as a sign of respect.

Lastly, I offered honorariums as a sign of respect and thanks to participants—a practice that may not be appropriate for all Indigenous communities. While discussing tobacco giving with my Cree Sun Dancer friend, the issue of monetary compensation came up. They proposed that giving gifts that “hurt a little” is an essential idea within their community. They also discussed a concern that “tobacco is great, but you can’t put it in your gas tank.” Recognizing the role tobacco plays in some Indigenous traditions is essential. I provided small honorariums for participants and larger honorariums for Elders to ensure that participants were compensated for taking time away from work.

Following anthropologist Danielle Elliot’s (2007) critique of the research economy within the DTES, I acknowledge the complicities of these donations in the context of the neighbourhood’s extractive industry (52). However, I also recognize that Indigenous experts working in the nonprofit and voluntary sector in Vancouver deserve compensation for their time.

Chapter Outline

In this dissertation, I consider four moments of knowledge production structuring Indigenous women and girls’ lives and disappearances in Canada’s postwar period. The chapters take up different figures that reflect a shift from one form of knowledge to another. I conclude with a reflection on how these processes have contributed to specific dynamics around disappearance. I do not intend for this thesis to be a work of mainstream Canadian political science. I build on insights from anthropology, geography, Indigenous studies, and feminist approaches and apply those to political science. I do not place much stock in the capacity of domestic Canadian institutions to be reformed. In fact, I argue that reform is what these institutions—the police, the prison, and child welfare—do to avoid scrutiny. I

consider how a made-in-Canada approach to assimilation has reshaped urban planning policies and given rise to techniques that make and remake citizens and citizenship around Vancouver and British Columbia in the 1960s and 1990s. I also consider the role of domestic investigations and hearings across the early 2000s in shaping and erasing specific understandings about violence against Indigenous women and girls. Hence, I am concerned with strategies and tactics of knowledge production and the relationship between so called “citizenship” and elimination and disappearance as a structure.¹¹

As it relates to Canadian politics, I delve into questions of “citizenship,” institutional power, policing authority, and the implications of what some political scientists have described as neoliberalism. Regarding my structural analysis of settler colonialism, I may draw out meaningful analysis that is applicable in other settler colonial contexts. However, as I am concerned that comparison has been a central technique for erasing the genocidal and ongoing nature of settler violence, I am not directly focused on comparative work in this dissertation. Rather, I am concerned with and interested in the limits of domestic Canadian liberal rights theories and the piecemeal adoption by the state of decades-long campaigns by Indigenous women’s organizations like NWAC

¹¹ I take seriously concerns that efforts to reform the criminal justice system are often shaped through assumptions of cultural difference and efforts intervening on criminalization and historical forms of injustice can also replicate patriarchal and racial assumptions that leave Indigenous women and communities without protections to intervene on sexual violence or abuse (Murdocca 2013, 2-3). As Carmela Murdocca argues restorative approaches in sentencing can come to entrench rather than disrupt patterns of racism and sexism (4). Central to this problematic is that questions of justice and restorative justice are emerging out of a context shaped by understandings of cultural difference and the governance of Indigenous affairs by the settler state. In turn these practices produced highly gendered and racialized knowledge about Indigenous peoples. Following this line of thought, there is a need to consider how settler efforts that claim to reform the justice system on behalf of Indigenous peoples reproduce formations of racial knowledge about Indigenous communities that uphold ongoing patterns. My work has attempted to draw out these contours around specific reforms to the criminal justice system. So, efforts aimed at reparative justice, aiming to overcoming past formations of injustice, can end up encoding patterns of injustice by maintaining the systems and patterns they view as natural.

that brought this violence to the foreground. In contrast to other jurisdictions, like the United States, the work of Indigenous women has brought gendered and racialized violence into much deeper and more nuanced consideration since the outset of the new millennium. This emergence of submerged knowledge is worth considering, as are the techniques and strategies that appeared to manage and delimit these specific expressions of violence. My work rests on some older debates within political science (e.g., the cutting work of citizenship, the emergence of neoliberalism, assimilation vs. integration), debates within Indigenous studies (e.g., the role of rights, refusal, and recognition in asserting and resisting settler colonial power relations), and tensions within urban studies (e.g., how gentrification operates and what kinds of citizenship and regulative dynamics it governs at specific moments).

In Chapter Two, I consider why a trilateral (federal, provincial, and municipal) commission into the violent deaths of Indigenous women in Vancouver's East End never occurred. To understand how public visibility of this violence shifted, I examine the assumptions emanating from four urban planning reports. I argue that urban planners depoliticized the gendered and racialized violence unfolding in Vancouver's East End. In this study, I engage postwar histories of planning and urban migration. I challenge the understandings that Canadian urban assimilation was less violent than in American cities (Strong-Boag 1991; Ward 1999). Second, I argue that instead of a fleeting tryst with community governance, Vancouver's Community Chest and Planning Board produced nonprofit organizations as responsible for Indigenous men and women entering the East End of Vancouver. By presenting Indigenous peoples as "transient" subjects, planners affirmed that some Indigenous people were incapable of surviving urban life and less deserving of social support. This view privatized responsibility for discriminatory patterns within settler colonial law and structural inequality.

In Chapter Three, I unpack how the DTES nonprofit organizations advocating for Indigenous women and girls in the survival sex trade came to reproduce understandings of "vulnerability" and

“risky” subjects. British Columbia’s adoption of harm reduction policies functioned as a means of managing public disorder. Nonprofit organizations aligned with government funding priorities and assumptions around “vulnerability” and “risk.” These organizations served state aims of serving the most marginal and most deserving. The chapter contributes to the literature around gentrification in two ways. First, I counter liberal assumptions that Aboriginal Health Centres like Vancouver Native Health Society and Sheway were autonomous from government imperatives (Benoit and Carroll 2001, 37). Second, I counter neo-Marxist (Smith 1996; Sommers and Blomley 2002) assumptions that gentrification rests solely on dispossession from property.

Similarly, I counter Pratt’s (2005) assumption that the DTES is predicated on Indigenous women’s containment due to racial and gendered divisions in society. Instead, gentrification also rested on bringing those deemed “vulnerable” and “hard to reach” into street-level treatment centres. This has meant that British Columbia and the City of Vancouver were gentrifying “disorder” not only by removal, but by bringing “disorder” indoors through rehabilitative containment.

In Chapter Four, I examine how Amnesty International and NWAC’s Sisters in Spirit campaign were narrowed by essentialist assumptions about Indigenous womanhood and an individualized victimhood in the Harper era. Here, I argue that state-centred assumptions, individualizing discourses, and a focus on physical security narrowed public discourse from a focus on the systemic to a singular focus on criminal justice solutions to violence. This discourse by federal policy makers reproduced the exclusion of Indigenous women in Canadian society. By considering Indigenous organizing in the 1990s and Amnesty International’s report and NWAC’s reports, I explain how NWAC’s assumptions gradually were appropriated by policy makers to undercut systemic critiques and institutional responsibility for violence. Some decolonial thinkers have viewed NWAC’s reports as breaking a protracted silence within Canadian policy (Bourgeois 2014; Harper 2016). Post-structuralist scholars have found that NWAC’s work subtly reproduced state authority

and power. Still others have considered that NWAC was silenced following the 2010 budget. These accounts need to consider how NWAC's assumptions were appropriated by the settler state to normalize policing as the dominant response to violence facing Indigenous women and girls. By considering the statist assumptions surrounding NWAC's presentation at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia, and Related Intolerance in Durban South Africa, I attempt to mark out how human rights frameworks at the time suppressed Indigenous critiques of state power. Doing so enables me to detail how highly visible public debates about the role of prisons, police, and child welfare services in the violent deaths and disappearances of Indigenous women and girls were quickly rehabilitated by the Conservative federal government under Prime Minister Stephen Harper (2006–2015) and his ministers in the immediate aftermath of 2010 federal budget. By considering the limiting dynamics of human rights, I build on the analysis of Million (2013), Bourgeois (2014), Hargreaves (2017), and Green (2014a) regarding the tensions and opportunities within humanitarian discourses around Indigenous women's organizing to point to the limiting influence state-based discourses have on Indigenous political concerns.

In Chapter Five, I examine how Indigenous and non-Indigenous calls for greater police accountability intensified police powers over Indigenous women and communities from 2011–2014. To do this, I consider five reports by federal and provincial governments responding to international calls to investigate the root causes of violence facing Indigenous women and girls. Most academic literature on these reports (Stanton 2013; Collard 2013; Bourgeois 2014; Bychutsky 2017) focuses on the efforts of civil society groups and organizations to bring about the BC Missing Women Commission of Inquiry as a moment of accountability over policing. I concur with these studies, but I argue that the focus needs to be expanded to look at the federal and provincial dynamics of governance, in terms of how institutions diffused accountability. I argue that rather than producing a moment of accountability for patriarchal violence, humanitarian calls for police audits rehabilitated

and expanded police authority. I view these investigations as having a split impact. Policing and support services affirmed cultural sensitivity training to reduce responsibility for discrimination. This tactic confirms Coulthard's (2014) understanding of recognition as part of the settler colonial state. Evident during this time was the withdrawal of Indigenous and non-Indigenous groups from proceedings of the 2012 BC Missing Women Commission of Inquiry and the federal working groups and special committees due to a lack of truth-telling. Rather than being absent during this period, formal hearings were vital in rehabilitating policing and neoliberal governance. The lack of accountability of these hearings around "truth-telling" intensified calls for the National Public Inquiry into Missing and Murdered Indigenous Women and Girls. As a result, disappearance was erased through the rehabilitation of policing under cultural competency training, the expansion of police powers, and the structural limiting of truth-telling. This intensified calls for a national inquiry.

Finally, I conclude with a discussion of the National Inquiry into Violence Against Indigenous Women and Girls and how this disrupts and confirms understandings of damage-centred discourses. I also outline how this relates to the four figures I discuss that have shaped settler colonial policy toward violence against Indigenous women and girls in Canada. I reflect on each figure's depoliticization and erasure around their respective governmental projects. These dynamics were silenced around discussions of disappearance.

Conclusion

The claims that Indigenous women were exterior to government attention and policy during the post-World War II period represent the operation of power. Truth-telling practices are implicated in power. Indigenous women, girls, and communities have been positioned by experts as subjects exterior to government intervention as a means of governing. This erasure has been accompanied by the assertion that Indigenous political sovereignty, territories, and cultures are transitory due to various damage-centred tropes. Activists and experts alike have unconsciously carried through

damage-centred assumptions to advocate for the safety of Indigenous women and girls. In turn, these discourses have hidden assertions of Indigenous political rights to self-determination, territory, and sovereignty as a response to the violence facing Indigenous women and girls.

Chapter Two

Figure of the “Transient Indigenous Woman”

For this chapter, I am indebted to an Indigenous key informant who shared their knowledge regarding the history of Indigenous women and girls’ disappearances in Vancouver. This interview alerted me to a series of newspaper articles identifying the deaths of Indigenous women and girls, which led me to historian Meghan Longstaffe’s (2017) calculation that between 79 and 106 Indigenous women were murdered in Vancouver’s East End from 1957–1968 (232). The key informant shared that Vancouver officials had called for an intergovernmental (federal, provincial, and municipal) inquest into these deaths. The fact that the inquest never occurred intensified my interest in how settler narratives positioned these women as undeserving of justice.

In this chapter, I focus on how urban planners obscured disappearances from the 1940s to the 1970s. I consider how assumptions about Indigenous women’s presence and mobility in urban spaces relate to welfare state citizenship as envisioned by social planners. Specifically, planners envisioned Indigenous peoples as separate from welfare state entitlements during the 1960s. I examine the limits of welfare state support at the outset of urban assimilation. Urban studies and political science research have maintained that urban assimilation was inevitable and less violent than American urban racism; however, I argue that this analysis fails to consider the violent deaths of Indigenous women resulting from assimilationist policies evident during the 1960s. Planners envisioned Indigenous urban assimilation as inevitable. They sought to govern through rehabilitative and educational techniques in prisons, Indian friendship centres, and hostels. The assimilationist model emphasized minimizing costs and supports for Indigenous women entering urban centres. Nowhere is this more apparent than with the figure of the “transient” Indigenous woman.

I have two foci in this chapter. First, I focus on how planning reports brought attention to the presence of Indigenous women and girls in Vancouver by focusing on the figure of the “transient”

Indigenous women as a problem of urban governance. Second, I focus on how the publicly coordinated rehabilitation techniques that were lauded as a solution to Indigenous transience were applied to transient white men and how, in turn, this shift obscured Indigenous men and women's specific needs. For Indigenous women and men entering urban centres like Vancouver, access to resources was predicated on voluntary supports rather than municipal services.

Transience operates as a discursive container that emphasizes subjects and populations as temporary and exterior to urban spaces. Chickasaw decolonial feminist scholar Jodi Byrd (2011) states that being "in transit" is being "made to move" (xv). She conceptualizes transit as a reenactment of state-defined "Indianness" that erases pain, dispossession, and sovereignty, as well as a process of asserting remembrance, counter movements, and presence (xiii–xvii). Similarly, historian Adele Perry (2005) suggests that European colonial strategy narrates the mobility of colonized groups as either migratory or sedentary (113). She recognizes transience is a discursive exclusion (e.g., spatial, temporal, and social) concerning claims of belonging to territory. For Perry, as with Byrd, transience contains the mark of power and sheds light on narratives that can read against the grain. Transience, as a figure of policy, maintained damage-centred assumptions about Indigenous women and girls.

With these considerations in mind, I assess four urban planning reports that shaped the figure of the "transient" Indigenous woman.¹² Elite planning discourses constituted "transience" as exterior to universal citizenship; I argue that, as a result, "transience" structured access to supports in urban spaces. These processes conceptualized single Indigenous women as problems along racial and gender lines. Planners visualized prisons and charitable organizations as key in rehabilitating these women. These reports reproduced the stereotypical view that Indigenous women were alcoholics,

¹² Here, I am drawing out concepts and language emerging from the City of Vancouver planning reports that framed governmental interest in Downtown Eastside of Vancouver.

homeless, and involved in the sex trade and as such upheld a depleted view of Indigenous women deemed “transient.” It affirmed the belief that Indigenous women were unfit mothers and furthered the view that Indigenous women, by not engaging services, were incapable of surviving in modern cities. This discourse cast the “transient” Indigenous woman as “undeserving” and ungovernable. Here, it effaced the lack of linguistic or cultural understanding of service delivery during this era.

Through the figure of the “transient” Indigenous woman, planners and social scientists normalized the murders of Indigenous women and girls. The series of reports that were meant to investigate the causes of Indigenous men and women in Vancouver turning away from services and suffering violence rested on the deficit model of Indigenous peoples requiring education and correction. The reports blamed Indigenous women for their lack of integration into a highly racist service context. In the end, these reports erased the need for a tripartite governmental investigation by figuring Indigenous peoples as individually responsible for their own murders. Planners envisioned these women as subjects of regulation and rehabilitation within the postwar city along a spectrum of “adjustment” to urban life. Contrasting divisions between urban and reserve spaces, planners saw urban integration and rehabilitation processes as furthering state aims of assimilation. These discourses upheld assumptions about maternity and fitness that structured the kinds of protections and supports afforded to Indigenous women and girls.

This chapter unfolds across four broad sections. In the first section, I outline debates in the academic literature on urban integration and planning. In the second section, I consider how gendered and racialized assumptions constructed “transience” in opposition to postwar citizenship. In the third section, I explore how four reports brought the “transient” Indigenous woman into administrative view while erasing these murders as a public concern. I conclude with a reflection on how transience produced a durable yet contested system for administering the lives and deaths of Indigenous women.

Theorizing Social Planning, Urban Renewal, and Keynesian Planning Regimes

In this chapter, I am concerned with three overlapping gaps in the literature. First, in the Canadian context following World War II, there has been little scholarly discussion on Indigenous women's movement to urban centres. Second, urban studies and political science have understood postwar Canadian cities as less racially violent than the United States. Finally, post-structural accounts see community governance as a hallmark of neoliberal governmentality with only limited applicability to the Keynesian era (Rose 1996, 330–31). In the mid-1960s, planners were focused on community governance; this dynamic complicates discussions of how neoliberal governance emerged in the postwar period.

Historically, the movement from reserves to cities following World War II by scholars has been opaque. Joan Sangster (2005) and Meghan Longstaffe (2009) have attended to the policies contributing to Indigenous presence in the postwar period. These approaches shed some light on the political processes unfolding within and beyond the state. Sangster (2005) argues that Ontario training schools functioned as spaces for containing and reforming Indigenous womanhood along heteropatriarchal lines (16). Longstaffe takes up newspaper discourses around Indigenous women and girls' deaths but avoids discussing how social scientific knowledge shaped these understandings. I agree with Sangster (2005) that although "there are numerous studies that examine stereotypes and violence toward Aboriginal women in the nineteenth century, there is a scarcity of studies that do so for the twentieth century" (6). There is an opportunity to investigate the complicity of social scientific knowledge in increasing disappearances in 1960s Vancouver.¹³ By considering the operation of

¹³ Sangster (2001) examines training schools in the context of pre- and postwar Ontario, while Longstaffe (2009) avoids a broader discussion of how social scientific knowledge produced models of integration in the postwar social order and became embedded within welfare state policies. Longstaffe's analysis rests upon the study of media discourses, offering a limited account as to how local municipal discourses intersected with federal policies around transience (2009, 17–18).

assimilation and elimination in settler colonial citizenship, it is possible for scholars to shed light on the violence behind tactics that claim to “benignly” govern urban integration.

A narrow reading of the postwar history of Indigenous movement to urban centres leads to the view that Canadian cities were “less violent” than their American and European counterparts. However, by centring Indigenous women’s deaths in postwar Vancouver, I bring a different history to the foreground to highlight a lack of culturally informed design, exclusionary and discriminatory practices, and racialized sexualized violence. In another way, the idea that cities were absent from postwar federal policy (Bradford 2018) becomes complicated when Indian friendship centres are brought into view.

The peaceable Canadian city has been a durable narrative within urban studies. For instance, feminist historian Veronica Strong-Boag (1991) remarks that “for all the proliferation of American influences in the years after 1945, life north of the forty-ninth did indeed differ. Canada’s cities, lacking racial divisions comparable with those in the United States, never lost their attraction for citizens of all classes” (473). Even planning scholar Stephen V. Ward (1999) contrasts Canadian cities against “the acute racial polarization and ghetto formation in the inner areas of most American cities and urban renewal schemes” (67). Neil Bradford (2018) invites scholars to consider that

Canadian cities were newer than their American (or continental European) counterparts and in the postwar boom years underwent much less physical decline or racial tension. Still problems existed, and for those few observers willing to look, these were neither trivial nor transient. (227)

Within the context of Longstaffe’s (2009) work, there is a need to rethink this view that racial polarization was absent from Canadian urban centres. I consider how the planners attempted to divert Indigenous arrivals away from the East End through nonprofit and charitable service programs in the early 1960s. These programs erased the violent edge of assimilation and social dispossession from public memory.

The view that Indigenous women would lose their status when arriving in urban centres via marriage and the gradual fading away of Indigenous political rights is an enduring assumption in Canadian political science. Alan C. Cairns (2005) affirmed the trope that Indigenous governance faded away due to out-marriage and urban migration. He argues that “the non-status component of First Nations urban population will increase rapidly, fed by the contribution of high intermarriage rates in urban settings” (12). From this understanding of urban migration, Cairns points to out-marriage and the corresponding loss of status: “two out-marriages in a row result in a loss of legal status for the children, out-marriage rates threaten the long-run survival of the legal status population” (2005, 13). The logic of the Indian Act status based termination and movement to urban centres has been understood in political science as a dividing line between authentic Indigeneity and Canadian citizenship. It is important to consider in this discussion how self-understanding and the reclamation of status and membership rights have reshaped this understanding of the urban as a space of non-status. It is this notion—status ends once an Indigenous person arrives in the city and is replaced by citizenship—that urban planners took for granted in the 1960s.

In a similar way, Tom Flanagan (2008) highlights the dynamics that were extremely visible in the 1960s. He offers a libertarian critique of the current political rights held by Indigenous peoples. Flanagan points to the “superiority” of European civilization over Indigenous cultures (6). He challenges the basis of Indigenous territory and sovereignty by figuring Indigenous peoples as simply another migrant population to Canada (6–7). He views Indigenous communities as being absorbed into the Canadian cities: “The modern economy require[s] a willingness to integrate into the economy, which means, among other things, a willingness to move to where jobs and investment opportunities exist” (7). He assumes a split between “the reserve population—a well-to-do entrepreneurial and professional elite and increasing numbers of welfare-dependent Indians [sic]” (7–8). The assumptions Flanagan draws out in his argumentation mirror the dominant assumptions of

assimilation in 1960s Canada: Indigenous peoples will enter Canadian urban centres and will be managed through the integration practices like other migrant populations. Policy makers and planners, like Flanagan, understood a binary split between productive and unproductive citizens. It is important to think of how these political logics around assimilation and unilateral extinguishment of Indigenous rights by the Crown track with multiple political parties and governments as a structural dynamic under settler colonialism.

Flanagan assumes that the demographic pull of cities will lead to the depopulation of reserves.

He argues,

Living conditions in most First Nations reserves will continue to stagnate or even deteriorate for those outside the power structure. Population growth will intensify the shortage of jobs, housing, and other amenities, so that more and more [A]boriginal people in Canada. Indians will become, in effect, a new immigrant ethnic group in our already pluralistic society. Their places of origin will be geographically closer than Hong Kong or the Punjab, but their social distance from the world of the reserves may be even greater. (111)

As he asserts again, "...with attractive opportunities off reserve. Many may prefer to work in Vancouver, Calgary, Toronto, and Ottawa rather than use their skills in the communities where they grew up, even though they continue to retain band membership" (96). These understandings affirm the developmentalist view that Indigenous cultures, skills, and traditional knowledges are somehow behind or in detriment when compared to other peoples and Western modernity. Echoing the contested Bering Strait land bridge theory, Flanagan notes Indigenous peoples "were also the first immigrants because their ancestors, like the ancestors of everyone else in the North America, moved here from the Old World. Now they are en route to becoming the last immigrants, the latest groups to take advantage of the opportunities that Canadian society offers" (111–12). In his analysis, Flanagan not only encodes the idea of a race and competition where some peoples arrive last to a scarce world—which erases the question of land and Indigenous sovereignty—but he also erases the differences between Indigenous peoples and newcomer populations, such as active processes of

linguistic and cultural elimination. These logics are centrally visible across the reports of the 1960s. The most troubling facet of Flanagan's analysis is the erasure of the violence behind urban assimilation. I seek to counter the assimilationist argument by pointing to how a lack of social supports and services structured the deaths of Indigenous women entering cities like Vancouver. The understanding that some subjects were not productive drew on racial stereotypes of laziness and helped to characterize these subjects as undeserving of protection.

In his comparative study between America, Canada, and Sweden, Bradford (2018) points to public policy and experts as mediating citizenship (inclusion and exclusion) in urban centres. In his analysis, Bradford argues that in the early 1960s cities were visible in policy circles as engines of development. However, this focus was abandoned by the end of the decade. He also suggests that a focus on urban centres and community governance surpassed in the 1990s surpassed this earlier focus (Bradford 2018, 211–12). I contend that a different history emerges when considering service coordination. In the postwar American context, Bradford (2018) notes that the Ford Foundation, the private philanthropic organization started by Henry and Edsel Ford of the Ford Motor Company, shifted planning away from models of “individual deficiencies” and “economic failure” to “citizen participation, service coordination, and policy experimentation to remake urban neighbourhoods” in New York and Chicago. For instance, the Ford Foundation's model of “individual uplift” rested on the concept that the “deserving poor” would be allowed to enter the “mainstream” through “networked community supports” (218). Scholars generally view community governance as occurring post-1970s, but Bradford points to the circulation of these logics during the Kennedy-Johnson administrations in US politics.

Some scholars, such as Bradford (2018), draw a distinction between the American and Canadian models. He states that Keynesian policies in 1950s Canada were focused on regional development (228). By the 1960s, Canada seemed to languish behind the American and Swedish

models due to top-down policies not crafted for specific municipalities or regional interests (229). For Bradford, federal policies were fixed on a people-oriented approach, caught between the US model of capital development and the Swedish model of universalist labour market social planning of the 1960s (229–32).

Continuing this line of inquiry, Bradford (2018) describes the American influence on Canadian policy. By the mid-1960s, the Ford Foundation offered a \$500,000 grant to support the Canadian Council on Urban and Regional Research, which was matched by the Canadian government. Although Canadian policy makers looked to American urban policy for inspiration, these influences diminished at the federal level following the mid-point of the decade (230). He suggests that by the 1960s, Canadian national policy had shed “little light on cities as either policy targets or strategic spaces for macro-level interventions” (232). Bradford’s analysis is apt regarding this national people-oriented approach.¹⁴ I contend that Vancouver planners were drawing upon models emerging from New York and Chicago. I contend that the urban planning documents patterns of citizen participation, service coordination, and policy experimentation that were hallmarks of the American approach.

The American context of the Ford Foundation bears repeating here as it sheds some light on the racism behind urban renewal. Robert Halpern points out that Paul Ylvisaker, working on behalf of the Ford Foundation, “was ambivalent about the obstacles to assimilation facing inner-city residents” (1995, 90). The Grey Areas project attempted to streamline “incoherent” and “cross-purpose”

¹⁴ Bradford (2018) describes that the people-oriented approach rests “on general or ‘aspatial’ policies not focused on particular areas but serving individuals in their family or household context on the assumption that using macro policy levers that transfer income and opportunity to people, most of whom live in cities, is the optimal route to well-being for all” (212–13). He sees 1960s Canada’s planning models as representing a hallmark of people-oriented planning (233). This approach has a major limit in its ability to consider environmental impacts on the individual and family beyond redistributive policies (2018, 213).

objectives of group services including control, punishment, dependence, and independence (91). The project also intended “to speed the transition of the urban in-migrant and slum resident” from a person with inadequate education and work skills to one prepared to compete for jobs in the urban economy” (92). The Ford Foundation project emerged at a time when “neighborhood initiative[s] in the 1960s [were] viewed as a vehicle for assimilating socially and economically marginal people into the larger society” (83). The context of the “migration of large numbers of poor African Americans to the North and Midwest” is inseparable from this history (1995, 3). Specifically, Halpern observes that “as inner-city residents were learning to organize to make demands on the larger society, it was becoming less and less clear what their objectives should and could be” (84). The Grey Areas project emerged at a time when Black communities in northern American cities were moving toward “self-reliance, separate development, and community control of public institutions” (84). The Grey Areas team viewed racial and social injustice as “verboten territory.” Instead of “dealing directly with race[, it] was addressed by focusing instead on ‘place,’ the ‘gray areas’ between central city and suburb” (90). Grey Areas muted discussions of race and politics as a factor in economic marginalization at time when community activists were gaining control of community level institutions. Technocratic planning limited democratic control over neighbourhoods.

Specifically, Ward (1999) makes clear that, where the national policy was lacking, cities adopted “successful ideas” in an effort “to attract highly mobile investment and consumption” (54). Immediately following World War I, Vancouver’s planning was influenced by British town planning models. By the 1920s, following American ideas, Vancouver planning favoured business concerns, real estate development, and economic efficiency by conceptualizing the city as a single productive unit (60). This understanding proved durable into the postwar period. Post-World War II, the Central Mortgage and Housing Corporation (CMHC) (1946) and the Community Planning Association of Canada (1946) represented a British influence on urban policy. The CMHC played a pivotal role in

recruiting British professional planners and establishing planning schools across the country in the 1940s. As a result, the 1957 Royal Commission of Canada's Economic Prospects described Canadian cities as having "a roughly concentric arrangement of Metropolis plus green belt plus well-planned and semi-self-sufficient satellites" akin to the British tradition of garden cities (Canada 1957, quoted in Ward 1999, 63). Provincial and municipal governments became reliant on British planners. Unexpectedly, as Ward establishes, British planners operating in Vancouver, such as City Commissioner Gerald Sutton-Brown, were major proponents of American urban policies like freeway construction (67). The Americanization of cities, at least in Vancouver, was unfolding from both above and below.

By the mid-1960s and early 1970s, "Canadian planners were [...] inspired more by what American cities had been and repelled by what they were becoming" (Ward 1999, 68). For cities like Vancouver, while national interests in cities focused on housing and planning, the American influence of inner-city redevelopment shaped local planning departments and educational centres in the 1950s and 1960s. The planning reports I examine below regard Chicago and Seattle as "successful" models of Indigenous urban integration. In contrast to Bradford's reading of the federal policy context, American influences took hold in Vancouver during the 1960s through local British urban planners.

On the other hand, Jeff Sommers and Nicholas Blomley (2002) suggest that Vancouver was divided between "respectable" and "disreputable" neighbourhoods after Keynesian scholar Leonard Marsh's 1950 study of the city. By the mid-1960s, a group of local business and property owners, the Improvement of the Downtown East Area Society, petitioned the city council for increased development in the downtown core (33). The city council proposed redeveloping the south and east ends of the downtown core with office towers, apartments, hotels, and a new waterfront (34–35). The plan hinged on expanding the freeway system "to connect Highway 1 with the Upper-Level Highway, on the city's North Shore, via downtown and a new bridge across Burrard Inlet" (35). This

construction would require the demolition of buildings in the East End of Vancouver, a move which sparked fears that “[r]einvestment in land, infrastructure, and building stock would all be for naught unless there was a concomitant rehabilitation of the humans involved” (36). The city proposed redevelopment schemes of urban renewal in Vancouver predicated on redevelopments of buildings *and* people.

Redevelopment schemes have been conceptualized by different proponents. Community governance is seen by politicians and governments as a technique for managing individuals’ conduct around urban life (Rose 1996, 327). It has also been understood by scholars as a hallmark of neoliberal governmentality. Nikolas Rose describes this process as the emergence of discrete rationalities that seek “to govern through regulated choices made by discrete and autonomous actors in the context of their particular commitments to families and communities” (328). He attributes these dynamics to “advanced liberal” governments (330). Rose suggests the language of community was used in the 1960s “by sociologists as a possible antidote to the loneliness and isolation of the individual generated by ‘mass society.’” As he suggests,

What began to take shape here was a new way of demarcating a sector for government, a sector whose vectors and forces could be mobilized, enrolled, deployed in novel programmes and techniques which operated through the instrumentalization of personal allegiances and active responsibilities: government through community. (332)

Rose distinguishes between governance for the social and governance for the community. He describes “social rationalities of government [as] a domain of collective security [that] was envisaged to be maintained by the state on behalf of all citizens, through universal measures ranging from social insurance to the enforcement of the criminal law by a unified and socially funded police force” (335). However, Rose’s point seems to lose some of its utility around settler colonial states. The community governance model operating in Vancouver in the 1960s indicates the operation of neoliberal rationalities and techniques for governing citizenship prior to the 1970s.

In this vein, Deborah Cowen (2005) suggests that suburban spaces surrounding Toronto functioned as nascent spaces of neoliberal policy development around private recreation centres (342–43). As she discusses, regarding recreation programs, Toronto suburbs targeted social policy and cost-recovery before adopting neoliberal social policy (335). Cowen argues that private consumption shaped how planners configured suburban recreation (338). Policy makers then took up these practices in the 1990s to target “non-normative citizens” by classifying them as “high-needs.” These programs shifted high-needs groups away from universal entitlements while “encourag[ing] the development of normative citizenship practices” (350). Governing through community (Rose 1996) and individual targeting (Cowen 2005) was trained on Indigenous peoples entering Vancouver. Policies taken by scholars as hallmarks of neoliberal policy were evident in 1960s Vancouver around the Indian friendship centre.¹⁵

The planning regime operating in Vancouver’s East End entails strategies that shape Indigenous women’s inclusion and exclusion from urban life. First, the 1960s planning reports reveal the Americanization of urban planning by Vancouver planners. Second, urban planners visualized an Indian friendship centre, Oakalla Prison Farm, and rehabilitation agencies as sorting between desired and deviant subjects around “skid road.” Finally, these reports demonstrate a minimalist set of supports for Indigenous men and women entering Vancouver’s East End. These documents reflect planners and administrators’ assumptions that Indigenous peoples entering urban life as individual

¹⁵ Rising neoliberal sentiments can also be seen in Ontario’s centre-right Progressive Conservative government. While the Tories were responsible for building welfare state programs across the 1960s from public health care to social services, Premier John Robarts (1961–1971) established The Committee on Government Productivity (1969–1974). The committee focused on “restructur[ing] the provincial apparatus and service-delivery mechanisms to better align with fiscal capacity” (Evans and Fanelli 2018, 130). As Bryan Evans and Carlo Fanelli observe, the committee’s ten reports “put forward a catalogue of restructuring initiatives, including identifying opportunities for privatizing and outsourcing services as alternatives to direct public provisioning.” Political and public service leaders were considering how to liberalize the public sector prior to the adoption of neoliberalism in Canada (130).

“citizens” should be directed away from welfare state supports. This exclusionary focus proved deadly for Indigenous women entering Vancouver. Vancouver’s urban planning policy produced Indigenous women as undeserving of supports.¹⁶

Conditions of Possibility

Before I can thoroughly discuss transience, it is necessary to mark out key facets—or conditions of possibility—in the historical context, including the historical patterns of discrimination facing Indigenous women and girls. Doing so also requires a discussion of how Indigenous status was positioned through legal regulation under Canada’s Indian Act. This historical discussion contextualizes how “transience” became a category used to govern subjects under settler-expert discourses trained on social planning in Vancouver.

Histories of Violence Against and Dispossession of Indigenous Women and Girls

The imposition of settler colonial relations on Indigenous women in the Americas was a gradual process. This process operated through competing and overlapping goals that existed unevenly and, at times, haphazardly in settler colonial law, policy, and formal and informal practices.

¹⁶ In this dissertation, I interchangeably use the terms “skid row” and “skid road.” “Skid row” is a play on “skid road,” an 1800s Pacific Northwest logging idiom, referring to paths along which logs were dragged to waterways and sawmills. I acknowledge that this language is doing political work that constructs space in negative and dehumanizing fashion. This language has been reappropriated and appropriated countless times by community residents and city officials across multiple urban centres. The problem with “skid row” and “skid road” is that these terms do not actually refer to a specific place. They are discursive constructs that come to encapsulate anxieties and prejudices about poverty, homelessness, and urban decline. I use these terms to make visible the political project that sought to rationalize urban redevelopment through reference to a geography that did not appear on any map of Vancouver. Although I do not use quotation marks within my usage, I still view the operation of “skid road” and “skid row” as doing political work.

Prior to the arrival of Europeans, Indigenous women had specific roles and responsibilities within their Nations. Indigenous women were respected and possessed unique powers, roles, and responsibilities within traditional societies. For example, Kim Anderson argues that women in the Six Nations, Ojibway, Winnebago, Sauk, and Mesquakie controlled property and distributed food; in the Iroquois tradition, women could choose chiefs (2000, 55–77). She points out that patriarchal social relations began to unfold through cultural norms imparted via the fur trade and missionaries of the seventeenth century and, only later, became entrenched within settler colonial law. Although Indigenous women of various nations were subjected to economic, social, and political devaluation, these processes and structures were not evenly experienced across Canada.¹⁷

Christianization

Christianization disrupted the gendered relations of Indigenous societies and destabilized the power held by Indigenous women in many communities. Andrea Bear Nicholas (1994) reflects on the work of Jesuit missionaries in the 1600s in the Labrador region. She argues that the missionaries imposed hierarchical social relations, a rigid model of patriarchy, and a territorially bounded decision-making process upon Maliseet and Mi'kmaq communities. The missionaries

¹⁷ For discussion of the history from the fur trade to the founding of Canada, I recommended *Contact Zones: Aboriginal and Settler Women in Canada's Colonial Past* (2005) and *In the Days of Our Grandmothers* (2006). Sarah Carter's (1997; 2008) discussion of the interaction between patriarchal social values, gendered violence, and the clearing of the prairies sheds light on the complex social transformations in the 1880s. James Daschuk *Clearing the Plains* (2013) offers an important analysis of the politics of starvation treaty making occurring from the 1800s to 1900s during the collapse of the bison population in western Canada. Hugh Shewell has pointed to the power relations that were established around Indigenous welfare from the 1873 to 1965 (2004, 23). Also, John Milloy (1999), Tamara Starblanket (2018), and David MacDonald (2019) offer an important discussion of the implications of settler policies around residential schools and the child welfare system as attacking the ability of Indigenous cultures to reproduce themselves as well as the physical genocide of Indigenous peoples. The National Inquiry into MMIWG (2019) has an excellent primer on the histories and institutions of settler colonialism and their impact on Indigenous women, girls, and LGBTQ2S persons in Canada in (2019b, 229–320).

wanted to institute the idea of formal chiefly authority. To this end, this process was assisted by the fur trade, which logically tended to shift decision-making from the kin-group to successful (male) hunter/trappers who thereby gained both economic control and personal influence. (233)

These relations brought by the Jesuits replaced the precontact consensus-based decision practices and egalitarian kin groups with a strong chief structure and the subordinate status of women (1994, 230).

Christianization can also be seen around other parts of the fur trade in British North America.

Fur Trade

The fur trade has been described by scholars as a fraught space of agency for some Indigenous women within the British Empire. In 1763, following the Seven Years' War, King George III issued the Royal Proclamation that stated: "We are connected, and [those] who live under our Protection, should not be molested or disturbed in possession of such Parts of Our Dominions and Territories" (Monchalin 2016, 82). Indigenous rights were recognized under the Royal Proclamation, and Crown representatives needed to first secure surrenders from Indigenous nations (83). As Sylvia Van Kirk (1999) illustrates, the fur trade led to complex intermarriages and alliances between Indigenous women and communities and European traders (11). Van Kirk argues that the work of the Hudson's Bay Company from 1670 to the 1870s reflected a degree of "mutual dependency between [Indigenous] and European traders at the economic level [that] could not help but engender a significant cultural exchange" (Van Kirk 1999, 12).

Indigenous women played essential roles in developing fur trade society through widespread intermarriage between white European traders and Indigenous women (13). She argues that "the needs of the traders dictated an important social and economic role for the native women that militated against her being simply an object of sexual exploitation" (14). This economic space was not easily divided between the public and private realm due to the respected roles held by Indigenous

women in the fur trade. Indigenous women were allies, peacemakers, intermediaries, translators, and wives able to shape and travel between two different ways of life in the fur trade economy. These dynamics can be observed in British Columbia from 1849 to 1871. This colonial outpost on the edge of the empire witnessed complex homosocial and mixed-race community marriages and relationships supporting the fur trade (Perry 2001, 8). On the West Coast, the fur trade relied on preserving Indigenous women's relations with the land, kin, and Indigenous knowledge systems as essential for survival. The disruption of this fur trade economy destabilized Indigenous women's position. Indigenous women were displaced from their unique social roles and protections with the decline of the fur trade, the influx of European women, and national policies focused on cementing an agrarian economy (Van Kirk 1999, 15).

The arrival of more settlers, especially women, to Canada in the mid-1800s undermined the alliances and marriages of the fur trade and local trade relationships. By the 1840s, as Van Kirk points out, the Indigenous wives at Fort Victoria, founded in 1844, were subject to processes of Anglicization in which "the critical role of mothers in socializing children, especially daughters, was severely truncated" (2006, 176). Although Indigenous families in this fur trade economy attained prominent positions in colonial society (177), Indigenous wives were still negatively represented by male reports and referred to as drunken and uncultured (188). As Van Kirk describes, even among affluent families, by the 1860s, "race could trump class" (188). By the 1880s, "There was no guarantee that the stigma of Native blood could truly be transcended" even among prosperous families in Victoria (193). Prohibitions against intermarriage due to deepening racism became evident across the British colonies. Indeed, many mixed-heritage families went so far as to hide their mixed ancestry (2006, 193).

The Indian Act

The 1876 *Indian Act* cemented the patriarchal gendered assumptions present within early Christian missionary work into Canadian law. The *Indian Act* also codified all prior legislation from newly unified British colonies, namely the *Gradual Civilization Act* (1857) and the *Gradual Enfranchisement Act* (1869). The *Gradual Civilization Act* (Province of Canada) reified the concept that Indigenous peoples enfranchised under the law would surrender claims to culture, territory, and connection to Indigenous communities and become citizens of the Province of Canada (Lawrence 2004, 31). The *Gradual Enfranchisement Act* codified that any Indian woman would lose status if she married an individual without status—legislation that removed Indigenous women’s property rights (50). The *Gradual Civilization Act* represented a strategy to displace Indigenous peoples from their territories and erode protections under the *Royal Proclamation*. The 1876 *Indian Act* absorbed the two former pieces of legislation while producing Indigenous women as marginal within their communities by excluding them from band councils (Lawrence 2004, 51). The power of the *Indian Act* came from its ability to enfranchise Indigenous men and women. Most enfranchisements were not voluntary but occurred with expanding provisions under the Act to compel Indigenous surrender of status (Monchalin 2016, 83). The *Indian Act* displaced and disrupted the precontact rights held by Indigenous women and generated a means of governing community membership. Joyce Green (1995) has remarked that the *Indian Act* represented a central pillar of Canadian national policy in facilitating Western expansion and the extension of Canadian law to the West through disruption and denial of Indigenous law. It also produced the termination of Indigenous presence through status (Lawrence 2004, 80). These relations also administered the segregation of Indigenous peoples from white settlements through an extralegal pass system that allowed Indian agents—government officials who

oversaw Indian policy—to issue passes to leave reserves, which controlled the mobility of Indigenous peoples under the Indian Act.¹⁸

The Gendered Violence of Settlement

Indigenous women’s political, social, and economic agency was shifting from the 1870s to the 1880s. By the mid-1800s, Indigenous women’s agency and sexual freedom were read through British taboos and the categories of prostitution (Barman 2006, 276). In 1882, an Indigenous woman attempted to use the settler colonial law to compel a man to testify about her assault in Victoria, but the police sheltered the man (276). The transition from the fur trade to the gold rush around the province of British Columbia in the late eighteenth century witnessed an alliance between Indian agents, male Indigenous leaders, and governments to control the rights of Indigenous women (2006, 270). Jean Barman remarks that “in 1895, a petition signed by thirty-four men from central Vancouver Island, all but one with their marks, demanded legislation to prevent ‘our wives and daughters and sisters’ from being ‘carried to Victoria for illegitimate purposes’” (283–4). In response to these concerns, “The Minister of Justice drafted an even broader regulation for consideration by the Chiefs, one which made it possible to ‘bring back to the reserve any Indian woman who has left the

¹⁸ For a discussion of the politics behind the emergence of the 1876 Indian Act, I recommend Joyce Green’s (1995) discussion of how the Indian Act facilitated the militarized and jurisdictional expansion of Canadian law through polices of settlement, territorial acquisition via treaty, and the reserve system. The gendered nature of status is bound within these foundational policies of Western expansion. Elsewhere, Green (2001) has argued that the gendered production of band membership under the Indian status created an enduring political tension within Canada’s Constitution. Additionally, for a detailed historical analysis, see Bonita Lawrence’s *“Real” Indians and Others: Mixed-Blood Urban Native Peoples and Indigenous Nationhood* (2004); for a legal analysis, I recommend Pamela Palmater’s *Beyond Blood* (2011). These texts offer nuanced and compelling discussions of the full scope of the Indian Act and the range of gendered impacts this document and subsequent reforms have had and continue to have on Indigenous women and communities.

reserve and is living immorally with any person off the reserve” (281). A political project was emerging to “tame” Indigenous women’s sexuality and mobility.

By the 1880s, new spatial divisions emerged on the Canadian prairies designed to regulate the mobility of Indigenous women. The 1876 Indian Act, as well as changes to the 1892 Criminal Code, made it easier to convict Indigenous women on charges of prostitution (Carter 2006, 159). British moral panics shape responses to regulate the urban presence of Indigenous women as a danger to the moral health of settler communities on the prairies (161-2). The construction of Indigenous women as a threat to the morality of Victorian society continued through stereotypes focused on permissive sexuality. These changes to settler law were also augmented by the extralegal pass system. Razack observes that from the 1880s to the 1950s, colonial legislation “facilitate[d] the nearly absolute geographical separation of the colonizer and the colonized” (2000, 97).

These legislative practices and processes contributed to the removal of Indigenous women from urban spaces. As Carter (2006) points out,

An investigation of the Northwest Mounted Police (the pre-cursor to the RCMP) found that the force was engaged in licentious action around the sexual exploitation of Indigenous women on the prairies. Missionary Samuel Trivett informed the *Mail of Toronto*, “Women were being bought and sold by white men who lived with them without legally marrying them and then abandoned the offspring to life on the reserve.” (151)

Omitted from the report is the forced enclosure of the prairies and the starvation tactics the Canadian government used in the wake of the fur trade and collapse of the bison population on the prairies.

James Daschuk’s study sheds light on how the starvation politics of this period produced unequal power relations in the negotiation of the numbered treaties for support, rations, and famine aid (2013, xxi). The moral panics alongside the politics of supposed famine aid further rationalized institutional control over Indigenous women’s bodies. As Carter (2006) remarks, the famine led some Indigenous women to marry settler officials, like Iteskawin’s marriage to NWMP Superintendent William D. Jarvis because he promised to provide her family with food (153). Similarly, farm instructors

operating on reserve from 1882 to 1885 were said to have coerced sexual favours from young girls for rations (2006, 154). The ecological and economic disruptions of the collapse of the bison population produced unequal social relationships that marginalized Indigenous women and girls.

The new spatial divisions in Western Canada were violently enforced. The murder of a Blood woman known as Mrs. Only Kill in 1888 by Constable Alfred Symonds of the NWMP and veteran William Fisk who murdered an Indigenous woman referred to as “Rosalie” in 1889 reveal the permissibility of violence (Carter 2006, 160). Neither man was convicted for their crimes under the emerging Canadian “justice system.” The erosion of fur trade gender norms and alliance making on the prairies and within Canada’s policies toward Indigenous women and communities generated the possibility for widespread dehumanization, exploiting, and killing (2006, 154–55). The influx of the Northwest Mounted Police and the Canadian justice system cemented social boundaries and borders enforcing new moral and spatial orders on the prairies.¹⁹

The violence Indigenous women and girls experience has dramatically shifted since Canada’s inception. Christianization, the fur trade, and state power rested on removing Indigenous women from positions of power in communities. The social, cultural, and material disruptions these social processes produced displaced and diminished the social roles Indigenous women and girls occupied and the protections they received across various societies. The negative binary view of Indigenous

¹⁹ There is also a risk is assuming that Indigenous women and communities did not practice agency and resistance to these new gendered and mobility restrictions. For instance, Mary Jane Logan McCallum (2014) has pointed to the longstanding debates of supposed Indigenous cultural decline in the wake of the fur trade as a problematic assumption. Jo-Anne Fiske (1988) notes, in the BC context, that the 1911 bans on salmon weirs and 1926 trapline registration pushed Carrier men into other work, while Indigenous women continued the work with nets. Indigenous women’s work as housekeepers, harvesters, and sellers has been invisibilized across this waged economy (186–98). There is a need to consider what McCallum has called the “persistent demand for Native labour” during this period from the fur trade to the postwar period (2014, 226). Indigenous women have also been caught within the penal and reform systems (Sangster 2015). The work of Indigenous longshoremen at Kitsilano illustrates the complex histories of mobility and labour actions from 1906 up until the 1930s (Parnaby 2008). Indigenous mobility was controlled within settler institutions but was not absolute.

womanhood between a chaste figure to be protected and a licentious figure that was dangerous to the moral order has been discursively reproduced at different moments in Canadian politics to govern Indigenous peoples. As seen with the BC letters and the enclosure of the prairies, actions taken for the supposed “protection” of Indigenous women were not addressing the legal and social relations causing Indigenous women to be exploited. The “clearing” of the prairies in the 1880s reveals the loss of Indigenous women’s territorial, mobility, and self-determination rights. One of the central erasures in studies on violence against Indigenous women is the complex and nuanced relationships between agency and political power. Indigenous women have used their agency to advocate for themselves, their communities, and their families and loved ones.

Postwar Citizenship: Status and Residential Schools

“Transience” structured postwar welfare state policy, citizenship, and status. A renewed focus on equality through citizenship during the early postwar period brought reforms to Indian status and Indigenous political rights (table 1). However, these reforms upheld older assumptions about Indigenous legal and political belonging in Canadian society. Public dissent following World War II regarding the unequal treatment of Indigenous peoples in Canada sparked calls for a royal commission. Instead, the federal Liberal Government launched the Joint Senate and House of Commons Committee on Indian Affairs, which would meet in 1946, 1948, and 1949. These hearings straddled the Liberal governments of William Lyon Mackenzie King (1935–1948) and Louis St. Laurent (1948–1957). As Hugh Shewell observes, these hearings were predominantly bureaucratic in nature and reflected the new emphasis by Indian Affairs, the Department of Citizenship, and the Welfare Division of DIA on an approach that rested on social scientific and psychological postwar

integration of Indigenous peoples into Canadian society (2004, 244–5).²⁰ The 1946 committee proposed measures for the gradual transition from wards to citizens by (a) granting political voice to Indigenous women in band councils, (b) offering greater self-government and funding for band councils, (c) ensuring equality of treatment around alcohol-based offences, (d) using Indian Affairs officials as supports for Indigenous self-government, and (e) legislating the right to vote under Canadian law (Tobias 1983, 51).

Table 1. Key citizenship dates for Indigenous people in Canada

Date	Event
1946	Formation of a Joint Senate and House Committee on Indian Affairs
1948	Report of Parliamentary Committee on Indian Affairs
1949	Second Joint Senate and House Committee on Indian Affairs
1950	Indian Affairs Branch moves from the Department of Citizenship and Immigration to the Department of Mines and Resources
1951	Indian Act Amended
1960	Indigenous peoples in Canada gain the right to vote
1966	A Survey of the Contemporary Indians of Canada: Economic, Political, Educational Needs and Policies released

By 1948, the Joint Committee advocated for assimilation via equal citizenship (Tobias 1983, 51). The report of the Special Joint Committee of the Senate and House of Commons from June 22, 1948, states that “[a]ll proposed revisions [were] designed to make possible the gradual transition of Indians from wardship to citizenship and to help them to advance themselves” (1948, 1). These reforms were enacted in the 1951 Indian Act and figured the reserve system and Indian status as

²⁰ Canada’s postwar period was shaped by commitments to high modernism and national development across federal, provincial, and municipal politics from the 1940s to the 1970s (Langford 2012; Murray 2015; Loo 2019). Indigenous peoples were conceptualized under twin frameworks of development and unilateral devolution, with an increasing focus on integration into the Canadian economy and devolution of social services to the provinces from the 1940s into the 1960s (Tobias 1986; Shewell 2004). The 1948 Joint Senate House Committee on Indigenous Affairs focused on bureaucratic solutions to Indian policy (Shewell 2004). The technocratic planning of experts and bureaucrats reflected a shared set of commitments to modernist development and urban redevelopment.

disappearing features of Canadian society (52). Notably, the 1951 Indian Act allowed for the control of status via a central registry. Before this, Indian agents had kept separate lists (Murray 2011, 12). Anderson (2000) sees the period from the 1960s to 1970s, under the Indian Act, as a critical turning point for the disruption of traditional gender relations and economies for many Indigenous communities (59–61). Ultimately, the 1951 Indian Act sought to make Indian status calculable and amenable to governing. In doing this, the gender-based status provisions of the Indian Act transformed membership and community rights for any Indigenous women who married a non-status man.

These status changes to the 1951 Indian Act structured Indigenous women's access to band membership and limited housing and social support access (Green 2001). The gendered dispossession from status provisions under the Indian Act was accompanied by the loss of reserve land to flooding, extraction, land purchases, a demographic boom on reserves, and insufficient reserve housing (Razack 2001, 1010). At the same time, federal planners and policy makers developed programs to integrate Indigenous peoples into the labour market. As Razack explains, these factors furthered the replacement of segregation and colonial administration of the reserve system with a new “slum administration” and the “segregation of urban spaces” between different racial spaces within the city (97).²¹

²¹ The heterosexual and patriarchal character of the Indian Act disrupts the power of Indigenous women in their communities (Cannon 2019, 16). The 1951 amendments to the Indian Act enshrined the removal of non-status Indigenous women from the band list. Prior to this point, these women had been able to retain the right to continue collecting annuities and band monies despite losing status. Section 15(1)(a) of the Indian Act (1951) granted women “one per capita share of the capital and revenue moneys held by His Majesty on behalf of the band” (39). This 1951 change altered women's ability to stay in community without status (39). This legislation made the protection of status and the political workings of the band a central priority. The 1956 Indian Act allowed members of bands to contest the legitimacy of children under Section 12(2). If the father did not have status, the child would not have statutory registration or band membership. Status-based provisions facilitated the gender-based dispossession of Indigenous women from their home communities. This dispossession

The Indian Act had already been amended in 1920 to facilitate the removal “‘from the Indian parent the responsibility for the care and education of [their] child’ and to establish mandatory school attendance provisions on pain of parental imprisonment or fines” (Canada 1921, quoted in Murray 2017, 756). These provisions had helped to feed into the logic of the residential school system in Canada. The first residential school was founded in 1885, and the last school closed in 1996 (Government of Canada 2011b, 32–3). The Government of Canada worked with Christian churches (primarily Anglican and Catholic) to place approximately 150,000 Indigenous children in residential schools, often against the will of their parents (Government of Canada 2011b, 32–33). Of an estimated 6,000 deaths due to negligence, influenza, tuberculosis, and violence, the death rate in the schools has been estimated at 1 in 25, the same life expectancy for a Canadian soldier in World War II (Schwartz 2015).²² The goal of these institutions was the elimination and assimilation of Indigenous children (Government of Canada 2015, 1). These schools included conditions of physical, mental, spiritual, sexual, and psychological violence. Children were taken away from their communities (Government of Canada 2011b, 32–33), and students were forbidden from learning and practicing their culture and speaking their languages (2015, 1–3). These spaces were sites of nutrition experimentation on starving Indigenous children to augment the nascent nutritional research industry. These nutritional experiments were then used to develop nutrition practices for Canadian citizens (Mosby 2013; Mosby and Galloway 2017; Travis Hay 2018) and thereby augment the health and wellbeing of the settler colonial population. Structurally, settler colonial policies continue this

contributed to the larger number of Indigenous women entering cities like Vancouver in the 1960s. Indigenous women successfully contested some of these status provisions in 1985 after a legal and human rights campaign (39). In 1985, the federal government amended the Indian Act to restore status to some Indigenous women under Bill C-31.

²² The Truth and Reconciliation Commission’s (2015) assessment of the rates of death and estimates for each school have undercounted the scale of the loss of life of Indigenous children. The ongoing excavation of unmarked graves at or near residential school sites continues after the discovery of unmarked graves near the Kamloops residential school in 2021.

trajectory of using Indigenous peoples as a site of experimentation for the health of the settler population. This process can be seen in how urban rehabilitation policies designed to support Indigenous men and women ended up supporting white men in Vancouver.²³

The reforms brought in under the 1951 Indian Act applied provincial child welfare authority to Indigenous communities. Monchalin (2016) explains that this new section within the Indian Act allowed for

“[g]eneral provincial laws [to be] applicable to Indians.” That section (s.88) states that “all laws of general application from time to time in force in any province are applicable to and in respect of Indians in the province, except to the extent that those laws are inconsistent with this Act” or with other similar legislation. This new section cleared the way for provincial laws to apply to Indigenous peoples living in First Nations communities. (107)

In a process known as the Sixties Scoop, these provisions allowed for the mass removal of Indigenous children from their communities and subsequent placement with largely white households (Monchalin 2016, 107). The goals of the residential school system—the physical removal of Indigenous children and destruction of Indigenous cultures—were present in the child welfare system. It is unsurprising then that the discourse of transience casting Indigenous women as unfit mothers and caregivers

²³ With these considerations, it is also important to consider that the domination of residential schools was also accompanied by moments of defiance, resistance, and disruption that, while not erasing the dehumanizing and authoritarian character of spaces, reveals Indigenous agency and refusal. Residential schools were often spaces of resistance, defiance, and subversion as well. As Celia Haig-Brown has pointed out in her interviews with survivors from the Kamloops Indian Residential School the violent oppression of these spaces was interspersed with acts of camaraderie, crime, defiance, and theft meant to undermine the schools. Indigenous children and youth would use theft as a means of securing food and undermining the hierarchical control of these oppressive spaces (1988, 100). Other stories from survivors also reveal the power of mockery over residential school staff as a means of subverting power. In certain cases, the control of not showing pain or losing control during corporal punishment also reveals the power to resist the intent of domination in these spaces (1988, 103). Maintaining control or not speaking out during intense moments of punishment challenged the power of the officials. Even the secret acts of maintaining language and speaking it in private with other students represented a subversion of the intended goal of the schools and the officials (1988, 104). Even letters snuck home to chiefs also allowed children to get support in dealing with their tormentors. As one letter about a music teacher hitting students prompted three chiefs to visit the school and intervene (113).

returned to prominence. The narratives taken up by local planners affirmed many of these assumptions about Indigenous women.²⁴

By the early 1960s, the child welfare system came into prominence as a means of continuing the removal of Indigenous children from their families. Feminist researcher and adoption activist Valerie Andrews suggests that legislative change under section 88 of the Indian Act in the 1950s contributed to an apprehension imperative enforced by social workers who targeted Indigenous mothers (2017, 107). Official estimates through the “Department of Indian Affairs indicate a total of 11,132 status Indian children [being] adopted between the years of 1960 and 1990” (2017, 169–70). Approximately seventy percent of the children went to white households (2017, 169–70). Indigenous children were adopted out across Canada and the United States and sent as far away as New Zealand. These legislative changes under the 1951 Indian Act generated a regime that targeted Indigenous mothers as unfit parents while furthering the separation of Indigenous children from their families and cultures into white society (Andrews 2017, 170).²⁵

Domesticity and Production

²⁴ There is an important caveat that emerges around these dynamics of racial segregation, integration, and biological elimination. Celia Haig-Brown and David Nock point to the divisions between those who championed Indigenous education and the social-Darwinist thinkers who opposed Indigenous education (2006, 9). Central within this discussion is the understanding that those who advocated for integration operated from different precepts than theories of biological racism. Haig-Brown and Nock’s reflection reveals the complex and often fraught nature of settler colonial power as liberal and humanitarian reformers across the eighteenth and nineteenth centuries challenged some aspects of the biological racism and, indeed, questioned and blunted aspects of coercive and destructive state policies. However, as Haig-Brown and Nock are quick to remind the overall goal of “Christianizing and civilizing” Indigenous peoples was a central goal of the different agents of the state who questioned state power and policy responses while also fulfilling them (2006, 3). Important here is that the biological racism, is not my projects focus, but it should not be omitted from critiques of contemporary racism. What is at play within post-war Canadian processes of state racism are facets of cultural superiority, albeit, interspersed with tensions and contradictions in reactions to the violence urban assimilation was producing.

²⁵ For a deeper discussion of the removal and transfer of Indigenous children as one of the pillars of genocide by a nation state see Tamara Starblanket (2018) and David MacDonald (2019).

Federal policies integrated Indigenous women into gendered and semiskilled urban economies. During the interwar period, the Indian Homemakers' Clubs served to connect Indigenous women to the semiskilled labour market and vocational training in urban centres. Established in Saskatchewan in 1937 by the inspector of Indian agencies for Saskatchewan, Dr. Thomas Robertson, the clubs quickly spread across Canada (Harris and McCallum 2012, 226) These emerged from the migrant western prairie clubs of the early 1900s that integrated newcomer women into Canada's models of feminized production (Bohaker and Iacovetta 2009, 445). By the 1950s, these clubs served a valuable economic function by drawing Indigenous women's labour power into the garment market under the Department of Health and Welfare (Harris and McCallum 2012, 227). The clubs expanded "from 60 in 1948 to 178 in 1956" (230).

Government officials desired Indigenous women's productivity in the postwar economy. These homemakers' clubs envisioned Indigenous women as essential to assimilating Indigenous families. Harris and McCallum (2012) argue the clubs worked "to further state goals of assimilation, integration, and citizenship within Indigenous communities, urging the women to apply themselves, in the spirit of self-help" (225). In their analysis, Bohaker and Iacovetta (2009) maintain that:

By the 1950s, many of the Saskatchewan Homemakers' Clubs began outreach to First Nations reserves on the grounds that [...] programs of "personal improvement and community service" could help Indian "integration into mainstream society" and "ultimately lead them out of a life of poverty." (445)

Under the postwar Indian Labour Program, the federal Department of Indian Affairs wanted to attract skilled Indigenous men and women into urban centres (Harris and McCallum 2012, 234). Federal officials envisioned Indigenous women as essential to limiting federal support costs for Indigenous communities. Urban migration was produced through legal and political programs designed to push Indigenous peoples out of communities rather than building opportunity in those communities. These

programs were shaped by the earlier logic of governing Indigenous women to structure Indigenous conduct.

By 1960, the Department of Indian Affairs was rolled into the Department of Citizenship and Immigration, with the goal of transitioning Indigenous subjects into citizenship. The department funded studies of Indigenous adjustment to urban life in areas such as Vancouver (Bohaker and Iacovetta 2009, 427). The department understood Indian friendship centres as vital to transforming Indigenous peoples into Canadian citizens. Evelyn Peters (2002) notes that, nationally in Canada, Indigenous urban presence increased from “4,469 ‘Indians,’ or 3.6 percent of the total ‘Indian’ population” in the 1941 census to “11,015 and 6.7 percent in 1951; 28,382 and 12.9 percent in 1961; and, significantly, 90,705 and 30.7 percent in 1971” (quoted in Langford 2016a, 2). These programs contributed to Indigenous women’s movement from reserve spaces to urban centres.

Indian friendship centres were contested spaces of urban integration and mutual aid. Nancy Janovicek (2003) highlights Indigenous women’s leadership and direction in the Thunder Bay Indian Friendship Centre (552). Heather A. Howard-Bobiwash (2011) identifies the Native Canadian Centre of Toronto as a vital site of Indigenous cultural preservation as well as contestation, specifically over the centre’s autonomy from the Ladies’ Auxiliary (92–93). Although friendship centres were places of Indigenous organizing and mutual aid, at the outset, bureaucrats and planners viewed them as furthering Indigenous assimilation. However, this does not negate the fact that these centres were part of the broader struggle for Indigenous political voice in Canadian urban centres.²⁶

²⁶ Indigenous women’s experiences of settler colonial violence and resistance emerged through the literature and poetry of the 1960s and 1970s (Million 2013, 57). As Dian Million describes, Indigenous women’s writing “rock[ed] the boat, and perhaps the world. Our voices are dangerous.” The writing of Maria Campbell (*Halfbreed*), Lee Maracle (*Bobbi Lee: Indian Rebel*), Beatrice Culleton (*In Search of April Raintree*), Ruby Slipperjack (*Honour the Sun*), and Jeannette Armstrong (*Slash*) came out of this period. This body of literature offered a “new language for communities to address the real multilayered facets of their histories and concerns by insisting on the inclusion of

William Langford (2016a) points to the contested nature of Indian friendship centre leadership between the government, social services, and Indigenous communities from the 1960s to the 1970s (2). These centres exemplified how social scientific thinking seeped into government policy (Langford 2016a, 3). During his tenure at the citizenship branch of the Department of Citizenship and Immigration in the 1960s, French-Canadian social worker and civil servant Jean Lagassé (2016) was a leader in this social scientific transformation of government policy.²⁷ Lagassé advocated “for a community development approach to the ‘rehabilitation’ of Aboriginal peoples to bringing about self-directed social and economic progress.” His ideas culminated in the development of the Winnipeg Friendship Centre in 1959 (2016, 4–5). With backing from the citizenship branch, Indian friendship centres became a focus of federal Indian policy (Langford 2016a, 7).

Friendship centres targeted those deemed most “at risk” of becoming “transient.” For instance, the Winnipeg centre was concerned with “Aboriginal urban youth crime, drunkenness, and promiscuity.” The federal citizenship branch funded the centre to “[improve] the well-being of migrants...[and] provide counseling [and] information about community services, and referrals to appropriate agencies.” The Winnipeg centre operated through referrals and community coordination (Langford 2016a, 5). In 1961, the director of the Citizenship Branch’s liaison division, sociologist R. Alex Sim, echoed Lagassé’s contention that friendship centres could “reduce welfare costs, and [would] leave manageable numbers on reserves and in the north to implement economic development

[their] lived experience” within social and political demands (57). These political, legal, and literary discourses contested the erasures of Indigenous women’s experiences and, most centrally, the assertion of the anger of Indigenous women toward the injustices of settler colonialism—a political anger that was not easily contained (2013, 66). These semifictionalized accounts by Indigenous women challenged settler colonial relations in Canada. The writing from this period (1960s–1970s) points to the work of Indigenous women in consciousness-raising, communicating political violence, and political organizing.

²⁷ In an early article, Langford (2016a) mistakenly followed Jim Lotz’s incorrect identification of Lagassé as Métis. In fact, in a later article, Langford (2016b) corrected this mistake by noting that Lagassé’s ancestry has been confirmed to be French Canadian.

plans.” As Sim (1970) explains, the goal of the centres was a “steady one-way flow of Indians and Eskimos into urban industrial life.” Sim also states that the centres were vital to “ensur[ing] the good adjustment of Indians in urban centres without using paternalistic methods” In other words, he imagined educated and culturally assimilated Indigenous peoples as essential to depopulating reserves (quoted in Langford 2016a, 7).

The later educational policies of Lagassé and Sim shed light on their educational goals. For instance, Sim’s 1968 report, *Living and Learning: The Report of the Provincial Committee on Aims and Objectives of Education in the Schools of Ontario*, makes clear that “education [was] a means of adjusting Indigenous peoples to postwar Canada’s political and economic order” (Cole 2019, 208). *Living and Learning* (1968) rested on ““a vision of government reformed through the uptake or application of specialized techniques’ deployed across the social body” (quoted in Cole 209). Sim (1970) asserts education was necessary to produce the kind of leaders to overcome alienation and offer “a ‘coherent’ view of a fast-changing world” to better integrate into postwar society (quoted in Cole 2019, 214). In other words, the chief concern with education was the need to produce Indigenous leaders sympathetic to Western modernity. Sim also argues against “the enveloping and stultifying effects of governmental support” (Cole 2019, 214). As such, the developmental model operating around the friendship centres envisioned “educated” self-supporting individuals capable of championing integration who could “return to their home communities, inspiring friends and family to give themselves over to the Peaceable Kingdom” (quoted in Cole 2019, 221). In *Living and Learning* (1968), Sim articulated his view of education as another mainstay in preventing transience and furthering the depopulation of reserves by coopting the image of Indigenous youth as future leaders (2019, 222). These assimilationist logics were evident in the Vancouver planning documents that idealized education as an essential tool for ensuring integration. These views surrounding education also aligned with emerging views about community responsibility and local integration practices.

Citizenship and Immigration's model of urban assimilation hinged on community level integration practices. Federal, provincial, and municipal governments were collaborating to develop the Winnipeg friendship centre as a model of urban integration. As I will delve into in the next section, a secondary process of municipal collaboration between cities was also taking place. Rather than a solely top-down or bottom-up approach to urban assimilation, this process also had a lateral component across the Canada–US border and between Canadian cities. These centres served as hybrid spaces of self-help and community services. As a result, friendship centres produced an understanding of “transience” through community services. These spaces also managed public perceptions of how cities were responding to social inequality and violence.

Transience and Permanence Under the Welfare State

High modernism and rational planning were central elements of Canada's postwar redevelopment. High modernism refers to the concert of ideas shared across the political spectrum following World War II that was focused on centralized, top-down, rational planning trained on the human condition (Loo 2019, ii). Rational planning was emphasized in federal welfare policy targeting Indigenous peoples on reserve (Shewell 2004) and citizenship programming (Langford 2013). Federally, high-modernist assumptions shaped CHMC urban renewal policies (Loo 2019, 173). In British Columbia, W.A.C. Bennett's populist Social Credit government was committed to modernization via dams, highways, and natural resource development (Langford 2012, 11).²⁸

²⁸ W.A.C. Bennett's populist Social Credit government (1952–1972) was committed to rational modernization of the province of British Columbia, which entailed resource development. These policies focused on public works and infrastructure projects. Bennett's government was committed to modernizing the hinterland of BC through hydroelectric power, full highway networks, integrating rail networks, airports, and the creation of new towns (Markey, Halseth and Manson 2008, 431). For instance, the W.A.C Bennett Dam built between 1961 and 1967 displaced the Tsek'ehne and Dane-zaa peoples and destroyed their traditional gathering and spiritual sites along the Peace, the

Likewise, in Vancouver, the Non-Partisan Association mayors (1941–1966) also desired urban renewal and redevelopment (Langford 2012, 12).²⁹ Ultimately, high modernist commitments existed across party lines and the work of bureaucrats and experts was vital to urban planning.³⁰

Two contrasting visions for the welfare state shaped the postwar order (Bradford 1999). Social Keynesians were committed to mass investment, labour market planning, public works, full employment, countercyclical spending, and progressive wealth redistribution via income support programs (1999, 27). Technocratic Keynesianism focused on “priming the pump” of the economy through data collection and targeted spending to ensure “investor confidence” by enhancing the bureaucracy’s analytic capacity (1999, 28). William Lyon Mackenzie King’s Liberal majority government (1935–1948) proposed to study the policies through the *National Employment Commission and the Royal Commission on Dominion-Provincial Relations* (1937). Keynesian

Finlay, and the Parsni rivers (Poirier 2019, 15). Likewise, Indian Affairs and BC’s Social Credit Government resettled the Ingenika Band from the flooded Finlay Forks Reserve in the 1961 to Ingenika Point by 1977 (Abbott 2017, 47–48). These commitments to modernization through resource exploitation rationalized the displacement of Indigenous peoples.

²⁹ A fully developed comparative study of the policy differences between federal, provincial, and municipal political parties and the impacts of these policies is beyond the scope of this dissertation. A sustained project on the tensions and openings created by different political parties in British Columbia for Indigenous political assertions of rights could be a worthwhile project for an exclusively Canadian politics approach. My work is interested in the continuities between different political parties and the enduring damage-centred assumptions within policies across governments.

³⁰ Settler colonialism is a structure that transcends the ideological divisions of class. Even the most “progressive” and forward-looking parties of the 1960s was shaped by the logics of settler colonialism. Allyson Stevenson (2021) sheds light on the little-known history of the socialist Co-operative Commonwealth Federation’s (1944–1961) Métis rehabilitation policy in Saskatchewan from the 1940s to 1960s. She observes that even the first social-democratic government in North America under Premier Tommy Douglas (July 17, 1942–November 3, 1961) was committed to colour blind integration (2021, 72). The CCF equalized access to education, health, and welfare, which meant sweeping child welfare reforms targeting Métis children (2021, 67). These policies removed Métis children from their mothers through transracial adoptions and institutionalization (88–9). Also under the Saskatchewan CCF, the Métis were relocated from their road allowances to designated communities (2021, 88–89). These policies were not exclusive to the Saskatchewan CCF. The moral categories of development and rehabilitation targeting “fallen women” and poverty shaped policies under welfare state capitalism.

reforms in Canada sought a middle ground between laissez-faire policy and centralized social planning (1999, 31). Bradford (1999) argues that Canada's technocratic Keynesianism made it easier for neoliberalism to take hold in policy making. Rather than simply a sudden shift from Keynesianism to neoliberalism, neoliberal reformers drew from potentials already present in Canada's welfare state (19).

In the immediate postwar period, British-educated and Jamaican-born planner Gerald Sutton-Brown served as Vancouver's director of planning (1953–1959) and the city commissioner (1963–1973) (Langford 2012, 11). His focus was on technical solutions to urban problems focused on regulation and standardization. Brown was an emblematic example of a high-modernist planner. During his tenure as Director of Vancouver's Department of Planning, Sutton-Brown attempted to limit public control over decisions and project approvals (16). High modernism was not merely disruptive, but also integrative as seen later in the decade with the proposed redevelopments of Vancouver's Chinatown saw Asian leaders consulted and integrated into the discussions about profitability and redevelopment. For instance, Tina Loo observes that "The Strathcona Property Owners and Tenants Association (SPOTA) provided authorities in Vancouver with information on residents' incomes, something crucial to the feasibility of the rehabilitation programs" (2019, 198). Community leaders came to serve the aims of high-modernist planning. High modernism was both technocratic and consultative, but not democratic.

Shaping Canada's postwar reconstruction, Leonard Marsh authored influential reports throughout his academic career, including the Keynesian-inspired *Report on Social Security for Canada* (1943), the *Report on Housing and Community Planning* (1944), and *Rebuilding a Neighbourhood: Report on a Demonstration Slum-Clearance and Urban Rehabilitation Project in a Key Central Area in Vancouver* (1950). Marsh (1950) advocated for social planning from his time as an academic and director of research at the School of Social Work at the University of British

Columbia (1948–1964) until he retired in 1973. Social planning called for “income redistribution via state interventions [to] stave off poverty, produce employment, and maximize consumerism” (Marsh quoted in Murray 2011, 12). To facilitate this growth, the urban centre within this process was to be redeveloped with “schools, libraries, and recreational facilities, and, if need be, to erase ‘eyesores,’ ‘blighted areas,’ and ‘slum dwellings’” (2011, 12). Urban centres were not so much absent from postwar welfare state planning as they were only *part* of the considerations for remaking neighbourhoods. Marsh’s work affirmed normative assumptions about gender and citizenship in the period that targeted specific neighbourhoods. Social planning constituted specific citizens as deserving of social protection and redistribution.

Social scientific research in the 1940s constructed postwar suburbs as idealized sites of life (Cowen 2005). Marsh’s 1943 *Report on Social Security for Canada* focused on “the typical ‘contributor unit’ as ‘the single man who, in all probability, in the course of time will become a married man’” (Porter 2003, 39). The second National Housing Act (NHA) of 1944, alongside the CMHC in 1945, “confirmed the significance of housing for peacetime reconstruction” and cemented homeownership as an ideal within the postwar citizenship (Strong-Boag 1991, 484). Urban cores fell outside this ideal, as did single Indigenous women and mothers arriving in urban cores. Federal objectives were invested in investing in shaping urban governance and the work of planners.

By the 1960s, urban development in British Columbia included assumptions about urban renewal, Indigenous integration, and social planning. Increasingly, discourses articulating the gulf between the downtown core, suburbs, and reserves became a means of “solving the Indian problem” by integrating reserve populations into urban markets (Murray 2012, 69). Federal policy studies were trained on urban renewal. For instance, section 23 of the 1956 NHA “initiated, encouraged, and animated municipalities across Canada to develop studies and plans to support funding for urban renewal” (Lee 2007, 392). Instead of being absent from urban planning, the federal government

funded municipal research on housing and urban renewal. The reports taken in the next section are part of this lineage.

Comprising a central role in this process of redevelopment and limiting democratic oversight in Vancouver was the Non-Partisan Association (NPA). The NPA was a centre-right and pro-business political party formed in 1937 as a response to the social-democratic Cooperative Commonwealth Federation (CCF) formed in 1933 and elected via Mayor James Lyle Telford (1939–1940) (Tennant 1980, 7). Andrea Barbara Smith (1981) remarks that the NPA’s “conservative ideological foundations of the ‘non-partisan’ philosophy are revealed in the alarmist response of the province’s political and business elites to the depression” (ii). The NPA was devoted “to keep[ing] parties and politics out of city hall” and countering populism and socialism (7). The NPA advocated for a city where independent experts and elected officials would manage public affairs (8). Members of the NPA were drawn from the business class and were active in civic affairs and the Board of Trade (9). Following World War II, the NPA was committed to civic policies focused on commercial growth and urban development (urban renewal) (9–10).

The NPA had held power since 1941 and was dedicated to a sizable redevelopment agenda across the 1950s and 1960s. In the 1950s, the West End of Vancouver had seen significant construction and redevelopment around high-rise apartment buildings. Their elected mayors into the 1950s and 1960s included Frederick Hume (1950–1958), Albert T. Alsbury (1958–1962), and William (Bill) Rathie (1962–1966). The NPA was at the centre of redevelopment projects such as Project 200, which focused on construction of high rise towers and redevelopment of the downtown core, specifically the waterfront and East End, and freeway expansion through Chinatown (Langford 2012, 10). The head of the Planning Department, Sutton-Brown, was behind the proposals for the freeway development (10).

The NPA went so far as to remove democratic controls over city operations in the late 1950s. With the support of business, the NPA created a Board of Administration (1958), headed by the mayor (13). By 1959, the council voted seven to two to make the Board of Administration meetings secret. In January of 1961, NPA Mayor Bill Rathie reduced the Board of Administration down to two commissioners. This move meant the board had a dual head of power with no democratic accountability (Langford 2012, 27–28). As one of two city commissioners, Sutton-Brown was now in charge of building, planning, health, the budget, and social services. John Oliver, as the other, was responsible for electrical, engineering, civil defence, fire, and court duties (2012, 28). As Tennant observes, “During the sixties the board was the centre of power in civic decision making” (12). The Board of Administration was an entity unto itself.

By the start of the 1960s, the planning department had gained influence within Vancouver’s municipal government, which normalized urban planning and social scientific thought as the response to urban poverty. The University of British Columbia (UBC) had launched this department, which influenced the city council’s work regarding the need to rely new social planning expertise. These developments led to the professionalization of city planning, which brought with it specific assumptions about urban renewal. The East End of Vancouver was being produced as an object of social planning (Murray 2011, 12).

The Figure of the Transient Indigenous Woman and the Skid Road Alcoholic

The Community Chest and Councils of the Greater Vancouver Area (hereafter the Community Chest) sought to remake Vancouver’s urban landscape. Following the Biannual Conference of Community Funds and Councils of America in 1958, the Councils of Greater Vancouver and the Community Chest formed a municipal council that raised and distributed funds to voluntary social service organizations while developing urban and social welfare plans alongside business, charitable,

and government interests (Aghai 1958, 12). The Community Chest was founded by businesses interested in shaping municipal politics and social services (1958, 47–48). The Vancouver Community Chest advocated for an Indian friendship centre. It authored two reports on this topic in the early 1960s. These Community Chest reports responded to the inequalities facing Indigenous peoples through a social planning lens. These were followed by Vancouver planning department reports that brought some aspects of violence on skid road to light while erasing others.

The Community Chest released two studies (table 2) with federal funding. These studies have received little attention in the scholastic record (Sommers and Blomley 2002) and place a different emphasis on the history of remaking Vancouver’s East End. The first, *The Canadian Indian in an Urban Community*, was released in 1961. It offered a detailed demographic study of the challenges associated with urban migration for Indigenous peoples in Vancouver. With mounting public and media pressure from community organizations, the *Study of Problems of the Canadian Indians in Urban Communities* was published in 1962, summarizing the previous study’s findings.

Table 2. Social planning policy reports to the City of Vancouver, 1961–1965

Year	Report
1961	The Community Chest and Councils of the Greater Vancouver Area. <i>The Canadian Indian in an Urban Community</i> . Social Planning Section of the Community Chest. Vancouver.
1962	The Community Chest and Councils of the Greater Vancouver Area. <i>Study of Problems of the Canadian Indians in Urban Communities</i> . Social Planning Section of the Community Chest. Vancouver.
1965	The City of Vancouver. <i>Downtown Eastside: A Preliminary Study</i> . Planning Department. Vancouver.
1965	The City of Vancouver. <i>Skid Road: A Plan for Action</i> . Sub-Committee of the Special Joint Committee of the City of Vancouver. Vancouver.

In 1963, the coroner’s jury inquest called for a joint federal, provincial, and civic committee to investigate skid road. This committee never materialized. That same year, Vancouver Mayor Bill

Rathie had promised “to wipe out conditions that ma[d]e Skid Road a death row for scores of Indian girls each year” (Longstaffe 2009, 19–20). Rathie’s measures aimed to regulate skid road liquor licences while the Health Department aimed to “clean up” and “improve conditions on skid road” (19–20). The Community Chest reports emerged at the nexus of federal funding and research into social planning. By May 1965, a coalition of churches and other service agencies presented a petition to Vancouver City Council calling for the improved treatment of people on skid road (Longstaffe 2009, 42). Subsequently, the Department of Social Planning released *Downtown Eastside: A Preliminary Study* in June 1965 (1965a, 1), and in September of that same year, released *Skid Road: A Plan for Action* (1965b, 1). These reports were predicated on rehabilitation and the coordination of community services.

These four reports envisioned self-help and community agencies as a response to “transient” men and women on skid row. These documents normalized Indigenous urban presence. They were geared toward discerning techniques to produce normative subjects through training and community intervention. To this end, they surveyed “successful” examples of urban integration across Canada and the United States. When analyzing the reports by the Community Chest and the Planning Department together, it appears that the development and appropriation of techniques for remaking subjects evolved out of the efforts to assimilate Indigenous subjects into the postwar economy. In their analysis, Sommers and Blomley (2002) overlook how the techniques used to “remake” the unemployed elderly resource sector workers were designed to ensure Indigenous integration into the Vancouver economy. By considering the Community Chest reports, which were published prior to the reports by the city, I trace out how these responses to disappearance were publicly evident and became obscured. This history reveals a dual erasure of the techniques used to manage the arrival of Indigenous peoples entering the city and of the violence facing Indigenous women through the application of those techniques to those said to be responsible for their deaths.

The Canadian Indian in an Urban Community

On May 2, 1961, the Community Chest published *The Canadian Indian in an Urban Community*. The report evaluated Indigenous use of religious and governmental services, such as the Young Men's Christian Association, the Young Women's Christian Association, the Canadian Legion, and the churches surrounding skid road. The Community Chest interviewed these groups to gauge the "problem" of Indigenous "adjustment to an urban society" (1961, Acknowledgements). Funded by a grant of \$3,500 from the Department of Citizenship and Immigration (1), the report was a reaction to the murders of Indigenous women on skid road (Lindsay 1998; Longstaffe 2009). The study sorted Indigenous groups between "adjusted" or "maladjusted" persons. Its terms of reference emphasized: (a) collecting demographic data about the Indigenous population in Vancouver, (b) putting forward recommendations to assist Indigenous establishment in the city, (c) assisting in implementing measures, and (d) fostering public awareness about the needs of Indigenous peoples in urban centres. Ultimately, it concentrated on the actions needed to facilitate the "successful" "adjustment" of Indigenous peoples to Vancouver (1–2).

The study proposed that Vancouver adopt the methods and techniques being used in American and Canadian Indian friendship centres (Community Chest 1961, 2). Chicago, Winnipeg, and Seattle were seen as "successful" examples of urban integration strategies (89–95). The report also surveyed 145 "Indian men and women" in Winnipeg, Seattle, and Vancouver and drew upon urban planning knowledge (1961, Acknowledgements). These reports reflect the importance of the Winnipeg model as well as other models emerging across the border.

The report also sought to make Indigenous presence calculable. It observed that "the 1951 Census of the Dominion Bureau of Statistics showed [...] there were 239 persons of Native Indian and [Inuit] background. Of these 94 were males, 145 females" (Community Chest 1961, 4). By December

31, 1958, the census identified 594 Indigenous people, including 94 families in Vancouver (9). It wrote that Indigenous families resided across middle, lower middle, and working class neighbourhoods (66). A key finding was that Indigenous “male students mix far more with Whites than do female students” (22). This points toward a concern with promiscuity, racial mixing, and social integration.

The Community Chest divided Indigenous groups between students and “non-adjusted (transients [or] inmates of correctional institutions).” These figures were embedded within specific institutions. Educational institutions (UBC, Vancouver Vocational Institute, and the British Columbia Vocational Institute) and the Coqualeetza Fellowship were examples of “successful” integration. Meanwhile, Oakalla Prison Farm (“Oakalla”) and skid road served as examples of “unsuccessful” integration. The report viewed students at the fellowship as “well-adjusted” figures. Educational attainment and assumed proximity to Western civilization figured this group as deserving of protection (Community Chest 1961, 11).

The report viewed Indigenous peoples entering cities as undergoing acculturation to urban citizenship like those of newcomer populations. The Community Chest posed Indigenous peoples’ requirements as “similar to those faced by all immigrants to the City, wherever they may come from. Other problems were deemed peculiar to Canadian Indians [*sic*] who, because of [their] unique culture[s] and tradition[s] [were said to] sometimes find themselves strangers in their own country” (Community Chest 1961, 2). The study viewed Indigenous needs through a lens of individuality; for instance, it outlined that the issue was “not with what can the Indian people do as Indian people—but what can they do as people” (2; emphasis original). This lens viewed Indigenous cultures as a monolithic nonplural “culture” and, accordingly, as an obstacle to integration as individuals. The focus on the individual also obscured the issues a lack of cultural competency was playing in accessing services. In this way, this approach to integration maintained cultural hierarchy.

As with the Ontario education report noted earlier, *Living and Learning* suggests that education and training programs would make Indigenous people into Canadian citizens. The Community Chest remarked: “It is to this group [of students] we must look for much future Indian leadership.” The report went on to write, “It is also this group who will be among the first to be active in any expanded Indian activities in the City of Vancouver, paralleling the development we had noted in Winnipeg” (Community Chest, 1961, 11). Students were of interest due to their potential as Indigenous leaders. These characteristics contrasted starkly with those of the “transient” Indigenous woman.

This model of Indigenous integration viewed the “transient” as a depleted subject. For example, the study referred to a “transient” group that “usually arrives in Vancouver ill-prepared financially, vocationally, academically, socially, and psychologically for urban living” (1961, 62). It went on to outline that skid road was “widely frequented by Indians, most of whom it is believed are transient. They appear to be an extremely mobile group, but this has not been established” (63). The report identified the need for a central organization to direct urban Indians to educational and welfare resources within the city (54–60). The authors of the report visualized those deemed “transient” as subjects of rehabilitation to augment the processes of assimilation. Also implicated here is the understanding that those deemed “transient” avoided social services and were “lacking” the skills required to “survive” the urban economy. As such, the people this report was written to help support were made responsible for the racism of the service sector.

The Community Chest’s report voiced concerns about the impossibility of assessing the total number of Indigenous arrivals living on skid road. A health professional interviewed for the study observed: “There is probably a ‘hidden’ group of Canadian Indians resident in [...] hotels and rooming houses. These are Indian men and women, who for various reasons landlords protect against outside authorities, particularly those who they may suspect are identified with the police” (Community Chest

1961, 65). The Community Chest understood this “hidden group” as unreachable by community service organizations. Moreover, “transience” was gendered through reference to earlier tropes of prostitution and promiscuity, which tied violence on skid road to the “transient” Indigenous woman. As one service provider interviewed in the report remarked, Indigenous women within this hidden group “become flattered by the type of attention received from the white male—which is different from the Indian attitude toward women. Unfortunately, it generally is the poorer element of whites” (Community Chest 1961, 51). The report then explains how “[r]egardless of hotel policy, some or all, white tenants were permitted to bring Indian girls to their rooms—frequently for purposes of prostitution. In this respect, Indian girls appeared to be seen as commodities rather than persons. At worst, this was seen only as a minor problem” (64).

Accordingly, “transient” women were depicted along prior moral lines through sex work. From this, the Community Chest figured them as targeted by local exploitation. This understanding reinforced the assumption that these women must be protected from their own “decisions,” that Indigenous women were involved in illicit activities, and that they were intentionally not seeking supports. By positioning these women as a “hidden group,” the report shifted responsibility for the lack of engagement of services onto these women. There was also no discussion of why these women felt the need to hide from municipal authorities.

Study of Problems of the Canadian Indian in Urban Communities

In February 1962, the Community Chest and Councils of Greater Vancouver Area published the *Study of Problems of the Canadian Indian in Urban Communities*, authored for the Executive Committee of Social Planning. Though it summarized the 1961 study, it offered a new set of recommendations to facilitate integration (Community Chest 1962, 1–2). This report centred on “corrective and preventive measures against incipient problems” caused by an “increase” in Indigenous peoples entering Vancouver (4). This study divided Indigenous people within Vancouver

into administrable groups: (a) academic or vocational students; (b) residents; (c) “transients”; and (d) children in foster care (3). Again, the report reasserted the language of “adjustment” and “transience.”

The report concentrated on using education and reform to manage Indigenous presence on skid road. It outlined that “students form a significant part of the Indian group living in the city and their importance in the advancement of Indians generally should be recognized” (1962, 4). It also saw a lack of education and training as hindering those “**LIKELY TO BE DRAWN INTO TROUBLE**” into skid road (5; emphasis original). The study implies that Indigenous peoples tended to “drift to skid row” because of financial or housing limitations that produced a cycle of involvement with the police (5). It advocated for “the proper education and training” to break the arrest and release cycle (8). This discourse individualized responsibility for oppression by figuring survival in terms of training and educational attainment.

Furthermore, the report articulated Indigenous interests through the language of self-help. It advocated for creating an Indian friendship centre to direct those most at risk away from skid road (1962, 9). The Community Chest observed that “the degree of recidivism of Indian inmates [was] high and, for many, arrival in Vancouver [was] the start of an intermittent cycle between the skid-row area and the prison” (5). The summary underscored the necessity of an Indian friendship centre: the report remarked that “it [was] apparent that in the long run [, the] successful establishment for the individual Indian depend[ed] upon [their] ability to obtain employment in the city” (15). The Community Chest had already mentioned the “**NEED FOR A CENTRAL SERVICE OR AGENCY IN THE CITY, KNOWN TO INDIANS, WHICH CAN FIND AND REFER THEM TO CLEAN, REASONABLE, AND ACCEPTABLE HOUSING OUTSIDE THE SKID-ROW AREA**” (9; emphasis original). The Community Chest interviewed members of the Coqualeetza Fellowship because planners viewed the Fellowship as a principal space for supporting Indigenous “adjustment” to urban life (12).

This 1962 study shifted public responsibility for violence against Indigenous women from municipal agencies to local organizations. The Community Chest saw financial inequality as the cause of migration to skid road (5) and conceptualized the area as a site of risk for Indigenous peoples entering the city (9). Thus, the report brought Indigenous presence in Vancouver to prominence as a problem unique to skid road. It also established the Indian Friendship Centre as a solution to “transience.”

Downtown Eastside: A Preliminary Study

In June 1965, Vancouver’s Department of City Planning, under Planning Director W.E. Graham, published *Downtown Eastside: A Preliminary Study*. Two local area grants from the City of Vancouver totalling \$35,000 funded the report (1965a, 9). The study focused on issues of “urban blight” and “rehabilitation and renewal.” To this end, it consulted with the Department of Planning and Social Services, the police, and court officials (1965a, 8–9).

Graham’s study focused on the conduct of white men targeting Indigenous women and girls. It aligned with Mayor Rathie’s 1963 plan to “clean up” skid road (Longstaffe 2009, 17). Specifically, it called on municipal services to “tackle the fundamental social weaknesses” of the “human problems” of skid road (1965a, 8). These services ultimately focused on highly individualized forms of substance abstinence and individual training, and not collective solutions to shared economic or structural problems. Local charitable organizations were placed under additional oversight by the city, but not given any new resources or funding. City planners called for a local approach to deal with community problems rather than involving the federal government.

The study advocated for a Social Planning Board to oversee the distribution of public funds to charitable organizations on skid road (1965a, 9). It emphasized the need for municipal and voluntary organizations to manage neighbourhood problems. For instance, the committee called for “[a] single

measure which can do much to change present circumstances is to bring together all agencies active in the area to combine their efforts to improve or control the social ills that permeate this part of Vancouver” (8). The report distinguished between three groups: “the transient homeless man,” “the old-age pensioner,” and the “unemployable disabled and handicapped [*sic*]” man (27–29). Referring to the resource sector, Graham wrote that “many of these men are seasonal workers—miners, loggers, fishermen—but others have no trade” (27). This study problematized the “transient homeless man” and downplayed the presence of Indigenous women. In doing this, it established municipal and community organizations as responsible for administering the transient men. It also applied the idea of community coordination from the Indian Friendship Centre to these “transient” men on skid road.³¹

Unlike prior studies by the Community Chest, this one focused on the 1,500 elderly, disabled, or transient unemployed men inhabiting the skid road rooming houses (1965a, 21). It drew from maps, demographic statistics, and narratives from field research to visualize urban space. This data constructed “the skid row problem” as contained within a single neighbourhood (26).

Demographically, the report reduced the estimated Indigenous population from 100s to sixty-one surrounding Main Street (24). It described “skid-row characteristics” as indicative of urban decline within the core (19). As the study observed, “Compared to the rest of the city, few people here have any family ties; many have acute personal problems—and almost all are poor” (14). Graham further

³¹ For a more nuanced discussion on the embodied nature of the environmental impacts of resource extraction, see Amnesty International’s 2016 report developed in collaboration with several Indigenous communities in Northern British Columbia. The Women’s Earth Alliance partnered with the Indigenous youth around Native Youth Sexual Health Network to develop *Violence on Our Lands, Violence on Our Bodies*, which contains a detailed discussion of the kinds of resistance to and reproductive, mental, and physical impacts of extraction, processing, and invasion on bodies. This project is important as it developed a community tool kit for other impacted communities to draw upon around issues of resource extraction or colocation with megadevelopment projects. Finally, the Firelight group partnered with a Lake Babine Nation and Nak’azdli Whut’en to write *Indigenous Communities and Industrial Camps* (2017). The report describes histories of physical violence caused by resource extraction. All of these reports draw from firsthand accounts and share community perspectives on the impacts of resource extraction from the perspective of Indigenous women.

specified that “a greater concentration of Skid Road characteristics is likely in major ports and railway centres, in regional centres of mining and lumbering, and in cities close to agricultural regions” (19). By categorizing specific characteristics within skid road, the “transient man” and the neighbourhood became a “problem” for intervention.

The Planning Board produced the “transient” man, through criminality and nonnormative characteristics, as the cause of violence. The report noted that

A study by the Canadian Welfare Council comments that most homeless transient men are between 36 and 44 years of age. They were generally stated to have an unstable employment history, above average convictions for petty crimes and drunkenness and extreme dependence on public assistance. (27–28)

The Department of Social Planning study highlighted this figure as a criminal and financial drain on society but deserving of reform through addiction treatment centres; as such, this study proposed treatment for the “transient man.” Treatment was part of remaking the entire neighbourhood: “the eventual elimination of skid road” by transforming the residents (1965a, 41). From this, two measures emerged. First, the Alcoholism Foundation of British Columbia claimed to return “men to society to live more useful lives” (32). Second, the Central City Mission, the Salvation Army, and the Catholic Church Hostel were called upon to rehabilitate these men (37–40). Private and charitable service organizations became responsible for governing addiction and transforming the neighbourhood.

Planners pursued the redevelopment of skid road through rehabilitation. First, the report suggested “the treatment of the victims of alcoholism before they reach the rock bottom of skid road.” Second, city officials understood education as a panacea for poverty by “provid[ing] [...] young people with sufficient training to find their place in a rapidly changing world, continually demanding higher and higher skills.” Strategies proposed by the Community Chest for Indigenous arrivals were used to redevelop “transient” men on skid road (Vancouver 1965a, 41).

Skid Road: A Plan for Action

In September 1965, *Skid Road: A Plan for Action* was released by the subcommittee of the Special Joint Committee on Skid Road Problems of the Vancouver City Council. This report was built on the insights from the 1965 report by the Department of Social Planning. However, it was written to develop a “plan for action to relieve the human problems on Skid Road” (1965b). The strategies the report put forward were more targeted than its predecessor. The subcommittee included local community leaders from religious denominations, service organizations, and municipal departments. These included E.D. McRae (The Alcoholism Foundation of British Columbia), Reverend Cannon F.A. Ramsay (Central City Mission), Reverend Father Leon Kotsko (St. Paul’s Roman Catholic Church), Dr. R.F. Astbury (City Social Service Department), Brig. E.A. Brunson (Dunsmuir House-Salvation Army), and Mr. H.E. Blanchard (Provincial Social Welfare Department) (1965b, i). The city was developing a plan alongside religious and voluntary organizations to rehabilitate unemployed men.

The study described the “human problem” on skid road as marked by a predominantly male population, homelessness, personal inadequacy, old age, and chronic drunkenness. Scrutinizing the “chronic drunkenness offender,” the report described the neighbourhood as “the last place of refuge sought by men and a small number of women when all the other services of the community have failed to help them achieve a contented life.” Vancouver desired the reintegration of the transient man through rehabilitation services (Vancouver 1965b, 5).

The report proposed three measures to “overcome the human problem on Skid Road.” It aimed to: (1) develop adequate accommodation in the neighbourhood; (2) support transitions to new neighbourhoods; and (3) create vocational or physical training to rehabilitate residents. These measures concentrated on rehabilitating and depopulating skid road. The report also proposed creating a short-stay hostel (reception centre), a long-stay hostel (domicile), a special unit of the city Social

Service Department for Skid Road Problems, and a Mayor's Committee on Skid Road to enact these goals. Again, these strategies focused on the "transient man" as the target of rehabilitative policies and reduced Indigenous women's policy visibility (Vancouver 1965b, 1).

Although the report acknowledged Indigenous women's migration to urban centres, it focused on the white male "transient," giving limited attention to single Indigenous women on skid road.

Specifically, the report outlined that

the problems presented by the homeless unattached woman have been recognized by the sub-committee, but since by far the largest constellation of problems concern men—they have drawn almost all the committee's attention. Facilities to meet the needs of women on skid-road will be almost identical to those designed for men but on a lesser scale, and these facilities together with the necessary rehabilitation programs can be initiated and maintained. (1965b, 2)

In a postwar society where male and female spheres were highly demarcated (Porter 2005), women's needs on skid road were seen as akin to those of their male counterparts (1). Questions of accessibility, safety, and cultural competency were not discussed.

Indigenous students and families entering the city were seen as requiring education in navigating the urban landscape. However, the single Indigenous woman was still marked out as an area of governmental concern. For instance, *A Plan for Action* described how "attention must be given to the needs of native people who come to Vancouver and so frequently find they cannot cope with the life in large urban centres" (1965b, 13). Indigenous women were viewed as stable when having a family, but at risk when unattached (15). The Planning Department was concerned that "the single Indian girl who [came] to the city from the reservation or some small rural community [could] drift into hazardous situations in the Skid Road area in a comparatively short time." Following these assumptions, the report stated that two small organizations were established in Vancouver to provide housing for Indigenous women and girls entering the city. It explicitly called for Indian Affairs to fund a short-stay hotel for single Indigenous women and families. These proposals were meant to

direct Indigenous migrants away from skid road (20). Apart from this federal request, Indigenous women's needs were the responsibility of private hostels and support services. While "transient" men were supported by the city, Indigenous women were not.

A Plan for Action focused on rehabilitating white men back into work and "economic redistribution" while visualizing Indigenous women as subjects of charitable support (1965b, 4). Each of these responses rested on reducing their dependence on the postwar economy. Short-stay hostels were meant to function as assessment and sorting spaces that would move transient men to provincial institutions, private agencies, or long-stay hostels. In contrast, long-stay hostels functioned alongside private and provincial agencies to contain those who were not easily reformed (10). As discussed below (figure 1), these institutions channelled "transients" into prisons, vocational schools, hostels, or rehab centres.

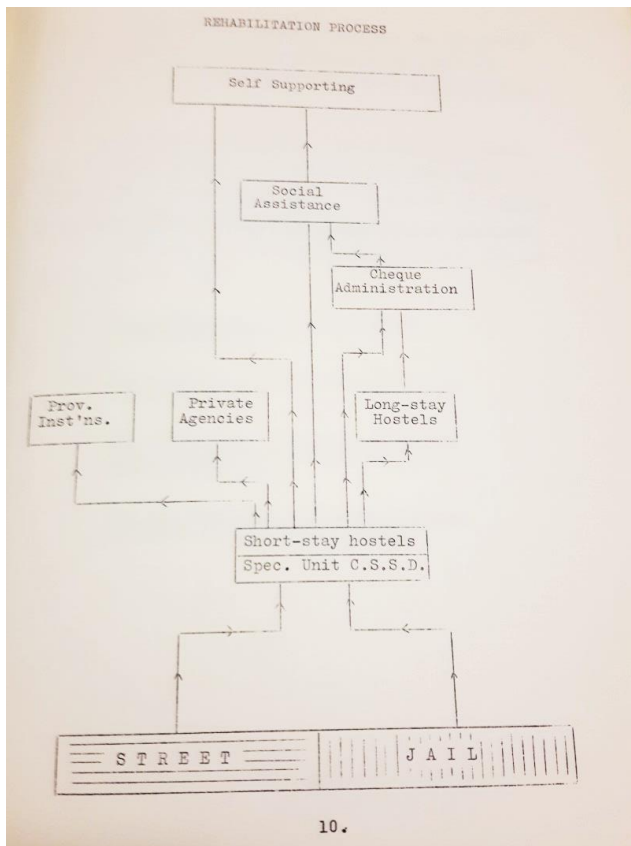


Figure 1. The rehabilitation process. *Skid Road: A Plan for Action*. 1965. Sub-Committee of the Special Joint Committee of the City of Vancouver.

City planners understood these institutions as breaking the flow of “transients” from the street to the jail (Vancouver 1965b, 10). Hostels provided “on-the-spot observation of the state of problems to be dealt with” via counselling, referral services, and social assistance (9). As the report explained:

The hostels would be a sorting-out area. In addition to the regular managerial staff there would be other staff members serving as counsellors as well as the representative of the City Social Service Department, who might have an office in the hostel and who would also serve in this capacity. (16)

These intake appointments served to evaluate residents “to ensure that the Short-Stay hostel [would] not become filled with long-term cases. In peak periods [,] it may [have] be[en] necessary to call upon private agencies in the community to assist in housing the overflow” (17). The hostels were spaces of risk assessment and classification into streams of permanent confinement and treatment. Under city organizations, private and voluntary groups were held responsible for remaking skid road. The mayor’s committee also coordinated external efforts via private and public agencies to manage information: the city planning department and public agencies (Vancouver 1965b, 6). This dynamic hinged on remaking the neighbourhood by transforming the residents classified as problematic. It also reimaged skid road as part of a rational social planning process. These practices advanced business and government aims to gentrify the neighbourhood.

A Plan for Action had several effects. It counterposed the image of the “transient” woman against the Indigenous families and directed Indigenous students toward temporary housing. However, the Department of Planning only tangentially acknowledged Indigenous women’s needs on skid road by linking them to those of men in the neighbourhood (1965b, 20). This model did not recognize the cultural or gender-specific needs of Indigenous women. The report also displaced responsibility for Indigenous issues onto the federal government through calls for shelter and hostel funding. Municipal governments were responsible for on-the-ground administration of postwar

integration of Indigenous peoples, but not the funding. Jurisdictional quibbling was used as a technique to displace responsibility for supporting Indigenous women entering skid road. *A Plan for Action* established municipal responsibilities toward male residents (1965b, 8). However, rehabilitation rested on protecting white male residents on skid road at the expense of Indigenous and non-Indigenous women.

The trilateral federal Liberal government, provincial social credit government, and municipal NPA commission did not occur because the problem was individualized and downloaded onto the local Indigenous community. These 1965 reports left Indigenous women outside of the social protections of the postwar welfare regime. Hostels served as a means of removing homeless men from the streets, rehabilitating “transient” subjects, and reducing the long-term costs of crime and medical care. Predominantly, the male-centred approach erased the profile of Indigenous women. Rehabilitation stressed integrating Indigenous women who did not readily conform to the norms of postwar society. By producing some Indigenous men and women as part of a “hidden group” beyond rehabilitation, planners shifted responsibility from a lack of accessible and culturally appropriate service design to individual behaviour. Indigenous women deemed “transient” were disqualified from supports. The planning reports and city hall plan to “clean up” skid road displaced responsibility from laws, a lack of affordable housing, and policies to individuals.

Governing Transience

These planning documents reveal strategies for “rehabilitating” urban populations as a means of furthering assimilation. These reports visualized educational spaces as ensuring the co-optation of Indigenous students. In another way, planners viewed the friendship centre, Oakalla, and hostels as spaces for reforming and preventing “transience.” This divide between “adjustment” and “non-adjustment” was reflected in how institutions responded to Indigenous women. Educational endeavours were to be safeguarded by self-help and community oversight from philanthropic service

organizations. Groups like the Coqualeetza Fellowship served as a site of referral and diversion away from skid row. Oakalla was imagined as a rehabilitation space for Indigenous and non-Indigenous subjects deemed “transient.” The philanthropic actors who had been prominent in developing reports for the Community Chest and the City of Vancouver were the same groups visiting prisoners at Oakalla.

Planners and philanthropic organizations were aware of the high rates of violence facing Indigenous women in the 1960s (Longstaffe 2009), and planners were concerned with how to draw Indigenous peoples into community services—hence the Community Chest surveys. Community governance saw charitable organizations as vital in ensuring urban integration and the redevelopment of skid row. The report also externalized responsibility for “transient” subjects not taking part in services. In this way, the report individualized responsibility rather than describing structural and institutional problems with programming. On another level, the prison, the Friendship Centre, and the hostel privatized responsibility for social survival.

The prison operated as a space of containment and rehabilitation. Since 1956, the Oakalla drug treatment program served as a space for “rehabilitation” of those who were said not to have adapted to urban life (Longstaffe 2009, 14). In 1956, “*two Narcotic Drug Research Units, known as the Male and Female Panabodes were established at Oakalla to serve as pilot projects in the search for a more effective means of coping with the problems of addiction in an institutional setting*” (Coutts 1963, 14; emphasis in original). Sociologist C. Wesley Topping and prison medical worker R.G.E. Richmond (1955) lauded the treatment centre as indicative of “the new penology in British Columbia [that] represents a social movement—perhaps, even, a social trend—supporting the rehabilitation of the law-breaker as against earlier policies of punishment” (180). Rehabilitation was present alongside models of social planning and urban rejuvenation. Oakalla combined addiction treatment and prison

farm labour. Rather than benign, both extractive addiction research and penal labour were targeting Indigenous women's bodies at Oakalla.

By 1958, sixty percent of Oakalla's female prison population was Indigenous, convicted under Indian Act violations (Longstaffe 2009, 14). Most offences were related to alcohol, drugs, or prostitution (Sien 1966, 1–2). The criminalization of Indigenous women under the Indian Act contributed to these sentences. Discourses about rehabilitation also reproduced the notion of “transient” women.

The prison as a site of “rehabilitation” served to target and reform Indigenous women's conduct. Upon their arrival, a formal notice was provided to inmates about their “privileges” and “limits” at the prison. Sien remarks that “1. The first duty of the inmate is strict obedience. 2. Conversation is a privilege. Yelling, screaming, or swearing will be considered poor behaviour” (Sien 1966, 14). Women entering the prison “live[d] together in a section of rooms or a hut, or what is generally referred to in the literature as the ‘living group’” (15)—a group model adopted for the “principles of group therapy” (20). From 1962 to 1963, groups from the University of British Columbia and business, professional, and church groups visited preselected groups of inmates for monthly visits to offer their services (24). Groups like “Alcoholics Anonymous, the Legion of Mary, and the Elizabeth Fry Society” were prominent visitors (25). Prison staff “encouraged the women to become their own agents of control” (32). Group therapy, voluntary services, and self-control through surveillance were central pillars in producing self-regulating subjects. Incarcerated women were scrutinized by charitable groups. In this regard, Oakalla served as another node to visualize Indigenous women as “nonnormative.” This structure served as another facet of “education” to shift Indigenous peoples toward citizenship.

In contrast, the alumni of the Coqualeetza Residential School started the Coqualeetza Fellowship in 1956. The group advocated for Indigenous women's residency rights in Vancouver

(Longstaffe 2009, 35–36). These interests aligned with urban planners’ aims to integrate Indigenous peoples into urban centres (42). The centre’s express purpose was to “assist persons of Indian descent to integrate into the Canadian community” (Evans 1961, 35). In this way, the Coqualeetza Fellowship functioned “as both a social and recreation facility, as well as a referral agency for housing, employment, education, counselling, medical, and legal advice” (Longstaffe 2009, 35). Like the Winnipeg Friendship Centre, the Fellowship functioned as a space of referral and self-help.

In contrast, the Vancouver Indian Friendship Centre was little more than an information office (Evans 1961, 39). However, as social work researcher Evans (1961) remarked, it closely aligned with “the motive of mutual aid rather than philanthropy or institutionalized services, and [was] more easily requested, and [was] more conducive to self-respect. Members [were] prepared to interpret the services of other community resources, and referrals [were] made to existing agencies” (48). Although planners favoured the centre diverting Indigenous women and men away from skid row, it rested on community referral.

In response to the increasing disappearances of Indigenous women from Vancouver’s East End, a set of voluntary hostels run by religious and community groups like the East Enders arose. May Gutteridge founded the East Enders at the St. James Anglican Church (Gore Ave. and Cordova St.) that provided shelter for Indigenous women. This hostel operated in the basement of the church, later moving to East Hastings Street in May 1965 with \$10,000 from two donors in the United Church. Private groups— not city officials—became the primary means of ensuring Indigenous women’s safety on the streets of Vancouver (Longstaffe 2009, 40).

The power of the Planning Board and the NPA was contested across the 1960s. Mayor Bill Rathie lost his bid for reelection in 1966 to Mayor Campbell, an independent and small “L” liberal (Tennant 1980, 14–15). By 1967, the public hearings for Project 200—the proposed freeway development—were met with increasing public scrutiny and protest by community groups, students,

and UBC faculty that challenged the Board of Administration. A wave of new parties and coalitions opposed expert-led development in Vancouver including anti-NPA parties like The Electors Action Movement (TEAM), Vancouver Independent Voters' Association, the Citizens' Council on Civic Development (CCCD), the New Civic Party, and the socialist Committee of Progressive Electors (COPE), led by Alderman Harry Rankin (15). Conservative reform parties like TEAM and CCCD and socialist party COPE were opposed to the freeway development. In December 1968, Mayor Campbell was reelected with aldermen from COPE and TEAM (Tennant 1980, 16).

A TEAM Mayor and city council was elected in 1972. Sutton-Brown resigned from his office on the City Board of Administration before TEAM could fire him (Langford 2012, 37). By August 1974, TEAM abolished the Board of Administration. Although the new Vancouver City Council blocked the proposed freeway development and reconstruction of the East End of Vancouver, it did not disrupt patterns of territorial dispossession, urban migration, and the killing of Indigenous women and girls. However, the trend of rational planning continued at the community level into the 1970s. The Grandview-Woodland neighbourhood east of the Downtown Eastside became a target of urban "rehabilitation" (Murray 2011, 18–20). Planners created the Britannia Community Services Centre to address the deficit of "libraries, health units, day-care services, and parklands" by forming a single "social service headquarters." This centre concentrated on local families, youth programs, and preschool for children (Murray 2011, 20–21). It emphasized the family unit to the exclusion of the single woman. What became clear was that the family was to be "developed" while the single Indigenous woman was treated as an outsider.

Conclusion

Gendered and racialized norms within Vancouver's urban planning regime viewed individual behaviours rather than systemic policies as the cause of disappearance in the East End. The dominant assumptions of these four planning reports reveal that those deemed "transient" were produced as

incapable of existing in urban centres. Importantly, these men and women were produced as incapable of looking after themselves and others. This logic furthered understandings that Indigenous arrivals to cities were unfit parents. In contrast to Strong-Boag (1991) and Ward (1999), I found that Vancouver's planning reports obscured the murders of roughly 150 Indigenous women (Longstaffe 2009). The logic of community governance (Rose 1995) around the Indian Friendship Centre of the 1960s reflected exclusions and policy targeting (Cowen 2005; Bradford 2018) commonly attributed to the 1970s. Under settler colonialism, the individualizing and exclusionary policies reflected durable patterns by policy makers for administering social entitlements.

Regarding the nonexistent commission, planners and city officials obscured public interest by downloading responsibility for discrimination in housing and social provisioning to individuals and communities. This work identified the uneven gendered and racialized impacts of these approaches for Indigenous women. This history in Vancouver sheds light on the complex history of social scientific thought and planning knowledges in minimizing structural dynamics that hide the violent and deadly relations shaping the foundations of 1960s urban Indigenous citizenship. In attempting to smooth out the violence of urban assimilation, planners and social scientists were in continuity with policies attempting to extinguish Indigenous cultures and deny Indigenous men and women access to basic social supports upon entering cities. Rather than a benign process, the attempted erasure of cultural and sui generis rights upon entering cities was deadly for an estimated 106 Indigenous women from 1957 to 1968 (Longstaffe 2017, 232). This history also demonstrates the adoption of rehabilitation practices originally targeting Indigenous men and women being applied to support settler men in Vancouver's East End. The precarity of urban assimilation was also a site of experimentation for policy processes that devised techniques for managing urban poverty.

The idea that Indigenous women were "transient" or "a hidden group" placed responsibility for discrimination onto these women. It obscured the operation of historical trauma, the violence of

residential schools, and ongoing settler colonial violence. It also marked Indigenous presence in the East End as a target of administration and rehabilitation. In contrast to Bradford (2018), it is important to consider the local adoption of these Americanized models from the Ford Foundation by Vancouver planners and community organizations. The assimilation strategies circulating across the border between North American cities and the development of policy from above, below, and laterally should not be discounted. Often this history of assimilation is viewed as stemming from top-down strategies, but assimilationist urban policy approaches were multidimensional (i.e., top-down, bottom-up, and lateral). These trends did not disappear at the end of the 1960s within Vancouver policy. As seen around the Britannia Centre, these policies reflect something more durable at the municipal level than at the federal level. These responses became strategies for policy makers to obscure and govern social inequalities.

Specifically, social scientific thinking in 1960s urban planning established Indigenous students as desired within urban space. The understanding that “transient” Indigenous women were disruptive to urban order and hard to reach reiterated a view that they lacked the skills to survive within urban space. This understanding assumed these women were “disappearing” from urban space without municipal or federal supports, which upheld the assumption that those who could not come to community supports were constituted as underserving of public protection. As noted earlier, these programs served white men on skid road, not Indigenous women and men. This maintained the trope that Indigenous peoples are incapable of surviving in urban spaces.

Planners and charitable organizations desired Indigenous subjects for the postwar economy unencumbered by state responsibility. Indian Affairs bureaucrats and planners viewed cultural toleration as necessary to overcome the failures of prior enfranchisement schemes (Cole 2018). However, the emphasis that planners and bureaucrats placed on modernization challenges the degree to which cultural toleration can be said to be official policy. In contrast to arguments raised by Tobias

(1981) and Langford (2016a) urban integration failed to represent a decisive break from prior moments of assimilation due to territorial depopulation and an emphasis on cultural hierarchy. As I have described in this chapter, rather than an absence of racial violence in Canadian cities, Indigenous deaths due to urban assimilation were positioned as a problem for planners to resolve (Longstaffe 2009). In turn, the practices deployed to divert Indigenous people from skid road reflect a borrowing from American policies of community development (Ward 1999). These practices reveal efforts to prevent and remake Indigenous peoples entering skid road.

Practices of targeting took several different forms to ensure Indigenous newcomers to the city would not become dependent on social welfare. Education was the centrepiece of the logic of assimilation. The Indian Friendship Centre, the hostels, Oakalla, and even the Britannia Centre were designed to ensure that state costs would be reduced. These models preferred well-adjusted individuals who actualized themselves through self-help and minimal community supports. The planners and social scientific experts positioned local services and charitable groups as responsible for ensuring urban integration. In the next chapter, I consider how this dynamic came to the fore around medical concerns in the DTES.

Chapter Three

The Figure of the “Vulnerable Indigenous Woman”

Before the 1970s, Vancouver’s Downtown Eastside (DTES) was associated with male poverty (Sommers and Blomley 2002, 31). Across the 1980s and 1990s, the DTES increasingly became associated with the survival sex work of Indigenous and non-Indigenous women. In this chapter, I consider how the survival sex trade in Vancouver became a dominant mode of understanding violence against Indigenous women and girls from the 1970s to the early 2000s. This transformation in discourse gave rise to a seeming paradox: the government and civil society organizations viewed Indigenous women and girls as “vulnerable” while also imagining them as undesirable within public spaces. Indigenous women and girls were visualized as a danger to public health—a belief that normalized their deaths. To this end, city officials and service agencies circulated assumptions about the “vulnerable” as “at-risk” and “risky.” This visibility meant that Indigenous women were figured as dangerous to settler colonial society. In turn, this affirmed a focus on medical responses to social inequalities through stand-alone service delivery. By tracing out the discourse of “vulnerability,” I examine how expert discourses that claim to speak on behalf of Indigenous women as economically, socially, and politically marginalized subjects erasing these understandings through a focus on trauma and addiction. These processes uphold damage-centred assumptions that configure Indigenous women as apolitical subjects, and in doing so obscure settler colonial power relations.

In my research, one of my interests was how funding, commitments, and political shifts had or had not generated change or continuity on the ground. In my interviews with activists, professionals, and lawyers in the DTES context, I gained insight into how these participants saw or understood different debates over funding, policy, programs, and supports playing out historically and in the context of the BC Commission and the National Inquiry. Some participants suggested that the

identification and arrest of a serial murderer Robert Pickton changed relationships with the police, and others said the Oppal Inquiry represented a turning point. Still, others said that the shift in health policy from social determinates of health to biomedical testing and treatment regimes was a significant transformation in municipal and provincial politics. Going to street-level practitioners, activists, and advocates allowed me to understand how the language and focus of advocacy had shifted over time.

When social inequalities within the DTES and BC were most visible, health policy affirmed the same logic of dispossession that attempted to get Indigenous women and girls off the streets—this time through clinical and rehabilitative approaches. This focus on contagion, addiction, and sex work served to reenforce the power of street-level services, the Ministry of Health, and the Vancouver Police Department over these women. This discourse reproduced the assumption that Indigenous women and girls were depleted subjects. In turn, it also reaffirmed the dominant understanding that Indigenous communities could not govern themselves.

In this chapter, I trace out discourses of “vulnerability” across provincial and nonprofit reports. Through this analysis, I consider how the figure of the “vulnerable” Indigenous woman was produced as a “threat” to public health. I begin by outlining gaps in the liberal, neo-Marxist, and poststructural accounts of gentrification and state retrenchment. I then assess how neoliberal restructuring brought the DTES and Indigenous maternity into public scrutiny. Rather than assuming gentrification operated solely through removal, I consider how these practices functioned through confinement and embedding, and by drawing women into the clinical spaces of the DTES. Next, I outline how these three reports affirmed individualized responses to “vulnerability”; then, I analyze how these public health authorities obscured the systemic inequalities giving rise to the disappearance of Indigenous women from public space. I conclude with a brief consideration of how the DTES model of care for the “vulnerable” expanded to the rest of the province through Foundry centres.

Theorizing Gentrification, Biological Sorting, Rechauvinism, and Bare Life

Scholars have conceptualized violence within Vancouver's DTES using theories of gentrification (Sommers and Blomley 2002) and the state of exception (Pratt 2005). However, these accounts have not dealt with the knowledge economy and street-level service centres that reembed "vulnerable women" back into the capitalist economy. I see this process operating in a three-fold way. First, Indigenous women and their infants are drawn into the research nexus around maternal and infant neonatal health that develops training, patents, programs, and rehabilitative techniques focused on wrap-around care and community hub level models of integration. Second, street-involved women who go through these programs are given supports to enter education programs or enter the semiskilled, casual, or part-time labour economy under the neoliberal wage economy. Both Murray (2011, 2015) and Marcellus (2016) shed some light on the low-skilled and casual labour practices that emerge within the focus on early childhood education and infant health. The important consideration is that governance is directed at securing a generation of youth to serve Canada's future competitiveness globally.

Third, street-level storefront centres with medical oversight from Vancouver Coastal Health (the City of Vancouver's Health Authority post-2001) draw Indigenous women into research economies relating to HIV/AIDS and other infectious diseases. An emphasis is placed on a judgment-free transition of street-involved women from the survival sex trade and other street-level or underhoused forms of existence. Early limits placed on the welfare state (Bradford 2018) and deepening cuts and retractions in the neoliberal period reveal an increasing focus on stand-alone service centres helping "vulnerable" mothers recover from addictions and reenter the workforce by transitioning out

of the survival sex trade.³² My claim is that urban policy scholars need to consider how Canada adopted the techniques of urban management that were common in the United States in the 1960s—specifically as a means to manage racial inequalities and political demands—to manage service hubs, storefronts, and head start programs in the 1990s (Halpern 1995).

Under neoliberal frameworks, medicalized research and clinical interventions are often seen as distinct from settler colonial power. Nonprofit organizations have been positioned as stepping into a vacuum caused by the withdrawal of governmental supports. Instead of a withdrawal of settler power in the 1980s, I argue that federal and provincial funding shifted service delivery to nonprofit agencies within the DTES. These agencies took government-funded projects to manage “risk” and “vulnerability.” Scholarly discussions of gentrification and exception take these interventions as a form of displacement or containment; I contend that, instead, they need to consider how medicalized interventions have reshaped the categories structuring urban inequality (Murray 2015, 281). These categories enable sorting between “desired” and “undesired” subjects in the DTES. They have also established urban inequality as a site of profitability around disease research and clinical interventions (i.e., patents, training, research frameworks, vaccine trials, clinical models, and biomedical patents). Importantly, nonprofit-based responses to “vulnerability” affirm the understanding that, as mentioned

³² Scholars tend to understand this shift around high-risk neighbourhoods, early childhood education, and development as part of a transformation under neoliberal modes of governance. For instance, Karen B. Murray (2015) has argued that, in a similar vein to the Rockefeller Foundation, two reports from the Canadian Institute for Advanced Research (CIFAR) (founded in 1982)—*The Learning Society* (1992) for the Ontario government and *Reversing the Real Brain Drain* (1999)—shaped government policies around early childhood development as a means of securing a future generation of workers (282). These reports emphasized training mothers and called for new specialized centres to educate and support children under five years of age. These programs were explicitly antisocial redistribution and shaped policies around Vancouver’s Civic Childcare Strategy (1992), the federal Canadian Prenatal Nutrition Program (1994), and the Aboriginal Head Start program (1995) (287–88). These policies focused on “securing childcare services” in low-income “high-risk” areas to allow working mothers to maintain their participation in the workforce (287). The CIFAR’s policies rested on the normalization of neoliberal social relations and the securing childhood development to protect a future workforce. I see these dynamics playing out in Vancouver’s East End service hubs.

in the introductory section, Indigenous women and communities are incapable of governing themselves.

Two gaps remain prominent in the literature related to nonprofit governance. First, I draw upon what Rose (1996) has described as “government through community” as a leading edge of neoliberal social policy (332). Second, I underscore a neglected facet of agency within the DTES to draw out the tensions, contradictions, and contours of resistance in the neighbourhood as they relate to the operation of power. Culhane (2003) suggests that “less attention is paid by media, politicians, and the public to the strength and courage of many people in the Downtown Eastside who struggle daily to maintain and create community, to initiate and support change, to survive” (599). In this chapter, I consider the complex workings of power around NGO agencies in the DTES during the 1990s. In the existing literature, scholars tend to view community groups and individuals as autonomous or wholly determined by structure; I, however, take a “middle-ground” approach to this understanding by considering how organizations were shaped by power and governed by modern state relations. This dual understanding of community as a technology of governing and a space of resistance animates this chapter. In *The History of Sexuality*, Foucault writes that “where there is power, there is resistance, and yet, or rather consequently, this resistance is never in a position of exteriority in relation to power” (1978, 95). Foucault’s noncommodifiable or deductive reading of power means that agency is shaped in opposition to the workings of power, but also contains and is shaped by those same institutions and structures. Applying this analysis to the DTES refigures the community as invested with agency, resistance, and domination.

A genre of liberal writing about Indigenous health in the DTES has assumed the independence of street-level nonprofits from government policy. This gives rise to a hero narrative where Non-profits have emerged to fill space vacated by a supposedly shrinking state. Liberal feminist accounts since the 1990s have pointed to the DTES as abandoned by government health policy (Benoit and

Carroll 2001, 37). This approach assumes that the uneven provisioning of services to Indigenous communities and the DTES has been part of state withdrawal. Benoit and Carroll view urban Aboriginal health centres as a source of innovation in delivering considerable flexibility to resource allocation and patient supports (29). Indeed, while devolution of governmental authority is mentioned, it is not connected back to the formation of these health centres like Vancouver Native Health Society (VNHS) or Sheway as a new technique for downloading governmental responsibility. Benoit and Carroll view Indigenous women within the DTES as underserved by state supports (6). In this view, state policies are assumed to be absent from these localized interventions of street-level health clinics. Simultaneously, self-government agreements were becoming more prominent in the Canadian context. Indigenous health services in urban centres were downloaded to nonprofit organizations, not Indigenous governments. My concern is that this reading fails to consider that NGOs and NPOs function as part of governing. NGOization is a process that captures grassroots groups, movements, and struggles and transforms them into NGOs. This limits the kinds of advocacy and organizing these groups can undertake due to professionalization and institutionalization.

From a different vantage point, Pratt (2005) argues that the DTES represents a space of legal exception (1054). Drawing on philosopher and political theorist Gregorio Agamben's conception of "bare life,"—life cast solely in biological terms outside of legal and social protections and beyond political existence—Pratt argues that Indigenous and non-Indigenous women in the DTES exist as "neither inside nor outside the juridical order. The difference between exclusion and abandonment turns on the fact that abandonment is an active, relational process. The one who is abandoned remains in a relationship with sovereign power: included through exclusion" (1054). In this conception, liberal sovereignty operates through the state of exception that has increasingly meant the "generalized suspension of the law," allowing for the subjection of subjects to nonpolitical life and elimination "of

entire categories of citizens” (1054). As such, sovereign power operates through legal modes of abandoning subjects.

In her analysis, however, Pratt (2005) expands Agamben’s understanding of legal abandonment by analyzing the gendered and racialized nature of sovereign power (1057). I agree with Pratt’s reading of the gendered and racialized nature of legalized abandonment. For Pratt, Canadian law excludes Indigenous women from formal protection while maintaining the power of Canadian sovereignty over their lives. She adds that Indigeneity and the geographical construction of the DTES have worked to “reduce [these women] to bare life” (1055). Pratt contends that gendered and heterosexual norms produce subjects, often women, within bare life (1057). In this way, she is reworking Agamben’s account that modern sovereignty blurs the lines between biological and political life in the form of sovereign citizens to administer the health of the national body through the health and wellbeing of individual bodies (1056). The fusing of disease, sex work, and criminality has normalized abandonment. In her view, biopolitical sovereignty is “a form of sovereignty that is driven to abandon more and more citizens as a way of purifying and enhancing the health of the nation, a form of sovereignty that wages a kind of continual civil war through the production of bare life” (1069). Pratt suggests that the operation of biopolitical sovereignty has constituted the DTES as a space of feminized abandonment (1062). In this way, her account figures governmental power as operating *through* abandonment rather than being absent from it.

My work expands on Pratt’s account of gendered abandonment to consider the effects of state programs to secure Indigenous and non-Indigenous women as biological and economic subjects. Pratt’s reading of bare life aptly points to the deadly dimensions of settler colonialism. However, this emphasis on “bare life” omits a focus on sorting, integration, biological knowledge production, management techniques, and the re-embedding of subjects within the settler colonial economy. I contend that it is worthwhile to couple this analysis with Foucault’s theoretical insights around

governmentality. Doing so enables me to analytically expand my consideration to the practices that contain some Indigenous women while integrating others back into the economy.

Gender studies scholars Mark Rifkin (2009) and Scott Morgensen (2011) have challenged the basis of Agamben's argument that biopower and the state of exception are "intrinsic to Western law" (2009, 55). They have called for a rethinking of the uniqueness of settler colonial experiences within state of exception thinking. This writing centres the unique territorial and symbolic politics that stems from the contact between European powers and Indigenous peoples and leads to settler colonial relations. This in turn has required rethinking the origins of exceptionalism within the spatial politics of settler colonialism itself (55). My issue is that the exception only captures one facet of the strategies of replacement and depoliticization being deployed under settler colonialism within Vancouver's East End. On one hand, the exclusions and efforts to preserve bodies in precarious spaces are redeployed to secure the overall health of the settler colonial population. One facet can be read as protecting the health of the population through the surveillance and containment of potentially risky subjects. While Pratt's contribution delves into the politics of exclusion, my contribution can be read as examining the pioneering techniques and service models that became strategies for seeding storefronts across vulnerable neighbourhoods. What I draw out toward the end of the chapter is how these techniques circulate and break away from a narrow focus on the urban poor to target and "harden" society against deepening shocks of neoliberal austerity and precarity by adopting a wider focus on youth mental health. Spaces deemed vulnerable, such as the DTES, have been centred in models of mental health, addictions treatment, and wrap-around care that are now generating new "spin-off" services that are applied to the wider population in British Columbia.

On the other hand, Neo-Marxist accounts of gentrification have understood these dynamics differently. Jeff Sommers and Nikolas Blomley (2002) state that the "erosion of the boundaries between drug use and sickness, on the one hand, and poverty, on the other, effectively pathologized"

poverty through quasimedical language (21).³³ Quasimedical language disqualified the poor from a right to public space (21). In turn, these discourses cast the neighbourhood as a threat to urban investment and property redevelopment (23). Their writing sheds light on how gentrification operates through removal of the urban poor from public space. The dynamic Sommers and Blomley (2002) describe can be seen around Vancouver in the lead-up to the 2010 Olympics games and beyond; however, their analysis leaves room for expansion based on developments in the DTES. In their discussion of the 1990s, they go as far as to suggest that “today, the poor are important only to the extent that their presence can bring down property values and discourage development, rather than as thirty years ago, threaten rebellion” (44). Their analysis of the 1990s contrasts with their analysis of the 1960s skid road. In their earlier analysis, the urban poor’s rehabilitation rather than displacement was the crux of remaking the neighbourhood (35–36). They jettison their earlier analysis of how rehabilitation functions alongside gentrification schemes in the 1960s. They assume a singular understanding of how both the DTES and the urban poor were understood along the lines of class power. As they go on to remark, “The only way the valued landscape of the Downtown Eastside can be saved, on this account, is with the removal of that which threatens it—the poor—and its replacement by citizens who are better equipped to reclaim its potential” (49). They figure replacement as a fundamental strategy of gentrification—a pronouncement that has not come to pass. Their analysis does not attend to how medical and clinical nonprofits fought for the rights of the urban poor to habitation while also reproducing logics of their removal.

³³ As Culhane explains, “Poverty is frequently noted as a characteristic of the inner city, it is most often presented in the form of a naturalized, inevitable backdrop against which exoticized practices of drug addiction and commercial sex are played out. Dominant explanatory discourses tend towards pathologizing or medicalizing poverty” (2003, 596). This dynamic was evident across Vancouver’s public policy in the 1990s.

Sommers and Blomley draw upon the work of Neil Smith. Smith's study of gentrification in 1980s New York City outlines the moral and economic dynamics of displacement. He marks out the French "revanchism" attempts to secure territorial losses post-Franco-Prussian War, through a kind of nationalism, as a parallel moment from modern urban "rechauvinism" focused on the reclaiming of urban space from citizens deemed undeserving of subjecthood. Smith argues that gentrification within New York reenacted the imaginary of the frontier as reproducing the "us" and "them" binary in "the promise of economic opportunity" (1996, 186). City officials welcomed reinvestment and gentrification as a solution to disinvestment brought by finance capital (186). Neil Smith describes this reclaiming of public space as "rechauvinism." He defines

the revanchist city [as] a race/class/gender terror felt by middle- and ruling-class whites who are suddenly stuck in place by a ravaged property market, the threat and reality of unemployment, the decimation of social services, and the emergence of minority and immigrant groups, as well as women, as powerful urban actors.

It merges "prurience and revenge" as the political response to enduring poverty within New York (207). This urban policy model rediscovers "enemies within" while enacting policies to reclaim urban space for white middle- and upper-class life (1996, 207–08). Hence, separate issues such as "crime and violence, drugs and unemployment, immigration and depravity" merge into a singular mass of problems assailing urban space that requires a reconquest of those spaces to remove the problems (1996, 207).

The crux of the rechauvinist movement is that public space has been stolen from the rightful inhabitants (read: citizens) of urban space and must be returned to them by eliminating homeless encampments and the visible signs of poverty (214). These policies came to a head when former New York City Mayor Rudy Giuliani criminalized activities associated with homelessness like squeegeeing, panhandling, and loitering. These policies monetized city services such as paying rent to use shelters and making "medical, drug and alcohol" screening and rehabilitation mandatory to access

services (219). Homelessness was criminalized and medicalized under the banner of public order and citizenship (220). These urban policy discourses were supported by academic discourses that described “several behavioral and structural factors contributing to any increases in homelessness in the 1980s” (1996, 221). Rechauvinism contributed to policies that other urban spaces (like Vancouver) could deploy to secure and redevelop their urban frontiers along racial and class lines. However, Smith argues that the use of quasimedical language is merely an ideological move to rationalize displacement.

These neo-Marxist accounts of gentrification have understood the commons as a place of occupation and assertion of citizenship. However, Glen Coulthard has argued that this “return to the commons” in critical theory can reenact the erasure of Indigenous-grounded authority with territories (2014, 12). Coulthard makes this explicit when he states that “the ‘commons’ not only belong to somebody—the First Peoples of this land—they also deeply inform and sustain Indigenous modes of thought and behavior [...] between human beings and the natural world” (12). By considering the populations of the DTES as an undifferentiated group, neo-Marxist approaches like those used by Sommers and Blomley (2002) risk erasing the political and ethical complexities of organizing in the DTES associated with Indigenous sovereign presence.

Coulthard’s notion of grounded normativity and gentrification proves very helpful in refining this strand of neo-Marxist thought and for getting at the complex relations of organizing on Indigenous lands. As Coulthard remarks, historically, planners and policy makers viewed Indigenous spaces as “uncultivated ‘waste’ lands” counterposed against settler cities (2014, 174). Building on Smith, Coulthard argues that gentrification reenacts the logics of *terra nullius* to displace Native spaces from the city (175). The land and property that is said to be “wasted” is earmarked for improvement (175). Expanding on neo-Marxist critiques of gentrification, Coulthard argues that these practices erase Indigenous sovereign presence from urban spaces through *urbs nullius*—reasserting

colonial divisions that produce spaces as “void of Indigenous sovereign presence” (176). Coulthard concurs with Smith’s (1996) reading of gentrification as a process under capitalism that removes bodies from public space. However, Coulthard’s contribution is to point to Indigenous sovereignty as being read as a void within North American cities due to these gentrifying claims to space (2014, 176). I agree with Coulthard’s analysis around *urbs nullius*. By drawing on Smith’s (1996) writing, Coulthard expands how frontier and dispossession logics displace Indigenous women from urban spaces and how these gentrification practices erase Indigenous claims to grounded authority. I think Coulthard’s account can be expanded to rethink how neoliberal valuation of property and the redevelopment of people operates in the service economy. In this way, gentrification can be seen to not only target neighbourhoods for redevelopment, but also the people in those neighbourhoods.

Post-Structural Analysis of Gentrification

The above critiques of gentrification address the physical side of removal. I expand on these accounts to consider other techniques that emerge to manage disorder through rehabilitation. Below, I mark out how more subtle techniques for managing disorder unfold through clinical spaces and public advocacy by nonprofit groups and public health officials. In turn, I explain how these practices affirm the same logic of gentrification.

In this chapter, I embrace several opportunities to expand on existing conceptions of gentrification. First, by emphasizing gentrification’s relationship to property in the 1990s, Sommers and Blomley (2002) have left space to consider how subjects are targeted through clinical methods focused on minimizing public disorder by bringing it inside. The gaps in Smith (1996) and Sommers and Blomley (2002) have also left me room to question the “productive,” “profitable,” and “disciplinary” relations that have mediated understandings of the urban poor. This includes the street-

level interventions as another facet of power (Murray 2015, 278). Finally, around questions of Indigenous presence, I mark out how street-level services reproduced understandings of disappearance at the exact moment they sought to bring Indigenous women back into the economy through rehabilitation. Finally, around assumptions of grounded authority, I mark out how the individualizing focus within service centres denied Indigenous women's rights to urban presence. Vital to this discussion is that while these rehabilitation processes were operating, they were also building a new knowledge regime that could be applied back to the settler colonial population.

Post-structural approaches (Elliott 2007; Roe 2009; Murray 2015) suggest that DTES hospitals, clinics, and nonprofits disqualify Indigenous and non-Indigenous residents from urban spaces while advocating on their behalf. These approaches see medical experts, directors, and managers as part of government processes for managing the urban poor and the DTES as "dangerous." These officials have drawn the urban poor into medical research and funding relationships with the government and the private sector. Street-level agencies furthered this understanding that Indigenous women were "vulnerable" within the urban space, not because of the gendered and racialized relations that figure Indigenous women as violable.

In her doctoral thesis, Danielle Elliott (2007) maintains that the urban poor became "participants in the very discourses that construct them" in ways that established a research complex in the DTES (31). Her argument is twofold. First, she writes that "citizens whose lives are characterized by poverty, suffering, and abandonment in the Canadian state, who are perceived as 'valueless,' have become critical commodities in the combined therapeutic and research economies, where they are valued for their suffering, disease, and bodies." She then contends that in terms of medical knowledge and international techniques of treatment and management, "The AIDS virus itself is a productive force, and becomes valued, through creating the imperative for vaccines, pharmaceuticals, and epidemiological surveillance" (3). In Vancouver, spaces like the BC Centre for

Excellence in HIV/AIDS have been crucial in establishing research programs targeting DTES residents (215). A research nexus has emerged between the surrounding hospitals and medical centres of the downtown core that protect and advocate for the residents of the DTES as medical subjects (215).

Indeed, at a 2005 community meeting held by Vancouver Rape Relief and Woman's Shelter, community organizers discussed possible trials of an AIDS vaccine on Indigenous women in the DTES as a kind of "racialized harvesting" of medical knowledge (Elliot 2007, 223). These knowledge economies depend on maintaining Indigenous and non-Indigenous residents as research subjects. Elliott argues "that the Canadian state comes to operate in insidious ways through contracting out, [and] enabling non-state institutions to take on the role of monitoring and regulating citizens" (2007, 14). Research centres and street-level agencies are interconnected with governing bodies through funding. However, Elliott's analysis does not account for how this knowledge furthered Indigenous women's disappearance through this same medicalized knowledge. By drawing on Elliott's analysis, I make visible how this focus on disease and disorder positioned Indigenous women and girls as risky to public health.

From a different vantage point, Gordon Roe (2009) suggests that rather than a withdrawal of federal support in the 1990s, a "new" funding regime arose between community organizations, public sources, and private sources, requiring nonprofits to "reflect the priorities of those funders" (77). Government funding and subcontracting saw nonprofits come to care for "vulnerable" and "high-risk" populations. For Roe, this process brought organizations into greater oversight by governmental bodies (89). Given that Roe (2009) concentrates on the 1990s DTES HIV/AIDS crisis, there is room to consider how these new funding programs reconceptualized Indigenous women's health. Moreover, Murray (2015) argues that throughout the 1980s and 1990s, medical researchers in Vancouver targeted disadvantaged populations and transformed them "into raw material for profit."

She refers to this process as “bio-gentrification,” which naturalizes poverty by fixing people in place through classificatory techniques. These techniques emerged to govern at-risk populations (278). It is these bio-gentrification practices I unpack below.³⁴

Rather than solely displacing people, “Social mixing interventions are connected to processes that turn the biological existence of disadvantaged peoples into raw material for profit.” Murray highlights the regulative and disciplinary effects of the knowledge economy that emerges to manage urban poverty (278). As she explains,

[Unlike] gentrification studies that emphasize dislocation and removal of disadvantaged peoples, the form of biopower produced through human development research both inspired and promoted new institutions whose *raison d’être* required the existence of densely clustered vulnerable populations—even, and perhaps especially, in areas marked by heightened gentrification pressures [...] what might best be called “poverty knowledge.” (291)

This understanding upends the view that poverty knowledge is solely ideological and that gentrification is solely about displacement. Murray highlights how this intervention brought “high-risk” subjects into being through specialized description methods. This calculative milieu of risk, medical knowledge, and street-level agencies ensure “modes of subjectification” (i.e., the formation and augmentation of subjects) (2015, 291). Murray reflects on how expert discourses of risk produced “vulnerable” mothers as vital economic subjects without political agency.

Elliott (2007), Roe (2009), and Murray (2015) disrupt the liberal view that government intervention was absent from the DTES and that gentrification was solely focused on displacement.

³⁴ Murray draws on Nikolas Rose’s (2007) conception of biomedicine as representing a new field of governance that arranges subjects and reconfigures old racial and class divisions and dichotomies in society through a new language. Centrally, in this early discussion from the new millennium around the regulative technologies of health, biomedicine, and genetic risk, this study of health saw the creation of struggles over these technologies as both a site of national surveillance and a process of contestation for new rights of the subject. Murray is considering both this displacement dynamics through biological risk and the localizing and embedding functions that these new forms of risk create for populations—the creation of new pools of research within the DTES.

From this analysis, I argue that a specific knowledge economy surfaced during the 1990s that interwove provincial agencies, medical knowledge, and street-level agencies to govern the DTES. Community “experts” within the NGO sector advocated for “the vulnerable” within the DTES. The political context of the 1990s clearly placed limits on the kinds of speech that was acceptable for NGOs advocating for Indigenous and non-Indigenous women in the DTES. NGOs adapted their claims about Indigenous women to advance a harm reduction based agenda with city officials through a series of reports. This had the effect of casting Indigenous and non-Indigenous women as described in the reports “vulnerable” to male violence and “risky” public order. This focus on medical “risk” and public health “danger” further allowed city and provincial officials to maintain a policing-based approach to respond to disappearances of Indigenous and non-Indigenous women. I consider how health advocacy produced Indigenous women as both valuable and dangerous to social order.

Several different key informants highlighted transformations in the 1990s around health policy, research, biomedical surveillance, and medical governance. One Indigenous key informant with a long history in Vancouver’s DTES stated that in the 1990s, a level of cooperation existed between community nonprofits, Vancouver, and the health authorities of British Columbia. According to another participant, the social determinates of the health approach were replaced by a more targeted approach that closed the door to greater collaboration, and “that good feeling went away” with the City Health Board taking the sole focus on health in the city. This shift from government interest in collaboration with NGOs toward a more centralized and controlled process alerted me to shifts in neoliberal governance in the DTES in the 1990s. This shift in policy centred on the 1996–1997 HIV/AIDS outbreak response in Vancouver as a significant background context for visualizing the sex trade through health policy, community organizing to prevent deaths, funding reductions, and disciplinary governance practices. The HIV/AIDS outbreak in Vancouver also featured prominently across several of my interviews. These stories alerted me to the work of the Neighbourhood Safety

Committee and the report by Sue Currie, *Assessing the Violence Against Street-Involved Women*, and a moment of organizing that has not yet been discussed in the academic literature. From these interviews, I became interested in the context of “collaboration,” of “downloading of social responsibility,” and how groups were intertwined with city, provincial, and federal dimensions of neoliberal governance.

My interviews also shed light on the histories surrounding the founding of Sheway in the early 1990s as well as older and emerging wrap-around care service programs in Vancouver and British Columbia. Key informants pointed me toward the Cain report and the work of the Neighbourhood Safety Committee as implicated in the work of community organizations to increase support for street-involved Indigenous women and mothers. My informants also spoke of women’s services like Sheway, For Women in Recovery Square, and BC Women’s Hospital Maternal Health program; these programs alerted me to the issue of maternal health for street-involved Indigenous mothers. The collective information I gained in my informant interviews led me to focus on how settler colonial health authorities and services construct and respond to Indigenous women’s urban presence.

Conditions of Possibility

“Vulnerability” as a category came to prominence with the rise of harm reduction in the 1970s.³⁵ First, neoliberalization produced new forms of subjectivity premised on social marginalization in Canadian society. Second, an advocacy regime predicated on nonprofit organizations speaking for the residents of the DTES emerged. Third, welfare state reductions in health and social transfer payments and social housing loss concentrated more residents in the DTES.

³⁵ Although there are different schools of harm reduction, harm reduction generally refers to a philosophy of addiction treatment that provides those going through addictions with some narcotics or narcotic substitutes to help them build capacity and recover from underlying conditions contributing to addictions. It stands in contrast to the more traditional model of abstinence addiction treatment (Roe 2009, 87).

Lastly, the concentration of support services within the DTES meant that nonprofit organizations took on the state's provisioning role. These dynamics envisioned community organizations as pivotal in overseeing the DTES.

Neoliberalism

Neoliberalism is often described as a system of market fundamentalism that advances deregulation, privatization, financialization, and the reduction of public expenditures to affirm the independence of markets from government intervention (Harvey 2007, 2–4). Wendy Brown (2006) describes neoliberalism as a system that functions as a “rationality that is expressly amoral at the level of both ends and means” in the context of specific financial and market-based rationalities (692). In her 2015 book, *Undoing the Demos*, Brown suggests that neoliberalism subjects previously independent spheres—political, social, household—to financial rationalities. Neoliberalism configures those spaces within “a distinctive mode of reason, of the production of subjects, a ‘conduct of conduct,’ and a scheme of valuation” (20). For Brown, neoliberal logics transform the classical economic individual (a member of a firm) into a firm of their own making. This means that “neoliberal rationality remakes the human being as human capital”—not merely as a traditional interest maximizer but also as a market entity (34). Under neoliberal logic, individuals are meant to thrive in precarity by redeveloping their human capital (21–22). However, Brown does not take up how neoliberal policy can further settler colonial practices. Although this was not her focus, this opening allows me to reconsider her work in relation to settler colonialism. Within Brown's work, I conceptualize this emphasis on individual supports without deeper social supports as a perennial dimensions of settler colonial policy and assimilationist practices as well as a deepening of precarity under neoliberal governance: the dispossession of Indigenous women from territories and absorption into the market economy erases both connection to territory and the overarching attempts by the

Crown to extinguish Indigenous title. Within these accounts, the strands and histories of assimilationist and settler colonial social policy that deny other ways of being is centrally at play. Street-level service centres in Vancouver's East End functioned as part of this remaking of individuals through market rationalities. Rather than a "new" dynamic, these logics of individualization are enduring dynamics within processes of settlement as well as the creation and denial of citizenship. Also, central here is the view of specific kinds of life and lives as worth living.

Neoliberal policy made the community responsible for managing extreme precarity. Murray (2004) suggests that federal government strategic investments defined "vulnerable populations as disturbances to mainstream health, social, and economic norms, and as threats to order and stability" (52). "Vulnerable populations" were not homogenous pre-given groups, but rather, a composite fostered between the policy literature, think tanks, and government agencies (60). These initiatives contracted "charitable, nonprofit, and voluntary sector agencies" to deliver services to help those constituted as most deserving of support (52). However, these strategic investments in street-level programs saw the targeting of caregivers, communities, and "delinquent environments" as sites of improvement rather than altering "processes of domination and oppression" (59–60). This downloading of federal and provincial programs to service organizations is evident in the reports I take-up below.

From Transients to Residents to Clients

As noted in the last chapter, the defeat of the Non-Partisan Association (NPA) in the 1966 municipal election under Mayor Tom Campbell (1966–1972) and an anti-NPA slate of municipal candidates allowed for greater democratic mobilization in Vancouver municipal politics and opposition to expert-led development projects like Project 200 (Tennant 1980, 10). Project 200, proposed in 1968, was to be a 36-storey high-rise office building and a freeway extension. The project was protested by Chinese associations as well as antipoverty and heritage community activists (Ley

1996, quoted in Heather Smith 2002, 497). Development consultations also witnessed a range of UBC student-led sit-ins and contestation by democratic party organizations such as the Electors Action Movement, Vancouver Independent Voters' Association, and the Citizens' Council on Civic Development challenging these project in public and on city council. These groups worked to contest the hold that the experts had on the City Board of Administration as well as the Department of Planning under Sutton-Brown (Tennant 1980, 14-15). Community members objected that it was "not only the physical displacement [of Project 200] that [was] objectionable, [...] but the cultural effacement of a collective and locally embedded entitlement" (Blomley 1998, 591). This argument of rights to habitation had two effects. First, it established a historical character for the DTES that could be protected, namely heritage preservation. Second, this residency discourse situated the neighbourhood as a space for poverty (Roe 2009, 82). These understandings visualized the DTES as a logical site for the urban poor due to the neighbourhood being established as a "historic" place of urban poverty.

From the start of the 1970s, community activists and nonprofit organizations brought attention to addictions, mental health, housing, and HIV/AIDS. By 1973, housing organizations such as the Downtown Eastside Residents Association (DERA) became significant proponents of the rights of community members to access low-cost single-room occupancy (SRO) units. An SRO unit is a cheap one-person rental room, lacking kitchens, bathrooms, or cooking amenities (Campbell, Boyd, and Culbert 2009, 20). Eventually, the DERA formed a social housing partnership with the city (Campbell, Boyd, and Culbert 2009, 48). As Roe (2009) explains, "Proudly asserting that the [DTES] was the 'place of the poor' had the unintended consequence of making it easier for other parts of the city to justify gentrifying and thus forcing the poor out of their areas and into the [DTES]" (85). Vancouver's East End was envisioned as a historic space of poverty due to the presence of support services.

A three-step process became apparent in the following decades. First, nonprofit organizations secured city social supports and the protection of historic buildings (Roe 2009, 82). Given that these NPOs relied on project funding from the city, this limited potential criticism toward the government (79). Second, NPOs went through rounds of professionalization that transformed them into professional managers who spoke on behalf of the residents of the DTES (78). Third, nonprofit organizations became dependent on public and private funding to survive (77). These processes solidified these groups as spokespeople for community residents—now clients of grant-funded, nonprofit organizations (96). These nonprofits became administrators of programs for their clients.

From the 1980s to early 2000s, the City of Vancouver witnessed a return of the centre-right Non-Partisan Association (NPA) to municipal office: Mayors Gordon Campbell (1986–1993) and Philip Owen (1993–2002) were both staunch adherents to neoliberalism and free-markets. While in power, the NPA easily aligned with neoliberal assumptions of pro-growth and pro-development, as well as advocacy for urban megaprojects, most notably under Campbell (Mitchell, Katharyne 1996, 485–86). In 1986, the City of Vancouver hosted the World’s Fair (Expo 86). The gentrification process surrounding the Expo triggered evictions from the SRO unit buildings in the neighbourhood (Smith 2002, 499). The NPA’s focus on reducing social expenditures and making the city run more efficiently did little to curb this trend. For example, the November 1990 election determined the pace of redevelopment and housing affordability in the city, as socially progressive candidate Jim Green for the Committee of Progressive Electors (COPE) was defeated by NPA candidate Gordon Campbell. This entrenched a pro-growth, pro-business, and development-oriented focus (Mitchell 1996, 497). Owen was defeated by Larry Campbell in 2002, which returned COPE to power.

During this period, heritage reclassifications and SRO closures marked the DTES as a “potential site for profitable residential development” (Smith 2002, 499). David Hugill (2009) writes that in the 1980s, “The pressures of an ‘overheated’ property market coupled with the abundance of

cheap Downtown Eastside land zoned for high densities began to attract a new wave of capital reinvestment in the area” (128). From 1968 to 1975, 400 single-room units disappeared from the DTES due to conversions, demolitions, and gentrification, which forced residents onto the streets (Sommers and Blomley 2002, 41). In contrast, post-Expo 86, “The result was the displacement of several hundred long-term tenants [,] many of whom were elderly, impoverished and in frail health, and the loss of approximately 2,000 low-income housing units” (Olds 1989, quoted in Smith 2002, 499). As Roe (2009) estimates, by the mid-point of the 1990s, “The DTES had 77.9 percent of Vancouver’s affordable SRO accommodations” (86). The loss of SROs in other neighbourhoods stressed the need for street-level organizations to support homeless residents.

At the outset of the 1980s, sex work was primarily conducted in the West End of Vancouver. Submitted to the city by the Alliance for Safety of Prostitutes (ASP), a May 1983 report emphasized the violence facing women operating in the West End of Vancouver (Ross 2011, 138). Sociologist Becki Ross (2011) remarks “[i]n the mid-1970s, following a series of police raids on prostitution inside downtown nightclubs, a community of approximately 200 sex workers moved into Vancouver’s West End neighborhood, where a small stroll had operated since the early 1970s” (126). Ross states that the period from the 1970s to the 1980s was marked by “regulatory practices (and budgets), law enforcers and social reformers [who] sought, through a variety of techniques, to administer prostitution as a social problem that called for normalizing interventions” (198). West End residents produced sex work as a problem for public authorities to address through policing and bylaws (132). Specifically, a group called Concerned Residents of the West End (CROWE) campaigned against sex work. They engaged in public altercations with sex workers and public debate with policy circles. By the 1980s, CROWE’s efforts displaced low-track sex work from the residential West End into the Downtown Eastside (Ross 2010, 200).

Under the leadership of Two-Spirit Indigenous activist Jamie Lee, ASP created bad date sheets and engaged in street demonstrations in the West End and at City Hall (Ross 2010, 206).³⁶

Eventually, survival sex work became concentrated in the DTES despite this organizing. At the start of the 1960s, the DTES was a space of male poverty. By the end of the 1980s, it was understood to contain a space of feminized survival sex work.

This context positioned the neighbourhood as a site of violence and survival sex work. The police conceptualized the DTES as a permissible space of crime and homelessness. These official perceptions also established the neighbourhood as a site of permissive violence against underhoused and street-involved women. By the 1980s, this disregard for crimes by police in the DTES had contributed to a pattern of disappearance of Indigenous women and girls from the DTES. Dara Culhane (2003) notes that “since 1983[,] at least sixty-one women from [the] Downtown Eastside [of] Vancouver have been officially listed as ‘missing persons’” (2003, 598). Due to the displacement of survival sex workers from the West End, city officials viewed the DTES as a space where violence was permissible. Later studies, like the 1997 Vancouver Police crime date would find that “the majority (55 percent) of crimes in the neighbourhood had been committed by people who did not live there” (Campbell, Boyd, and Culbert 2009, 97). However, this did little to dissuade public perceptions about Vancouver’s East End and the normalization of violence against Indigenous women in the neighbourhood.

City policies and police practices were front and centre in structuring the survival sex trade. As criminologist John Lowman explains,

³⁶ I draw attention to this work as street-level sex workers are often figured within the academic literature as subjects outside of organizing and activism. The community was using bad date sheets, buddy systems, and check-ins to protect themselves from heteropatriarchal violence. A bad trick or bad date sheet is a document created by sex workers with biographical or identifying details about clients. It is used to identify dangerous individuals and to protect other sex workers from them.

The idea of eliminating prostitution in Vancouver has translated tragically into REALLY getting rid of prostitutes. We chase them from one area to another. They find themselves in dark streets in defenceless situations. (quoted in Devlin 2000; emphasis original)

The effect was to push the survival sex trade into a more precarious position. Former chief coroner (1996–2000) and Mayor of Vancouver (2004–2005), Larry Campbell, remarked that through licensing, the city was complicit in determining “who [was] going to get protection and who [wasn’t], in the general sense” (Campbell, Boyd, and Culbert 2009, 141). Municipal policy makers desired the removal of street-level sex work from public spaces.

Neoliberal austerity concentrated impoverished communities in the DTES in three distinct ways. First, it gathered low-income communities within the neighbourhood due to diminishing SROs (Roe 2009, 85). Second, although the East End of Vancouver had historically been where service organizations had converged, the West End was where most HIV/AIDS services in Vancouver had emerged in the 1980s (Campbell, Boyd, and Culbert 2009, 97). In the 1990s, however, HIV/AIDS services moved into the DTES (93). Third, the city pushed low-track survival sex work to the DTES (Ross 2010, 206). These movements established the DTES as a problem community overseen by police and nonprofit organizations.

Neoliberalization and Deinstitutionalization

Reductions in federal transfer payments to the provinces contributed to deinstitutionalization and the scaling back of social services. By 1993, Jean Chrétien’s Liberal (1993–2003) government cut funding for social housing, which drove DTES residents out onto the streets (Campbell, Boyd, and Culbert 2009, 2). The centre-left federal Liberals were shaped by neoliberal policy aims as seen in their dismantling the Canadian Assistance Plan (CAP)—the agreement between the federal government and the provinces to ensure minimum provisioning of health services (Murray 2004, 57). The 1996 Canadian Health and Social Transfer (CHST) payment replaced the CAP and ushered in “a

vision of welfare based on meeting set minimum standards.” The Canadian Assistance Plan was a federal–provincial welfare state measure created in 1966 to provide for the “food, shelter, clothing, fuel, and personal requirements” of people (Murray 2011, 15). Under its architecture, the plan also supported provincial programs for children and families and “community development services” (Murray 2011, 15). This replacement eroded the minimum standards and universality of social programs. In turn, these programs depended on the voluntary, private, and not-for-profit sectors to ensure the standards for bare social provisioning (55). These dynamics contributed to the intensification of precarity.³⁷

³⁷ Indigenous and feminist reflections on neoliberal social relations and displacement have explained that Indigenous and non-Indigenous women and Two-Spirit people have disproportionately borne the brunt of these social relations. For instance, Joyce Green and Cora Voyageur (2007) have explained historical denial of rights under Indian status and the corresponding drops in social support and rise in poverty indicators. I agree with Joyce Green and Cora Voyager’s discussion that the cuts to the Canadian Assistance Plan have deepened women’s poverty in Canada (143). Janine Brodie and Isa Bakker (2008) have painstakingly marked out the social impacts for Indigenous, settler, and newcomer women around the drops in social supports. The transformations brought by market liberalization and other displacements generated by global capitalism have further upended the social position of Indigenous women. Rauna Kuokkanen (2008) makes as much clear in her discussion of the insecurities brough by the deepening commodification and exploitation of Indigenous women in these circuits of capitalism under globalization and the sex industry. In a similar vein, Pamela Palmater (2015) has described the implications of free-market policies around possible land surrenders and the limitations of individualist police responses to violence facing Indigenous women and girls. My concern is that the depth and extent of welfare state supports are taken as given. This avoids the dynamics Neu and Therrin (2003) and Shewell (2004) have discussed around the minimal costs and even denial of supports in providing for Indigenous welfare on and off-reserve and/or outside of communities. Mary Ellen-Kelm (1998) has made this colonial racism clear within her analysis of the parallel health system established under the federal government. The cuts to the Canadian Assistance Plan and other substantive reductions in public funding have had a significant impact on the quality of Indigenous and non-Indigenous women’s lives. There is also a need to think about how the access barriers to services have also prevented meaningful access to welfare state supports pre-Keynesianism and post-Keynesianism. I have seen some work emerging from feminist political economists Leah Vosko and Rebecca Hall (2022, forthcoming) that has attempted to think through the complex relationship around status and access to on-reserve benefits and programs. There is also the need to think more readily about how services are made inaccessible for Indigenous women even within the hard-won legal rights. I am trying to draw out the uncounted policies that create structural barriers to services and make it unusable either by design, accessibility, or quality of service once engaged.

Provincial funding underwent similar reductions during this period. The provincial New Democratic Party (NDP) government under Premier Mike Harcourt (1991–1996) and then Premier Glen David Clark (1996–1999) was committed to policies that would balance budgets and only marginally increase supports. The NDP came to power in BC from 1972–1975 under Premier David Barrett (1972–1975) with an emphasis on public monopolies (i.e., Insurance Corporation of British Columbia or the BC Petroleum Company) (Whiteside 2018, 30). The BC economy heavily relied on mineral royalty taxes, extraction industries, and exports. With the price collapse of oil and other resources, the Social Credit Conservative-populist party came to power from 1975–1991. The Social Credit government of BC implemented substantive austerity measures from the 1983 Budget, including a fifteen percent cut to full-time public sector staff and mandatory budget and staff cuts on public institutions; the Ministry of Health was cut by twenty-seven percent and 1,200 acute care beds were closed (31). The 1984 budget under the Social Credit government cut the public sector further, amounting to a twenty-five percent reduction overall between the two budgets (Whiteside, 2018, 31).

In 1991, the BC NDP returned to power (1991–2001) under NDP Premiers Mike Harcourt (1991–1996), Glen Clark (1996–1999), Dan Miller (1999–2000), and Ujjal Dosanjh (2000–2001), until their defeat by the centre-right Liberals in 2001. During the NDP’s ten years in power, there was an emerging consensus following the 1982 recession. Radical swings in GDP, resource revenues, production, and the decline of corporate income tax changed the political consensus. Now deficits were to be avoided and balanced budgets maintained (Whiteside 2018, 31). The first two NDP budgets following 1991 introduced “minor tax increases for the wealthy, no reductions made to social service spending, moderate increases in the minimum wage, but no sweeping changes consistent with what might be otherwise expected for a social democratic party.” Whiteside described the NDP government policy suite as only a “mildly progressive, in a middle-of-the-road sense” in terms of welfare state provisioning due to the financial restrictions (32). As Whiteside notes, “under the NDP

from 1991 to 1998, real per capita public spending dropped by \$544, and spending in all areas but health and education were reduced significantly” (32). As she explains, “By 1998, BC had the second-smallest provincial public sector relative to population size” (32). Her point is that BC’s NDP were committed to debt servicing and reduced public expenditures from 1991 to 1999 (Whiteside 2018, 32–33). At the provincial and municipal levels, there were significant priority realignments in community funding within the DTES (Clark 1996).

Prior to the 1990s, there were few harm reduction services for pregnant or expecting mothers in the DTES (Boyd 2007, 11). The reduction of government funding in BC allowed for the merger of the Ministry for Children and Families with those responsible for alcohol and drug treatment services (Parry 1997, 20). Women were at risk of having their children apprehended when they came in to deliver or for treatment. This model figured “maternal bodies” as the property of society (Boyd 2007, 24). Children in Vancouver were sent to Sunny Hill Hospital for Children due to its neonatal abstinence syndrome program, which began in 1983 (Boyd 2007, 11). As Boyd points out, “Most of their mothers were poor, on social assistance, and First Nations, even though First Nations women’s narcotic use rates were no higher than those of non-Aboriginal women” (2007, 11). As Murray argues, the provincial model of child welfare had shifted from maltreatment to potential harm, which meant that “emotional, social, [and] cognitive effects” were now taken as maltreatment under the 1996 Child, Family and Community Services Act (2018, 363). By 1997, although Indigenous peoples in British Columbia accounted for only seven percent of the population, Indigenous children comprised thirty-one percent of the provincial child welfare system (Murray 2018, 354). These categorizations targeted Indigenous women as posing a threat to fetal development. This bureaucratic gaze that evaluated these women brought the focus of the child welfare system to these women’s lives (Boyd 2004, 306).

In the 1996 Child Family Community Service Act, neglect and maltreatment were reclassified under the Ministry of Child and Family Services guidelines to include factors that are common dynamics under poverty, such as unfitting clothing or lack of access to food. As Sarah de Leeuw makes clear, “The reasons Aboriginal families are being reported, investigated, and intervened into are not, on the main, based on the physical or sexual violence and abuse about which there is such clear language in publications promoting child welfare” (2014, 66). Indigenous and non-Indigenous mothers were targeted by Child and Family Services in British Columbia because of a new emphasis on poverty (364). Factors commonly associated with poverty were now coded as maltreatment. This change in legal definition was evident in the Child, Family and Community Service Act (Murray 2018, 363). Factors associated with poverty were now seen as synonymous with the battery of children and represented grounds for removal. This legislation enshrined racialized and class-based understandings of status and material wealth. This change to the law accelerated the targeting of Indigenous children in BC.

This categorization focused on Indigenous mothers as a site of risk to children in terms of their fitness to parent, as well as the supposed danger of Fetal Alcohol Disorder (FAD). Fetal Alcohol Disorder research from 1973 had trained attention on Indigenous women’s bodies as sites of risk while ignoring the implications of poverty (Murray 2018, 364). Critically, Susan C. Boyd argues that the resurgence of concerns around (Fetal alcohol spectrum disorders) FASD during the 1980s and 1990s under neoliberal policy produced women as “giving birth to social problems that drain already strapped education, medical, social service, and criminal justice systems” (2007, 23). A new emphasis on epigenetic tendencies affecting adulthood attainment focused on intervening upon environmental conditions by “observing and classifying mothers according to the presumed risks they posed to their kin” (Murray 2018, 359). These two dynamics contributed to the intensification of child removal from Indigenous mothers within the province of British Columbia (364). They also fostered new sites of

intervention that targeted “risky” maternal conduct by pushing Indigenous mothers into alcohol and addiction treatment (Murray 2018, 364).

Neglect became a prominent area of child apprehension and control in BC Child Welfare from the 1990s to the early 2000s. Amendments to the Child, Family, and Community Service Act (CFCS) originally passed in the Legislative Assembly of BC in 1996 (Sarah de Leeuw 2014, 64).

Commissions like the *BC Children and Youth Review* stated that the amendments to the Act over this period undermined the province’s “ability to deal safely with child welfare” and led to an increase in the number of deaths in care (64). Neglect was said to be what “happens when a parent or guardian ignores or overlooks a child’s basic needs—to the point where the child is, or could be, harmed. Neglect includes failing to provide a child with food, shelter, basic health care, supervision, nurturing or protection from risks” (65). According to de Leeuw, it was said to contain “[c]lothing that does not protect the child from the weather... [and/or] poor personal hygiene.’ The language about neglect is much more ambiguous than the language about abuse. Indeed, much of the language is ungrounded, resting on wording about ‘believing’ a child might be suffering from neglect, or about everyone needing to have the ‘best interests’ of a child at heart” (65). A 2008/2009 Auditor General Report stated that fifty-one percent of the children in care with Aboriginal and were “6 times more likely to be taken into care than a non-Aboriginal child” (66). A study of the maltreatment of children in Canada found that “incidents of neglect and intimate partner violence comprised 68 percent of investigations by child welfare while 30 percent of investigations were unfounded (2014, 66).

This legislation accelerated the dynamics that had begun with residential schools and evolved into the child welfare removals of the 1960s. As de Leeuw explains, as BC residential schools were closing in 1955 approximately twenty-nine Indigenous children were in the child welfare system. However, by 1964 the number of Indigenous children in care had increased to one thousand four hundred and forty-six children. This trend continued unabated (64). As she goes on to explain:

[By] 2008, over 9200 children were in “care” in British Columbia—many more were being monitored by the child-welfare system. Provincial and national Aboriginal organizations, including the Assembly of First Nations and the Native Women’s Association of Canada, have called the percentages of Aboriginal children now in care “epidemic,” calculating the numbers of children in state care as a function of child-welfare intervention as greater than those who went through the residential schooling system. (64)

This dynamic is a continuation of past patterns of child removal and a result of neoliberal restructuring of services. Neoliberal social policies increasingly disciplined Indigenous and non-Indigenous mothers through social service monitoring. Integrating welfare services and women’s services with child and family protective services across provincial departments to save costs has meant that investigations, complaints, or seeking protection risk the triggering of removal. The minimization of federal and provincial supports and funding have also increasingly meant that families must rely on fewer resources to survive.

There is also a danger in viewing the child welfare system as benign. As de Leeuw challenges, “Between 2004 and 2011, with a growing number of children dying either while in the care of MCFD or after having not received governmental care despite calls for such care and in the midst of growing and sustained criticism, the provincial government took significant efforts to expand child welfare and protection services to British Columbians writ large” (64). Child welfare, rather than protecting children from dispossession, is central to its operation. The release of children after aging out of care has been recorded as one of the leading causes of children moving into the sex trade, due to limited social supports from affordable housing to social assistance supports. As such, child welfare policies strike at the political and cultural well-being of Indigenous nations.

The systems of knowledge and research emerging in the DTES in the 1990s were at the heart of the fears and anxieties that led to what some have called the ‘90s scoop in British Columbia. A research agenda emerged in tandem with a range of federal programs, including the 1993 Community Action Program for Children (supporting children up to age six), the 1994 Canadian Prenatal

Nutrition Program (supporting newborns and toddlers), and the 1995 Aboriginal Head Start (reserve and urban Aboriginal children). These different programs fed into a logic that established community-led development hubs as vital in training parents to live in increasing precarity under neoliberalism (Murray 2015, 287). This funding regime filtered throughout and mapped the DTES as a space of at-risk populations and as a proving ground for the human development research agenda (Murray 2015, 291). Human development activities instructed marginalized populations how to survive within this precarity (Murray 2015, 291). The figure of the “vulnerable” Indigenous mother was part of disqualifying Indigenous mothers from public supports as undeserving subjects and was intimately connected with ongoing child removal. These discourses were only peripherally related to the cultural protection and well-being of children.

At the same time, Indigenous women’s presence in the sex trade was positioned by public health authorities as a site of risk. In 1993, the Department of Pediatrics identified a significant rise in substance use in pregnant women. The study understood the children of substance-using women as an “at-risk” group. The department stated that

approximately 40 percent of infants born over two years to mothers living in this area of Vancouver were exposed to alcohol or other drugs in utero. The rate of low birth weight was 33 percent in the exposed infants, all of whom were apprehended by child protection authorities. (Poole 2000, 2)

Indigenous women and girls comprised seventy percent of the sex trade in the DTES (Benoit, Carroll, and Chaudhry 2003, 6–7). During the early 1990s, Lou Desmarais, Indigenous Executive Director of the VNHS, stated that “the statistics were terrible. One in four babies born to Aboriginal women at the time were born with syndromes” (Campbell, Boyd, and Culbert 2009, 40). Seeing these statistics, the VNHS, Young Women’s Christian Association, BC Child and Family Services, and Vancouver Health Department came together to establish Sheway in 1993 as a means of responding to “vulnerability” within the DTES (Poole 2000, 2). It is important to consider that the medical research

around these syndromes has come to be challenged in later decades. For instance, Boyd observes that Dr. Mary Hepburn, one of the leaders of Scottish harm reduction, notes “that poor women who use illegal drugs have higher rates of pre-term deliveries, low birth weight, sudden infant death syndrome, and perinatal death. However, these are non-specific effects, and the same incidence is found for women who are poor and do not consume illegal drugs and for those who smoke cigarettes. When the illegal drugs are eliminated, the birth outcome may remain the same” (Hepburn 1999, quoted in Boyd 2007, 17). Feminist researchers and scholars have contested the understanding that withdrawal symptoms stem solely from substance withdrawal. Instead, they argue that it is due to the separation of mothers from their infants due to child welfare policies (Boyd 2007, 17).³⁸

Since Sheway’s launch, the 1994 Task Force on Addictions and the 2012 BC Missing Women Commission of Inquiry have regarded it as a model for substance-using Indigenous mothers (Benoit, Carroll, and Chaudhry 2003, 828). It offered a specialized program with maternal supports for substance-using mothers in the DTES (Poole 2000, 2). Sheway’s core mission is twofold. First, it “provide[s] education, referral and support to help women reduce or stop [using] alcohol and other drugs during pregnancy.” Second, it emphasizes the “promotion of the health, nutrition and development of the children born to women accessing care” (24). Sheway helps women recover “from poverty and homelessness, from abusive relationships and mental disturbance, from criminal

³⁸ Multiple participants working around the health support industries in the DTES noted that supports for maternal health have *changed significantly since the mid-1990s with the creation of For Women in Recovery (FIR) Square, BC Women’s Hospital, and Sheway. Specifically, many key informants marked out the contrast from child removal at birth in the 1980s and 1990s to the delegated care model that allowed for Indigenous mothers to keep their newborns while in recovery and postdischarge from maternity wards that emerged in the mid-1990s. In effect, my interviewees noted that Indigenous women were being held against their will—a violation of Charter rights—and forced to give birth; their babies are subsequently removed and taken into Child Welfare Custody within hours. Sheway and these other programs represented a shift in the number of maternal health supports in the DTES focused on child–mother dyad model (maintaining custody).*

behavior, from destructive and negative behaviors that have been reinforced over generations” (17). It also assists women in

meeting their needs for support [through] safe living conditions, economic security and physical well-being. The staff works with women to help them develop the information, skills and confidence that they will need to care for themselves and their children.

Sheway does this work in ways that affirm women’s right to “self-determination within their own culture” (2). Sheway’s focus on rehabilitation, self-help, skills training, and referral services supported some Indigenous women in the East End in their recovery. However, it also neatly aligned with broader policy aims to download responsibility for health and survival onto Indigenous women and girls. As health researcher Amy Salmon (2007) has pointed out, diagnosis can be “the key to accessing much needed supports that would otherwise have been unavailable” (286). For example, although a diagnosis of FASD can uphold dominant stereotypes about Indigenous mothers, it also enables Indigenous mothers to access support resources for their children (275). However, these diagnoses and their corresponding stigmas carry with them a negative view of mothers. By 1998, approximately seventy percent of Sheway’s clients were Indigenous mothers and their children. By 1999, it had over 100 open client files (Benoit et al. 2001, 13), with several clients targeted by serial killer Robert Pickton (Oppal 2012b, 93). Sheway emerged during this period of reinvestment into maternal health to manage “vulnerability” and as such became part of a movement of programs designed to rehabilitate some Indigenous and non-Indigenous women to serve in the workforce and take care of their children outside of sex work.

Sheway and other wrap around combined-care programs for substance-using mothers reveal tensions and nuances in urban governance under neoliberalism. As with prior efforts to govern and manage “urban integration,” these processes are never fully complete, successful, or effective. Instead, I am interested in their complex sociopolitical effects. First, I see these centres as part of neoliberal governance. Service centres schematically produce a division between deserving and

undeserving populations. This sorting function makes street-involved Indigenous women responsible for their economic position. Second, the federal funding of centres like Sheway through the 1994 Canadian Prenatal Nutrition Program, the province's early development funding, and municipal child development funding reshaped the discursive landscape. As a result, advocates, nonprofits, and mothers became interpreted through a language of early childhood development, risk management, and parental responsibility. This discourse was a new way of speaking about maternal health and problematizing Indigenous motherhood. These programs served only a select group of women and allowed governments to depoliticize and normalize the precarity of neoliberal social relations.³⁹ My concern here is not the success or effectiveness of these programs, as understood by those who design or operate them, but rather with the social regulation and normalization effects. My focus is also on the subjectivity produced through these programs.

It is important to note that the process of recovery in the wake of addictions and trauma is complex.⁴⁰ Wrap-around care, investments in early childhood development, and a view of the mother-

³⁹ There are significant barriers facing street-involved women and Indigenous women entering the labour market in Canada. My contention around Sheway's employment and training module is that it focuses on stabilizing women and supporting their role as mothers. Sheway is part of a broader transition process that stabilizes women and refers them to other services. In a study for the BC Centre of Excellence for Women's Health, Amy Salmon and Julie Ham (2008) suggest that the one-time funding of \$400,000 to Sheway by the BC Ministry for Employment and Income Assistance allowed multiple women to move out of transitional housing. Salmon and Ham found that funding for living spaces and rental units allowed women to begin the process of getting their children back from the Ministry of Child and Family Services (regain custody) and 35 of 55 women receiving funding after giving birth were able to keep their children (2008, 35–36). These supports were found to positively support client outcomes by moving them slowly toward independence.

⁴⁰ The placement rate for reentering the labour market has seen mixed results. Lenora Marcellus interviewed 18 women with the Sheway receiving housing support through the BC Ministry for Employment and Income Assistance grant program (2016, 4). She observed that engagement with the program meant that "two participants were in school, five were working full time, two were unemployed and ten were not in the labour force for other reasons, including parenting, disability, and illness. The primary sources of income were disability support and social assistance. Of the three women who reported employment, two women shared that this was from sex work. One participant was relying on savings. Ten participants felt that they were experiencing significant financial

child dyad in BC have helped some women. However, neoliberal social policy can also offload these women onto NGOs and civil society, transforming what has been viewed as “an economically redundant population” into something valuable for the medical fields of capital.⁴¹

These governmental practices operated in unconscious and seemingly apolitical ways to govern subjects at a distance. Instead of increased economic and social supports, provincial and federal programs focused on specialized nonprofit supports for the “vulnerable.”

Sheway emerged as part of a medicalized model for responding to precarity. These care models produced Indigenous and non-Indigenous mothers as “vulnerable” and “at risk” without altering social provisioning. Sheway illustrates how clinical nonprofit organizations were taking on the role of managing disorder: these organizations served as an alternative means of governing Indigenous women’s reproductive health. They also functioned as sites of rehabilitation for the neoliberal economy. Regarding *urbis nullius*, these organizations could affirm some Indigenous cultural rights but they left the political question of sovereignty beyond discussion. Sheway emerged as a partnership between BC’s Children’s Hospital, the Vancouver Health Department, Ministry for

challenges” (17). These findings reveal that the housing support program run by Sheway helped women get off the streets but significant challenges around employment stability continued. This small sample illustrates a variety of survival strategies around unemployment and recovery.

⁴¹ There is a consensus among different scholars, politicians, and activists including Poole (2000); Campbell, Boyd, and Culbert (2009); Murray (2015); and Marcellus (2006) that Sheway represents a significant model of care that is worthy of attention. I am interested in how Sheway and services like it operate as part of a new field of governance impacting women. Feminist scholars such as Leah Vosko (2006), Amy Salmon (2007), and Karen Murray (2015) have pointed out that the new focus on maternal health around early development has resulted in the privatization and downloading of responsibility to single mothers, which has exacerbated inequalities within childcare and social provisioning. My interest here is in the rationalization of a gendered division of labour and the downloading of responsibilities for childcare onto mothers as well as also new patterns of federal and provincial investments around early childhood development, education, and research. This emphasis on early childhood education has generated a space of contestation over social provisioning around childcare and access to supports for children. However, Vosko (2006), Boyd and Marcellus (2006), Salmon (2007), and Murray (2015) agree that there has been a reduction in supports for single mothers and childcare accompanied by a deepening of surveillance of mothers under the early development frameworks.

Children and Families, the Young Women’s Christian Association of Vancouver, and the Vancouver Native Health Society. The Native Health Society was part of the Neighbourhood Safety Committee discussed below. These organizations affirmed governmental assumptions about “vulnerability” to garner police, city officials, and health supports at the expense of Indigenous conceptions of health and broader questions of economic justice.

Reports on “Vulnerability”

Vancouver has a long history of violence against Indigenous women and girls.⁴² The “suspicious” deaths and disappearances had been a pattern in Vancouver’s East End long before the 1980s. For example, Longstaffe reexamined hundreds of murders in Vancouver covered by journalists from 1957 to 1968 and identified that this was daily public knowledge (2017, 233). During the 1970s, Indigenous women were purportedly lured onto ships and assaulted by the crews in Vancouver’s harbour (Campbell, Boyd, and Culbert 2009, 24). In the 1980s, numerous deaths were reported in the DTES (Culhane 2003, 596). These events were recorded but existed below the surface of public recognition. It was not until the discourses around vulnerability emerged that they surfaced again as a governmental concern. In the 1990s, violence against Indigenous women and girls was brought into public circulation through discussions of the sex trade and drug addiction. Across these discourses, the language of “risk” became common usage for these women. These approaches dovetailed with policies trained on groups figured as the most “vulnerable” in the province.

⁴² For firsthand accounts of experiences of underhoused Indigenous women in Vancouver, see the narratives and stories in Culhane and Robertson’s edited collection (2005) *In Plain Sight: Reflections on Life in Downtown Eastside Vancouver* (2009), and Carol Muree Martin (Nisga’a – Gitanyow) and Harsha Walia’s *Red Women Rising* (2019). These sources offer tender and visceral accounts of life on the streets of Vancouver from the perspectives of Indigenous women and girls. The Red Women Rising project emerged as a submission by the Downtown Eastside Women’s Centre to the National Inquiry and captures the perspectives of Indigenous women on survival, colonialism, healing, and trauma. In another vein, *Keeping the Campfires Going*, edited by Susan Applegate Krouse and Heather A. Howard (2009), offers a detailed collection of Indigenous women’s experience in urban centres, especially Vancouver.

In this section, I examine three reports (see table 3) that demonstrate how experiences of violence were read through conceptions of “vulnerability” and “risk.” During the 1990s, BC experienced a drug overdose crisis and a rise in its number of HIV/AIDS cases (Campbell, Boyd, and Culbert 2009, 106). In response, the NDP Attorney General of British Columbia Colin Gabelmann (1991–1995) launched the Task Force into Illicit Narcotic Overdose Deaths in British Columbia (Cain 1994, ii). The Task Force’s report called for an increase in provincial harm reduction programs. As a result, BC gave greater attention to supports for street-involved mothers. Nonprofits adopted the language of “vulnerability” and “risk” as a means of advocating on behalf of Indigenous and non-Indigenous women in the survival sex trade and to garner policy change. This dynamic came to a head in the 1995 report, *Assessing the Violence Against Street-Involved Women in the Downtown Eastside/Strathcona Community*.

TABLE 3. Harm Reduction Reports

Year	Report
1994	<i>Report of the Task Force into Illicit Narcotic Overdose Deaths in British Columbia</i>
1995	<i>Assessing the Violence Against Street-Involved Women in the Downtown Eastside/Strathcona Community</i>
1997	<i>Something to Eat, a Place to Sleep, and Someone Who Gives a Damn</i>

Furthering this interest in “vulnerability,” the province called for a detailed research plan to direct funding and coordinate approaches on the ground. In response, the Ministry of Health report, *Something to Eat, a Place to Sleep, and Someone Who Gives a Damn*, helped shape medical responses to the increase in HIV/AIDS cases. These three reports were the catalyst for municipal and provincial shifts concerning harm reduction, homelessness, and addiction. The health authorities and city incorporated these positions into official policies. By adopting harm reduction and tolerance for homelessness, the city and province brought these areas under their control. In doing this, these

governments obscured how social precarity resulted from welfare state reforms and settler colonial power structures. Harm reduction aligned with neoliberal policy goals of focusing on only the most marginalized as deserving of social supports. However, these discourses of “risk” and “vulnerability” shaped the reception of Indigenous women’s claims for protection in Vancouver. Service providers and public health officials classified these women as deserving of protection through “vulnerability” and as a “risk” to public health.

Report of the Task Force into Illicit Narcotic Overdose Deaths in British Columbia

The *Report of the Task Force into Illicit Narcotic Overdose Deaths in British Columbia* (also known as *The Cain Report*) marked the dual acknowledgement of harm reduction as a provincial policy approach and the provincial and municipal coordination of nonprofit organizations. Overdose deaths in BC rose from 39 in 1988 to 331 in 1993 (Campbell, Boyd, and Culbert 2009, 37).⁴³ Overseen by former RCMP Superintendent and Chief Coroner Vince Cain, the report responded to the “epidemic” rise of overdose deaths in British Columbia (1994, 5). Its primary goal was “not only about reducing harm to addicted people who suffer physically, mentally, and morally; it also touche[d] on curbing harm to others who [were] affected by the primary carrier” (v). *The Cain Report* offered a reading of “vulnerability” as “at risk” and “risky.” However, it also focused on protecting society from the “vulnerable.”

⁴³ *The Cain Report* is usually discussed in relation to debates over the HIV/AIDS outbreaks in the DTES as a matter of governance. It is very rarely connected to discussions of violence against Indigenous women and girls in Vancouver or British Columbia. A key informant mentioned it as an important moment of context where Indigenous and allied non-Indigenous groups were said to be gaining some traction with policy makers. An interviewee highlighted this report as important because it represented an opening that these groups took to mobilize around harm reduction and the safety of Indigenous women and girls.

The report offered a twofold reading of harm to individuals and communities (Cain 1994, v). *The Cain Report* identified women, children, First Nations, and the “mentally disabled” as high-risk groups for addiction. The Task Force committed to “enhance[ing] community and government responses to the social, economic, and health care needs of people addicted to the use and abuse of illicit narcotics” (i). Provincial and municipal officials conceptualized stand-alone services as vital to resolving issues of addiction. By July 1993, the Task Force had collected written and verbal submissions from medical experts on addiction, DTES nonprofits, social service workers, “law enforcement officials, native workers, street workers, and recovering addicts” (Cain 1994, ii). The Task Force heard testimony from the Downtown Eastside Youth Activities Society (DEYAS), which ran a needle exchange program and the Indigenous-led health clinic. It also heard from the VNHS (iii). These agencies advocated for the needs of substance-using populations through a harm-reduction lens.

Cain (1994) figured harm reduction in financial terms—in other words, the public costs associated with policing and addiction treatment (44). He drew from then Provincial Health Officer statement to suggest that

if it reduces the ambulance calls and Narcan injections; if it frees up courtrooms and jail cells; if it cleans up our streets and public places from harassment and discomfort; and if it brings peace and quiet in families and increased employment and productivity, then the harm to all can be said to have been reduced—not completely, but perhaps to a socially tolerable level (21-22).

The report regarded substance-using individuals as a “harm” (read: risk) to society, meaning society needed protection from the “risks” these individuals posed. In this respect, the report hinged on creating “increased employment and productivity” as a potential outcome of managing these risks (22). As such, the report blurred the boundaries between containment and integration.

The Cain Report drew upon anecdotal, epidemiological, and toxicological reports from the Ministry of Health and Toxicology Centre to bring multisubstance overdose deaths in BC into view

(1994, 5). Cain also suggested that “long-term unemployment and dead-end low paying jobs contribute[d] to the rate of substance abuse in our province” (41). From this, he inferred that “poverty [was] an underlying issue in the lives of women and children. Mothers run out of money for food every third week of every monthly welfare cheque. For some women, this is a particularly vulnerable time” (45). He wrote that “in our society, we equate work with value, and that equals self-esteem. It is the value that an individual gives back to the community” (41). This statement produced the assumption that a stable job protected people from addictions. Given that single mothers were positioned as irresponsible subjects, reintegration into the workforce was touted as the solution to overcoming addictions and precarity.

Data from the provincial coroner revealed that illicit drug deaths for men and women spiked in 1993 after increasing gradually since 1988 (1994, 7). Vancouver led the province in drug overdoses, accounting for 216 of 331 deaths (9). Cain defined the typical profile of a person with addictions: those most at risk of dying by overdose were on average 35 to 39-year-old males consuming heroin in combination with alcohol and other substances (13). The emphasis placed on responding to this health crisis by targeting specific population through targeted health policy actions focused on the DTES of Vancouver left major structural dynamics and urban poverty unaddressed. The focus on late 30s male users seemed to leave out the focus on Indigenous women.

However, the focus on violence against Indigenous women was not entirely absent from the proceedings. But this focus on gender was highly regulated through issues of motherhood, sex work, and addiction. The Task Force also brought violence against Indigenous women and girls to public attention. For example, a task force witness noted that

[m]any, many deaths of women occur weekly. Most of them do not make the newspapers. However, these women are aunts, sisters, cousins, grandmothers, and children of the women we work with. The systematic destruction of their families through deaths from alcohol and other drugs is devastating.

The Task Force figured substance use as a cause of death and additional risk for Indigenous women and children. In the same vein, another participant remarked,

The cities are killing grounds for our young women. When I look at our current system of care in BC, I see a critical missing element: residential treatment facilities that focus on women and children [...] We need to seriously look at dealing with a very devalued element of our society: women who are addicts and have children. (46)

According to the Task Force, treatment centres for Indigenous mothers were vital to preventing violence (Cain 1994, 46).

The Cain Report marked out Indigenous children as at risk for neonatal substance exposure and therefore in need of protection. Cain wrote that “substance use in pregnancy [was] often confounded by poverty, poor prenatal care, poor nutrition, a history of sexual and physical abuse, and limited access to appropriate parenting role models” (1994, 47). Cain went on to note that “although some children with prenatal exposure may grow up without measurable lasting effects, their combined biological and environmental vulnerability often result[ed] in permanently limited potential and disrupted lives” (47). Motherhood and addiction were configured as areas of intervention to prevent “developmental delay, learning disabilities and behavioural problems in school, vocational issues, and adaptive function [issues] as adults” (47). The focus on harm reduction and intervention was meant to break the cycle “from generation to generation” (1994, 47). Cain proposed technical measures to respond to Indigenous women’s maternal health as an issue of governmental cost—not a problem of economic and structural dynamics within society. This focus on addiction placed blame on Indigenous communities without contextualizing the historical trauma or state policies that had contributed to these dynamics. It also denied ongoing social and economic inequalities relating to territorial and cultural dispossession as contributing to patterns of violence and dislocation.

These assumptions about Indigenous motherhood reaffirmed damage-centred views of maternity and reproduced state power over Indigenous mothers. Cain suggested that risks to maternal

and infant development “depend[ed] on the individual susceptibility of the mother and the fetus” to substances. With this, he established environmental and individual vulnerability as sites of intervention. The report noted how “children exposed to cocaine and other addictive drugs in gestation may also have higher rates of congenital anomalies, neurobehavioral aberrations and infant mortality.” As such, Indigenous mothers were conceptualized as a danger to their children and society (Cain 1994, 47). This focus on addiction reproduced the social understanding that Indigenous women and children were genetically predisposed to addiction, which reenacted a much older settler colonial trope about fitness and survival under modern life.

Cain called for the adoption of harm reduction practices to respond to substance-using groups. He called for “a truly cooperative harm reduction philosophy and approach to the drug problem in this province [that would] be a cornerstone strategy for reducing the mortality of heroin and cocaine users” (1994, 22). There were two dynamics operating within this discourse of harm reduction. First, the language of coordination at the provincial level was emerging. Second, a dual understanding of harm to the individual and harm to society was at play. The figure of the “vulnerable” woman was treated as both requiring protection and as a threat to society. This view inscribed a dual logic of protection and containment.

The Cain Report figured the DTES as a space of alcohol and drug use during pregnancy. It stated that “the rate of drug and alcohol use during pregnancy was as high as 36-46 percent in two census tracts,” and noted that “45.7 percent of 1535 infants [701 infants] born in the Eastside of Vancouver [had] been prenatally exposed to alcohol and other drugs [...] There [was] a high incidence of [Fetal Alcohol Effects (FAE)], if not FAS, in this community” (1994, 49). The final report identified that a higher likelihood existed for certain people based on predisposition (1994, 47–48) and specified that Indigenous children were at a higher risk of Fetal Alcohol Spectrum Disorder (FASD)—a range of physical and behavioural disorders caused by exposure to alcohol before birth—

, neonatal abstinence syndrome, and sudden infant death syndromes (SIDS) due to environmental or biological predisposition (1994, 49).⁴⁴ Policy makers viewed these syndromes as sites of cost for future healthcare expenditure. Importantly, these assumptions erased explanations based on economic precarity and social inequalities in favour of genetic predisposition.

The final report depicted reserves as sites of violence and trauma. Cain (1994) wrote, “The great majority of the First Nations people residing in Vancouver’s Downtown Eastside report[ed] these conditions on their home reserves and cit[ed] this as the number one reason they would not consider a return to their home communities” (51). These conditions included substance abuse, poverty, and issues looking after children. In the report, Indigenous people in the DTES and on reserves were figured as members of depleted communities. Furthermore, this figuration was coded within discussions of child neglect as Cain referenced “the children who died at home while their parents were out doing drugs or those people who just disappear[ed] and [were] never found” (56). Indigenous communities, families, and parents were figured as risks to their children. These logics fed into a system of child removal and state paternalism under the child welfare system. They also obscured histories of violence in residential schools that have affected peoples both intergeneration parenting, a sense of culture and home, and substance use.

Cain also viewed trauma and poverty as contributing to the survival sex trade. He wrote that “many of the young women involved in the sex trade work on the streets of our major cities have backgrounds of physical and sexual abuse by parents and family who took advantage of them while

⁴⁴ Cain’s analysis was shaped by the 1991 research of two Boston-based pediatricians, Dr. Brown and Dr. Zuckerman. They argued that “substance use in pregnancy is often confounded by poverty, poor prenatal care, poor nutrition, a history of sexual and physical abuse, and limited access to appropriate parenting role models. The identification of infants born with exposure is often difficult” (1991, quoted in Cain 1994, 47). Their research and analysis were focused on Black women in urban contexts. It seemed highly dependent on specific assumptions about the African American population with limited data. It was unclear from the study if many of the findings were the result of poverty, drug use, or a combination of the two.

under the influence of alcohol and drug[s]” (51). This section of the report made three significant conceptual assumptions. First, it emphasized the sex worker as a traumatized subject. Second, it linked sex work to addiction. Third, it mobilized the first two assumptions to connect substance abuse, sex work, past trauma, and infant health to categorize these women as “vulnerable.” Ultimately, the Cain Report conceived of violence against Indigenous women through damage-centred assumptions rather than political rights.

The report viewed service organizations as essential to countering these trends. Cain pointed to prominent maternal care services in the DTES. For instance, he states that the YWCA Crabtree Corner “was targeting high-risk families; prenatal alcohol and drug abuse and infant outcomes. Eighty percent of these families [were] First Nations, and ninety-five percent [were] on social assistance.” Significantly, the report found that “there [was], indeed, a pressing need for more of these special needs daycare centres in the Downtown Eastside area, beyond that which is being provided by Crabtree Corner.” According to the Task Force, street-level service organizations were vital in governing Indigenous mothers (Cain 1994, 48).

Harm reduction became a technique for responding to the problems the Task Force identified. It discussed “the establishment and operation of facilities/clinics which provide[d] detox, treatment, recovery, and outreach programs,” including needle exchange services, naloxone kits, and methadone treatment/maintenance programs. It also recommended the Ministry of Health fund harm reduction services, develop provincial policy through public health departments, and educate the public and healthcare professionals about the quality of street drugs (Cain 1994, 22). Groups like the DEYAS needle exchange, Sheway, and the VNHS became leading examples of projects for reducing “substance-use” during pregnancy (47). *The Cain Report* created space for agencies to advocate for decriminalization and deregulation through this risk-based language. It also upheld the assumption

that Indigenous women and mothers were potentially substance-using street-involved persons due to familial trauma.

The final report marked a new approach to addiction under this reading of harm reduction. The manager of the Carnegie Community Centre, Donald MacPherson, said that “in [his] mind, that was the moment when addictions became a health issue [...] One of [Cain’s] main messages was to take the money we spend on cops, courts, and judges and spend it on health. And this was coming from a former cop.” However, MacPherson also suggested that, regardless of the recommendations, “fuck all happened” (Campbell, Boyd, and Culbert 2009, 42).

Nonetheless, former mayor of Vancouver Larry Campbell speculated that *The Cain Report* “planted a harm reduction seed in the mind of Vancouver’s new mayor, Philip Owen” (Campbell, Boyd, and Culbert 2009, 41–42). As mentioned earlier, Owen was part of the pro-business NPA. This discourse drew nonprofit organizations into a closer relationship with city and provincial authorities. Cain’s statement provided tacit approval of a harm reduction mandate. As Campbell, Boyd, and Culbert explain, “With governments failing to act on the pressing issues *The Cain Report* identified, some Downtown Eastside residents decided to take matters into their own hands” (43), as I will discuss in the section below.

Assessing the Violence Against Street-Involved Women in the Downtown Eastside/Strathcona Community

One year after the release of *The Cain Report*, in March 1995, the DEYAS released a research study on harm reduction on behalf of the committee the Downtown Eastside Neighbourhood Safety Office (NSO): *Assessing the Violence Against Street-Involved Women in the Downtown Eastside/Strathcona Community*. The NSO was founded in 1992 by the Vancouver Police Department (VPD) to engage with community organizations, and had lobbied the city to support harm reduction in

the DTES. Following the cessation of foot patrols in the DTES, community training and liaison work became a prominent community policing strategy through projects like the NSO.⁴⁵ After its creation, the Storefront Police Liaison Project saw community workers trained for two hours with a select number of police liaisons (Aird 1996). These changes linked nonprofits with policing practices. For example, Margaret Prevost, vice-president of the Carnegie Community Centre, volunteered at the VPD's NSO (Stainsby 1995). Subsequently, by the summer of 1993, neighbourhood organizations formed a steering committee to document conditions in the sex trade (3). Members included the Downtown Eastside Women's Centre, DEYAS, Ray-Cam Community Centre, Vancouver Native Health Society, Vancouver Native Liaison Storefront Project, Watari, WISH (First United Church), and YWCA Crabtree Corner (Currie 1995).

It stressed the need for supports for sex workers within the DTES. This research was funded by the BC Ministry of Women (Currie 1995, acknowledgements). The project had four principal goals: (a) providing sex workers with the opportunity to speak, (b) presenting the analysis of qualitative and quantitative surveys and interview data, (c) providing information to enhance services in the community, and (d) identifying gaps in services. Paramount among these aims was transforming community service delivery and providing an evidence-based case for harm reduction policies targeting the sex trade (1).

Authored by women's health advocate Sue Currie (1995) and a research team, this study engaged with street-involved women to enable them to "directly state their needs," which would allow committee organizations to "facilitate programs and [offer] direct support" to these women as

⁴⁵ The Neighbourhood Safety Committee produced a second report, written by Alyssa Davis in 1996, describing the rise in drug related thefts and pawn shop fence operations in the DTES (1996). The report noted a gendered division between male drug related thefts and female involvement in the sex industry, calling for police to intervene on both groups to protect them from predatory cash economies operating in the DTES (Davies 1996).

victims of violence (3). Running from 1993 to 1995, it gathered information from sex workers via in-person one-on-one discussions, group interviews, surveys, and community meetings (6–7). The team consulted 145 out of an estimated 500 sex trade-involved women over eight months of research (11). Specifically, by analyzing gaps in services for sex workers, the study ostensibly “enabled the community to develop or enhance services for sex trade workers and other victims of violence in the community” (1). The dominant assumption was that frontline service agencies were responsible for overseeing safety in the sex trade.

In naming its purpose as documenting Indigenous and non-Indigenous women’s experiences (1995, 29), the report tacitly understood these women as victims without a voice. The study outlined that “street involved women [were] community members, mothers, and victims of abuse.” It found that twenty-seven percent of participants were Caucasian, and seventy percent were Indigenous. Respondents were between sixteen and fifty-five years of age, with the average age being twenty-six years old (13), and “ninety-one percent of the women did not have their high school diploma” (35). Most women were mothers (seventy-one percent), with an average of three children per woman. According to the report, sixteen percent of participants lived with their children, and fifty percent of women knew their children’s whereabouts (13). This data focused approached reproduced assumptions that these women were victims of abuse.

Moreover, the study recognized different kinds of “victimization” but omitted a discussion of settler colonialism. For instance, seventy-one percent of the women reported having been “victimized while attempting to get a customer to practice safer sex” (Currie 1995, 33). Concerning addiction, Currie observed that due to repeated violence and harsh conditions, ninety-four percent of respondents had used drugs in the last six months. These women used various substances—seventy-eight percent using alcohol, seventy-five percent using heroin, and sixty-eight percent using cocaine—and most were using intravenous needles (27). Most respondents (ninety-six percent) remarked that their

substance use increased while being street involved (28). Although the report advocated for these women through their “victimization,” it made no reference to how historical or ongoing settler state programs contribute to these patterns.

Assessing the Violence maintained damage-centred assumptions about these women’s lives but challenged others. For instance, it showed that eighty-eight percent of these women lived in the DTES or Strathcona area, with eighteen percent listed as homeless and forty-seven percent living in local hotels—while also financially supporting their “boyfriend/spouse.” Currie (1995) identified that seventy-four percent of respondents were said to have entered the sex trade as minors, that is, “before their 18th birthday.” She alluded to “economic reasons for their involvement [,]” as well as “abandonment or runaway status at an early age” (13). Most women experienced “multiple forms of violence, with 73 [percent] citing the sexual abuse they experienced as children.” The findings suggested “that many of the women ran away or left home due to intrafamilial sex and sexual abuse” (15). The study found that the exposure to abuse was high, noting that “77 [percent] of women had experienced violence in the last 6 months” while “62 [percent] had been sexually assaulted, 52 [percent] had been beaten by their boyfriend, 48 [percent] had been beaten by a customer, and 44 [percent] had been dumped by a customer” (16). The NSO positioned these women as deserving of police protection and reform services due to their victimization. No reference was made to human or Charter rights.

Currie (1995) proposed several recommendations to respond to these patterns surrounding sex work in the DTES. She wrote that “support, outreach and intervention services specifically dealing with child sexual abuse must be available or an option for children” (15). To this end, Currie recommended that “reserve communities address health, medical and social issues related to the sex trade” (14). *Assessing the Violence* also called for police leniency for charges, as well as “comprehensive services and peer support education [including] alcohol and drug education, harm

reduction and resource information” (rec. 17) in addition to drug and pregnancy information sessions (31). The report contended that services supporting street-involved women such as YWCA, Crabtree Corner, and Sheway should receive increased funding (rec. 18) (31). Currie’s report brought Indigenous women into view through the language of victimization and vulnerability. From this, the report envisioned “comprehensive services” as responsible for supporting the healing of Indigenous and non-Indigenous women in the sex trade (30–31). At the same time, it minimized provincial and federal responsibility for ongoing violence while placing responsibility on Indigenous communities.

Assessing the Violence emphasized the “at risk” and “vulnerable” status of sex workers as a group to advocate on their behalf by figuring them as subjects without agency. However, public authorities still considered these women as operating within an illicit sphere of activity. In prompting a focus on public intervention and a harm reduction-based approach to policing, the report established the DTES as a space of intervention. This report alongside public appeals for intervention on youth being targeted by sex trade in the DTES intensified the profile of child and youth sexual exploitation, obscuring violence against Indigenous and non-Indigenous women. *Assessing the Violence* stressed the need for improved services for women and protection to prevent them from going missing—a concept that was gaining traction in the VPD. It also reflected a degree of cooperation between street-level storefront organizations, police, and municipal public officials.

A key informant described this moment as a turning point for the NSO and other street-level groups in their work attempting to secure political support from provincial authorities. The interviewee noted that “the Attorney General and provincial health authority [telling the] DTES neighbourhood steering committee to take a hike was a big moment. Before this, the province and the city had been listening to the organizing of community groups around HIV.” This shift can be seen in a 1996 press conference announcing the creation of a new investigative unit called the Provincial Prostitution Unit (PPU). The PPU was said to be part of the liaison efforts between community

members and police over disappearances, according to one key informant. The PPU was part of the \$760,000 Vancouver Action Plan for Sexually Exploited Children (Hunter 1996). From this informant interview, I learned that organizations connected to the NSO hoped that the PPU could be a space where their interests could be represented within the VPD. After inviting DTES nonprofits to participate in a policing conference in New Westminster, BC on March 21, 1996, the Attorney General of British Columbia (1995–2000) Ujjal Dosanjh (NDP) unveiled the *Provincial Plan on Prostitution and Sexual Exploitation of Youth*.

Instead of increased scrutiny on street-involved women’s safety, the PPU folded into the provincial agenda targeting child sexual exploitation and human trafficking (British Columbia 1996a). The deepening focus on the child-victim muted the public audibility and visibility of adult women in the sex trade. As Attorney General Dosanjh stated:

We’re going after the pimps and johns who are sexually exploiting children and youth in prostitution [...] We’re going to take action against the violence, danger and intimidation that prostitution is bringing to our neighbourhoods. And we’re going to take preventive measures to keep our children and youth off the street. (British Columbia 1996b, 1)

Increased policing gave rise to a structure that pushed the sex trade further out of public scrutiny—disproportionately affecting women in the survival sex trade. The PPU directed its attention toward child sexual exploitation and the policing of johns instead of addressing the economic and social precarity giving rise to the survival sex trade and the exploitation of children and youth.

These practices had the opposite effect. In March 1996, journalist Suzanne Fournier wrote that “frustrated by an ‘unworkable federal law,’ Vancouver vice cops have convicted only two men in six years for buying sex from kids. But they’ve charged 354 juveniles with selling sex” (1996). This response to child sexual exploitation blamed and incarcerated these children and youth for crimes committed against them. It also diverted attention away from missing adult women in the sex trade. In

both cases, it elided the structural precarity and produced further child exploitation and survival sex work.

The policy priorities introduced in 1996 directed funding away from DTES community organizations that failed to align with this new vision of stopping youth exploitation. This resulting lack of funding caused the NSO to close in April 1996, less than a month after the PPU was announced. As journalist Gordon Clark explained,

The coordinator of the Downtown Eastside Neighbourhood Safety Office was dismayed to learn Victoria spent \$61,000 on an international crime-prevention conference that wrapped up in Vancouver yesterday while refusing to continue funding Vancouver's neighbourhood crime-prevention offices (1996).

As an act of protest, the NSO staged a fundraising bake sale outside of a DTES hotel to draw attention to the loss of funding. The office had functioned as a space of dialogue between police, city officials, and community organizers about the violence unfolding in the DTES. Its closure marked the end of a more deliberative approach to harm reduction policy.

The interview participant viewed the contested press conference around the PPU as a significant turning point in the history of the DTES regarding the disappearances of Indigenous women and girls. They noted that a degree of cooperation had existed in the first half of the 1990s. For nonprofits in Vancouver, the Cain Report had represented a strategic political opening for a level of consultation with Vancouver and provincial authorities. Had that trend been allowed to continue, the key informant suspected that the landscape would have been different. The interviewee explained that, after the creation of the PPU and the closing of the NSO, “a curtain came down with the Health Authority. That good feeling went away.” My participant felt that this was a way for the Vancouver Police Department, the Vancouver/Richmond Health Board, and the BC Ministry of Health to take back control and policy making power from nonprofit organizations. This view—of a shift occurring

in the 1990s from street-level outreach to larger programs and policing—was confirmed by several other interviewees.

Something to Eat, a Place to Sleep, and Someone Who Gives a Damn

The HIV crisis in the DTES brought survival sex work, addiction, and violence against Indigenous women into sharper focus for the provincial government. For instance, Campbell, Boyd, and Culbert (2009) state that “in 1996 alone, 713 people in [British Columbia] had tested positive [for HIV], more than half of [whom] were injection drug users. Seventeen [percent] were Aboriginal, though Aboriginal people comprised only four percent of the population.” The rates of infection among drug users had doubled from [1996 to 1997] (68). By 1997, activists had erected over a thousand crosses in Oppenheimer Park to mourn the dead and protest four years of inaction regarding overdoses and AIDS-related deaths in BC (70). That same year, the Supreme Court in *Delgamuukw v British Columbia* recognized Indigenous title where “occupation was determined to be sufficient, continuous, and exclusive” (Murray 2018, 369). At the same moment, Indigenous legal title to land under section 35 rights were being affirmed in the courts.

In March 1997, the NDP Minister of Health, Joy MacPhail, announced that \$3 million in funding was being dedicated to combat the spread of new HIV infections resulting from injection drug use (Parry 1997, 4). In September of that year, the Vancouver/Richmond Health Board commissioned a study on the rise of new HIV cases in the DTES. In 1997, they released their report, *Something to Eat, a Place to Sleep, and Someone Who Gives a Damn*. Authored by Dr. Penny Parry, a physician with the BC Ministry of Health, the study focused on managing public risk of HIV infections and offering recommendations regarding the rise of new cases in the DTES. Its goal was to “reduce the spread of HIV/AIDS amongst street-involved injection drug users, who live in or spend time in the DTES, and those with whom they come in close contact” (1997, 5). The report labelled this “epidemic” as originating from street-involved injection drug users and as underscored by a lack

of care; this dynamic was said to contribute to a lack of knowledge about HIV/AIDS among injection drug users and sex workers. Moreover, the study emphasized the status of injection drug users and sex workers as a high-risk populations requiring medical outreach and education (31–32). The study found that “people’s basic needs [were] not being met and that until they [were met], the HIV/AIDS epidemic [would] continue” (10). The report spoke in the language of medicalized care about the “vulnerability” to disease. Calling on provincial ministries and the City of Vancouver to (a) review policy and legislation, (b) to develop a housing strategy, and (c) to improve access to addiction treatment services (6).

Parry’s work (1997, 4) included collecting a range of different data sets. The Vancouver/Richmond Health Board drafted the initial project criteria to guide community consultation (5). These consultations unfolded through thirty community surveys and in-person meetings with individuals and large-scale meetings of 250 participants. Although the report stated consultation had taken place, it used epidemiology and statistical data to visualize community patterns. Parry collected statistical data from the Centre for Excellence in HIV/AIDS and the BC Centre for Disease Control. She also consulted with service providers, UBC researchers, the Asian Society for the Intervention of AIDS, and the medical literature. Laboratory testing by the BC Centre for Excellence in HIV/AIDS indicated that between 8,000- 10,000 people had become infected with HIV while 6,000–8,000 were still alive (1997, 13). The report suggested that between 1989 and 1992, HIV prevalence within the DTES rose from two percent among injection drug users to ten percent (9). It also stated that HIV/AIDS was only one infection present in the community. A ninety percent prevalence of Hepatitis C and 1,200 deaths in BC had been recorded since 1993. Parry proposed measures to detect infection as early as possible, addiction treatment, and outreach to the most identifiable “at-risk” groups to prevent infection (10). The Vancouver/Richmond Health Board concentrated attention on DTES residents as a site of risk to public health. Factors like settler

colonialism were omitted from these medicalized accounts. The report also individualized inequality by advocating for residents' surveillance through testing as a necessary criterion for preventing future spread.

Parry's report viewed Indigenous women as one of the groups that was key to preventing infections. It suggested that "women, First Nations peoples, those with chronic mental illness, and youth" were at a high level of risk for contracting HIV/AIDS. The report understood these women as "the fastest growing group of individuals showing as HIV positive" due to "involvement in the [sex trade]," risk of "complications" during pregnancy, fear of child "apprehension," and a lack of gender-specific detox facilities (1997, 23). Also, eighty percent of women who used injection drugs reported being active in the street sex industry. Parry noted that Indigenous people represented four percent of the population and seventeen percent of those who tested positive for HIV (13). The study suggested that when First Nations youth returned to the reserves, they would bring HIV and Hepatitis C back with them (10). The study described First Nations peoples as at risk due to a lack of culturally sensitive treatment centres, the high volume of infections, and the "spread of infection back to [their] reserves" (23). Parry's report highlighted the gaps in care but offered little reflection on what could be done to reduce these barriers to accessible and culturally informed care.

Parry argued for the need to draw hard-to-reach populations into DTES support services. The report had six recommendations with financial commitments behind them. The recommendations included: (a) make better use of existing resources; (b) improve shelter and housing; (c) increase community coordination and capacity; (d) increase the capacity of other communities; (e) strengthen community coordination and development; and (f) support innovative responses to the epidemic (1997, 6–7). These recommendations constituted the DTES as a space of contagion and addiction.

These proposed recommendations advanced an image of depleted, street-involved, and substance-using Indigenous women. Parry (1997) stressed the need for expanded access to medical

services via additional hours and attending physicians (18). Her report laid out a model for bringing those viewed as hard-to-reach populations into treatment spaces. It criticized nonprofit services for failing to address the needs of “at-risk” populations and called for expanding, centralizing, and coordinating outreach and drop-in services. These changes would ensure “these programs [would be] the entry points and the mainstay [to] create some stability in people’s lives” (39). In this way, the report downloaded responsibility from the province and city to the DTES. It also recommended that these “services must actually be available: open at the time needed, located where people are likely to come, and offered in a way that draws people to them” (38; underline original).⁴⁶ It emphasized training the community, service providers, and medical professionals about addiction and HIV safety (61–62).

Parry’s report positioned Indigenous women as a threat to public health. These recommendations unfolded as part of a double downloading of responsibility toward street-involved persons and the need to coordinate local services to better manage “vulnerable” and “at-risk” populations viewed as a vector for disease. In doing so, the report asserted community services were essential in monitoring and preventing future outbreaks. Health authorities viewed the neighbourhood as requiring correction, starting with the frontline services. Although it claimed to speak the language of care in terms of residents’ basic needs, its medicalizing approach did little to advocate for those needs beyond intensifying provincial coordination of nonprofit services and positioning residents as needing reform. This tactic depoliticized the voices of Indigenous women by obscuring the structural conditions maintaining the deaths and disappearances of Indigenous women from urban space.

⁴⁶ This same recommendation of twenty-four-hour service provision was proposed again in 2012, almost fifteen years later, in the recommendations of the BC Missing Women Commission of Inquiry to help reduce the number of women who were going missing. This highlights a systemic problem in which provincial funding is continually clawed back from nonprofit services and these assertions of fiduciary supports for citizens require continual reintroduction by public advocacy.

In her report, Parry (1997) also called for well-coordinated government interventions to integrate hard-to-reach populations into nonprofit programs rather than stand-alone “silver bullet” services (15).⁴⁷ She identified “those most at risk were individuals who were not connected with any particular outreach or support program” (23). A crucial dimension for funding HIV supports in other communities was to prevent concentration within the DTES (15). Thus, Parry’s approach was twofold: first, to integrate those seen as outside the nonprofit service milieu; and second, to develop services in other parts of the province to direct people away from Vancouver. In affirming the belief that some residents were beyond the reach of nonprofits and the government, Parry’s report maintained that they were outside the purview of policies and programs that had structured their lived conditions through government and service disinvestments. In holding service organizations responsible for failing to reach the “vulnerable,” *Something to Eat* situated government policies as not responsible. These views placed blame for the crisis on stand-alone service providers rather than successive economic and political dynamics.

The Logic of “Vulnerability”

During the 1990s, government officials and community organizations figured Indigenous women and girls as “vulnerable.” These reports read these women’s lives through the language of “vulnerability” and “risk” (Cain 1994; Currie 1995; Parry 1997). These reports (a) construed these women as “risky” to the city’s health and economic security, (b) maintained the understanding that these women were deserving of protection due to their status as “vulnerable,” and (c) upheld the view that Indigenous women and girls were an “at-risk” population for spreading communicable diseases.

⁴⁷ In his thesis, Roe challenged this narrative of a disorganized DTES community due to presence of experienced staff, the larger organizing and solidarity within the community, and the larger public health reports that had been warning of this possibility in the city years prior (Roe 2003, 3). According to his analysis, the DTES was blamed for causing a crisis it had warned the city and province about.

These assumptions had three effects on the DTES community. First, Parry's report deemed local nonprofit organizations as responsible for the failure to stop the spread of HIV/AIDS, Hepatitis C, and pneumonia (Parry 1997). Second, public health agencies redirected funding in the DTES; instead of being absent from these women's lives, the decision to defund entire sectors and support services meant that governmental policies structured these women's lives. Third, in advocating for Indigenous women and girls as "vulnerable" subjects, community organizations reproduced assumptions that Indigenous women were beyond social protection (i.e., hard to reach).

Implications

Health authorities maintained the view that Indigenous women were a highly mobile group, which became a durable lens through which policy makers and police interpreted their disappearances. For instance, from the 1980s to 2003, media and public accounts estimate that more than sixty-one Indigenous and non-Indigenous women went missing from the DTES (Monchalin 2016, 190). Pratt (2005) states that thirty-nine of the sixty-one women were Indigenous (898). These women's families, friends, and loved ones searched for them while lobbying the police and government to investigate their disappearances (Monchalin 2016, 190). David Hugill (2009) explains that the "police sustained the view that as 'transient' sex workers and drug users, most of the missing had not *actually* disappeared; in most cases, they maintained that the women would soon show up again" (10). This narrative reinforced the institutional indifference to investigating these women's disappearances, while also eliding the fact that public policy makers had desired the removal of these women from public space either by police, medical policies that would bring hard-to-reach subjects indoors, or extralegal actions by settler colonial subjects without police intervention.

Later, the Chief Commissioner of the BC Missing Women Commission of Inquiry, Wally Oppal, would note that these women had lives, appointments, and regular routines within the DTES.

As Commissioner Oppal also noted, these women were positioned within this stereotypical assumption— even though several women were no longer involved in the survival sex trade nor street involved (Oppal 2012b). Additionally, a contradiction emerged between the narrative that services had drawn vulnerable groups into the area and concentrated them there, and the narrative that Indigenous and non-Indigenous women were exceptionally mobile despite significant numbers not leaving the neighbourhood for long periods of time. Again, as in the previous chapter, too much mobility was framed as a problem by settler colonialism.

These assumptions about desirable and undesirable bodies in urban spaces shaped the response by the Vancouver Police Department (VPD). Around the possibility of both disappearances and the operation of a single serial killer, interview participants explained that there was a culture of disbelief and indifference prior to Robert Pickton’s arrest when women went missing. For example, on September 4, 1998, VPD Officer Kim Rossmo, the first officer to get a PhD in geographic profiling, presented a report to police leadership identifying evidence of a single serial killer targeting women and girls in the DTES (Monchalin 2016, 191). Rossmo’s theory was denied and his request for a press release advising the community about a serial killer was rejected (191–92). Rossmo “was effectively demoted for his efforts” (50). He left the VPD shortly after this. Discourses that ran counter to dominant assumptions about street-involved Indigenous women and girls were discounted, and these disqualifications became more evident as public outcry about Indigenous women’s deaths escalated. While a series of garage burglaries in early 1999 prompted then-Mayor Phillip Owen, of the centre-right NPA, to offer a \$100,000 reward for information leading to an arrest, by April 1999, he refused to offer a reward to search for the missing women of the DTES (Monchalin 2016, 191). Owen stated that the city was not running a “location service” to find these women (Hugill 2009, viii). According to Mayor Owen, Indigenous women were beyond governmental concern.

Sustained lobbying from BC Indigenous leadership prompted provincial action. In February 1997, two letters were sent: the first was a forum for Indigenous treaty negotiations and tribal councils (i.e., First Nations Summit) and the other was sent by Grand Chief (Ukailch’oh) Edward John (Tl’azt’en Nation), Chief Joe Matthias (Squamish Nation), and Chief Robert Louie (Westbank First Nation) to BC Attorney General Dosanjh. Both letters asked for information about the murders of Indigenous women in BC (Pearce 2013, 370). These letters and grassroots campaigns by families brought the murders and disappearances of Indigenous women and girls into public circulation. Maryanne Pearce (2013) argued that the Attorney General and police response to these letters “reinforced [the VPD’s] flawed views that the women were voluntarily missing or transient and would be found alive eventually” (372). In July 1999, Attorney General Dosanjh and the Vancouver Police Board offered a \$100,000 reward for information (Monchalin 2016, 191). The crime program *America’s Most Wanted* produced a segment on the abductions from the DTES—notably replacing an Indigenous woman with a white actress (Culhane 2003, 598). The disappearances of Indigenous women and girls were entering public visibility as a crime.

Families and Indigenous organizations called for an investigation into these disappearances. The VPD and Royal Canadian Mounted Police (RCMP) did not officially begin their investigations until 1999 (Feminist Alliance for International Action [FAFIA] 2012, 11).⁴⁸ The RCMP’s Project

⁴⁸ Maryanne Pearce provides a detailed discussion of the limits in the VPD and RCMP investigations during the 1990s and early 2000s in her dissertation, *An Awkward Silence: Missing and Murdered Vulnerable Women and the Canadian Justice System*. Following the arrest of Pickton, police investigations looked at cluster cases to assess the possibility of serial murders targeting Indigenous women. The RCMP was at the forefront of these investigations: Project Devote (Manitoba), Evenhanded (Lower Mainland, BC), Project KARE (Alberta) and E-PANA (Northern BC) (Pearce 2013, 254). The Canadian Broadcasting Corporation podcast, *Missing and Murdered*, investigated the case of Alberta Williams who disappeared in the late 1980s (CBC 2017). This case challenged the simplistic explanations the RCMP gave of high-risk activities like hitch-hiking contributing to disappearances. The discovery of a common single killer transformed how police approach case management, data sharing, and investigation (CBC 2017).

Evenhanded began investigating common linkages (Monchalin 2016, 193). By February 2002, the police had executed a search warrant on Robert Pickton's farm, triggering one of the most extensive and expensive police excavations of forensic remains and evidence in Canadian history, at \$70,000,000 (O'Reilly and Fleming 2016, 50–51). Project Evenhanded found the remains or belongings of thirty-three women “on Robert Pickton's farm. Of those 33 women, 12 were Indigenous” (193). Following this investigation, Pickton was arrested for multiple murders. By 2007, the province had spent \$200,000,000 on Pickton's trial and his conviction for the second-degree murder of six women out of an estimated thirty-three victims (O'Reilly and Fleming 2016, 51). The jury found Pickton guilty of six counts of second-degree murder (McCarthy 2016, 155), and Pickton received a life sentence. The Crown stayed further charges. It took until 2012 for families to receive limited answers as to why police had taken so long to investigate the murders of their loved ones.

The media depicted Pickton as a lone wolf killer targeting women, which minimized the structural dynamics at play in these women's deaths (Dean 2015, 114–15). Dean (2015) argues that portraying him as a lone wolf killer was part of the narrative of rehabilitating the norms of liberal society (153). His portrayal as a lone wolf killer avoids a more nuanced discussions of the conditions that have structured systemic oppression in BC, like the Highway of Tears—Highway 16 between Prince George and Prince Rupert—and others throughout Canada (Pearce 2013, 254; Dean 2015, xxiv; McCarthy 2016, 101–03; Monchalin 2016, 186). Such discussions foreground these women's presence in the sex trade while obscuring decades of neoliberal funding reductions and centuries of settler colonial law and policies.

The narratives emerging from public health and city officials visualized Indigenous and non-Indigenous women in Vancouver's East End as posing a danger to society due to the risk of spreading HIV/AIDs and other socially communicable diseases. To be clear, these reports and law enforcement understood Indigenous women as more of a threat to social order than predatory men. It is not only

the police and city officials that perform “rechauvinism”; everyday “citizens” in “Canada” perform the work of these binaries. In this case, White male citizens acted extrajudicially to target bodies deemed exterior to public space with violence. Similar patterns of violence can be seen in the killing of Pamela George in Saskatchewan (Razack 2000). However, a knowledge economy centred on “vulnerability” brought violence against Indigenous women and girls in Vancouver into national visibility. So, the lives and deaths of Indigenous women and girls were inscribed by government policies and funding, all of which undergirded Indigenous women’s displacement from urban space (Oppal 2012b, 95).

Oppal, as head of the British Columbia Missing Women Commission of Inquiry, attributed the failure of the VPD to investigate these murders to the “faulty stereotyping of street-involved women in the DTES [that] negatively impact[ed] missing women investigations; a failure to take the nature of the women’s lives into account in policing strategies” (2012a, 96). This stereotyping maintained the view held by city officials that these women were not a priority when they disappeared. However, Indigenous women and girls alongside other street-involved women were both produced as vital to securing the future production of workers for the Canadian economy. Additionally, these women were viewed as a vector for biological disease and as a site of value for biomedical and clinical research. To advocate for these women in the 1990s, nonprofits produced these women as victims of violence as well as “risky” subjects capable of spreading communicable diseases and disrupting public health. Police and individuals enforced these exclusions from public spaces.

Postscript on the DTES Model of Care

At the start of the start of the 2000s, the model of wrap-around care had expanded in the DTES and across the province of British Columbia. This expansion was not accompanied by an increase in social supports for Indigenous mothers—instead, the model of care increased focus on

stand-alone service centres. Part of this expansion included a focus on neonatal and postnatal supports for substance-using Indigenous mothers. In 2003, the *British Columbia Women's Hospital* opened the For Women in Recovery Square Combined Care Unit, which focused on stabilizing mothers and children using a harm reduction approach (Payne 2007, 58). Similarly, the Maxxine Wright Community Health Centre was founded in 2005 and also drew off a similar model to Sheway (Nathoo et al 2013). The Public Health Agency of Canada's Community Action Program for Children and the Canada Prenatal Nutrition Program had also established centres across Canada predicated on this model of community responsibility for the most vulnerable (e.g., Breaking the Cycle, which was established in 1995 in Ontario). However, this expansion of supports was not accompanied by an increase in social assistance or other economic supports for Indigenous or other mothers in BC (Hugill 2009).⁴⁹

An interviewee discussed the creation of Foundry Service Centres in BC that were focused on youth mental health supports. These centres, emerging from the Granville-Woodland neighbourhood in Vancouver, took the lessons and insights from Sheway and other street-level store front services and applied them to youth mental health province-wide. My discussion with this key informant prompted me to consider how techniques of governing circulate and are generalized outward to serve the health of settler colonial populations. As a result, I shifted my approach to consider how dispossession develops therapeutic techniques for governing precarity under neoliberalism.

Indeed, the model of wrap-around care that was developed in relation to street-involved Indigenous mothers in Granville-Woodland and at Sheway was regarded by provincial ministers as an essential way of protecting youth in the province by the 2010s. On June 26, 2019, the NDP Premier John Horgan (2017–present) launched the “Pathway to Hope” initiative to pay attention “to mental

⁴⁹ Multiple key informants provided me with this background context to highlight the emergence of these different organizations and their emphasis on wrap-around care.

health and substance use care by previous governments” (BC 2019a, para 2). According to the provincial government, this was a plan “to help people now and improve the health and wellness of all British Columbians in the long term [...] taking a provincewide approach to build a system of care where services are always within reach and people have the supports and opportunities they need” (BC 2019a, para 2). The plan focused on “mental health and substance use care for children, youth, young adults and their families to reach them where they are—in their homes, communities and schools” (BC 2019a, para 6). The plan hinged on expanding school, nonprofit, and foundry service centre supports from eleven to nineteen through a \$10,000,000 grant to improve mental health community counselling services. This plan extended wrap-around care models that had been developed to support Indigenous mothers to youth across BC. This model did not come with increased economic supports for youth; rather, it took the model of “one-stop-shop” wrap-around care—found to be ineffective in handling the HIV and heroin crisis in BC in the 1990s—and applied it to mental health in the 2000s. This move further reflects the application of models of care that were used to target Indigenous women as individualized subjects outward to youth and young people in the Canadian population. The same techniques for intervening and providing supports were being used to manage precarities within BC (BC 2019a, para 7).

The Foundry support model dovetailed neatly with neoliberal assumptions about “supporting early childhood social emotional development” (BC 2019a). It was geared toward “enhancing and expanding early intervention services and programs in child development centres and community-based organizations” (BC 2019a). In effect, it minimized provincial responsibility for providing services, economic redistribution, and supports to Indigenous peoples during this period. Although the goal of the Foundry Initiative was to expand services to Indigenous and non-Indigenous children through easy to access one-on-one counselling, it also rested on managing precarity without new resources. The individual was the primary unit of social engagement rather than collective responses

or additional public investment in supports. The Foundry Programs invested in the “priority needs that will help people now and reduce demand on services down the road [so that] we can begin to make tangible progress towards our long-term vision” (BC 2019a, para 3). The subsequent evaluation report, *A Developmental Evaluation of Foundry’s Proof of Concept*, was written by Amy Salmon, Saranee Fernando and Mai Berger for the collective impact initiative led by the BC Ministry of Children and Family Development BC Ministry of Health BC Ministry of Mental Health and Addictions and several foundations and nonprofit organizations including the Graham Boeckh Foundation Michael Smith Foundation for Health Research. The evaluation report described the operation of the centre and listed some concerns regarding the expansion of the Foundry model from urban Vancouver to other communities. Foundry undertook a two-year development proof-of-concept pilot study. Although Foundry was designed to create “a new ‘culture of care’ for young people and their families” (Salmon, Fernando, and Berger 2018, 6), the evaluation revealed some issues with the expansion of the DTES model of “vulnerability” to support youth across the province.

First, concerns were raised as to whether the one-stop-shop model was simply an urban model uprooted and transplanted to rural communities (Salmon, Fernando, and Berger 2018, 65). For instance, “[r]espondents acknowledged that rural and on-reserve communities whose members have to travel great distances to access services are unlikely to find barriers reduced when those services are concentrated in a city or town with a population large enough to support a ‘one-stop’” (65). This expansion of the DTES model of care meant that “barriers” for those in urban centres may be reduced, but not, necessarily, travel barriers those co-located communities. Second, concerns were raised around a high level of siloing for “existing mental health, substance use, and related services, and from communities whose challenge was located in a stark landscape in which services were non-existent” (65). If Foundry was meant to act as a coordinating hub with one organization taking leadership, the organization could not connect youth with services that did not already exist in the

community. Foundry was unable to draw from resources and professional competencies that did not already exist in communities (66).

Third, it remained unclear how Foundry's approach to youth mental health avoided pathologizing the youth who sought supports. The evaluation stated that Foundry was working from a "deficit-based approaches [that] can reify existing service provision practices that are at their core pathologizing and disempowering" (66). For instance, the evaluation noted that Foundry

mobilized a sense of urgency [...] which locate[s] the "problem" of mental health and substance use within the realm of an individual's disordered behaviour that requires identification and treatment using medically-driven clinical models in order to resolve. [...] [This focus can] eclipse competing understandings that locate the etiology of such "problems" (2018, 66–67).

Foundry's approach drew upon for wrap-around care and supports obscured systemic and structural considerations.

Conclusion

In this chapter, I have argued that, rather than being separate from the government agenda of the 1980s and 1990s, nonprofit organizations were central to the downloading of social responsibility to those deemed the most deserving of support. In contrast to what liberal theorists like Benoit and Carroll (2001) have argued, state withdrawal from welfare state programs was accompanied by reinvestments in communities through nonprofit funding. In terms of neo-Marxist approaches to gentrification—especially those that are focused on Neil Smith's analysis of *rechauvinism*, like Sommers and Blomley (2002)—there is a need to look at the indirect practices that figure gentrification as redeveloping people. I have taken the model Sommers and Blomley observed operating in the 1960s and mapped out its presence in the DTES around Sheway and the Neighbourhood Safety Committee. Using Rose's (1996) model of community governance, I considered how these local nonprofit organizations were made responsible for overseeing the "vulnerable." I used Rose's understanding of responsabilization—as producing individual freedom as

bound activities geared toward the subject's self-regulation—to conceptualize how a responsibility became figured as “private” to ensure “personal health and well-being” of the liberal social order (1999, 74). Instead of collective responsibility, individuals become responsible for their own survival and fitness.

In turn, by considering the work of Sheway, I demonstrated that street-level organizations were invested in rehabilitating and integrating Indigenous women back into the capitalist economy. This contrasted with Pratt's (2005) analysis of bare life that viewed the DTES as a space of containment. Although I agree with Sommers and Blomley (2002) and Pratt (2005) that the DTES has been marked by overt dispossession and longstanding bare life and containment, there is a need to think through how “vulnerability” itself has become a circuit of profitability for governing the conduct of subjects. The reports by Cain (1994), Currie (1995), and Parry (1997) showed that the growing toleration of “public harm” and “disorder” under the rubric of “vulnerability” and harm reduction aligned with governmental goals to find new technologies for developing the DTES. These reports revealed that rehabilitation spaces for Indigenous mothers and children were part of public policy designed to manage political assertions, to regulate access to public space, and to transform the DTES. The advocacy strategies for and focus on rehabilitating residents depoliticized broader political questions of social provisioning and reproduced neoliberal assumptions about the downloading of responsibility to individual mothers and their children.

Health officials and nonprofits categorized “vulnerable” women as a “high-risk population.” This understanding circulated stereotypical narratives of non-Indigenous and Indigenous women in the survival sex trade as a “risk” to public health. In the 1990s, a new policy focus emerged that was centred on the figure of the substance-using Indigenous mother (Murray 2018, 369). “Vulnerability” assumed the need to manage Indigenous women's genetic and behavioural susceptibility as a fiscal risk (Cain 1994). Governments assumed that these women were embedded within the urban context

and that they were the responsibility of service organizations. Moreover, DTES agencies furthered the provincial adoption of harm reduction through the language of “risk” and “vulnerability” (Currie 1995). Agencies portrayed these women as victims of multiple forms of violence. Currie’s report emphasized the need for these women to be protected by community organizations and the police, which maintained assumptions that Indigenous women and communities lacked the capacity to govern themselves. These narratives of care allowed for the deferment of Indigenous political authority.

The category of “vulnerability” constituted Indigenous women and girls as a threat to public order. This disqualification normalized policies that desired the removal of Indigenous women and girls from public space—not as accidents, errors, or through the abandonment of welfare state policies, but as stated public policy. This logic was evident in the failure of police to investigate subsequent disappearances. In the next chapter, I discuss how these narratives were challenged through human rights and international law by the Native Women’s Association of Canada’s Sisters in Spirit campaign.

Chapter Four

The Figure of the “Humanitarian Victim”

In this chapter, I consider how the Native Women’s Association of Canada’s (NWAC) Sisters in Spirit (2004–2010) campaign brought greater international and public visibility to the violence facing Indigenous women and girls during the first decade of the twenty-first century. I reflect upon how NWAC’s human rights campaign opened a critical space of inquiry into settler colonial violence. In doing this, I consider how legal arguments and categories used in this campaign became subverted by Canadian policy makers post-2010. The four reports by NWAC and the single report by the international human rights organization Amnesty International (hereafter Amnesty) opened discursive space to consider systemic critiques of how Canadian institutions were impacting Indigenous women and girls. Policy makers were susceptible to a narrow reading of these reports that focused on an individual understanding of “vulnerability” and “victimization.” This focus allowed federal leaders to pivot from a focus on systemic discrimination under international human rights law, conventions, and covenants to a focus on individual protection under domestic law. Policy makers figuring Indigenous women as vulnerable humanitarian victims gradually erased critical language in the federal policy responses, starting with Budget 2010.

This chapter is divided into several sections. In the first section, I locate gaps in the academic literature on the role of NWAC in advocating against the violence facing Indigenous women and girls. In the second section, I outline the conditions that supplanted a national focus on Indigenous self-determination with human rights. In the third section, I analyze the reports (table 5) published between 2001 and 2010. In the fourth section, I discuss the political discourses emerging from policy documents and state practices following Canada’s 2010 Budget.

NWAC's reports humanized Indigenous women through familial discourse in a way that had not taken place since the Royal Commission on Aboriginal Peoples. These nuances became increasingly constrained within federal discourses that drew on a limited reading of human rights and victimization. Many scholars have argued that policy makers silenced NWAC at this point. However, I contend that, rather than silencing NWAC, policy makers harnessed the language used by NWAC and Amnesty to reproduce settler state power and elide Indigenous political concerns over territory and self-determination.

TABLE 4. Initial Members of NWAC's National Coalition for our Stolen Sisters

1. Amnesty International Canada
2. KAIROS (Canadian Ecumenical Justice Initiatives)
3. The Canadian Association of Elizabeth Fry Societies
4. The United Anglican Church

Theorizing Human Rights, Neoliberalism, and Indigenous Sovereignty

The literature reflecting on the efforts by NWAC and its allies from 2000–2010 is divided between two distinct camps. One branch of decolonial scholarship (Bourgeois 2014; Harper 2016) argues that silencing those speaking out against the violence facing Indigenous women and girls is a recurring dynamic of settler colonialism. Meanwhile, Indigenous and non-Indigenous poststructuralist scholars (Million 2013; Dean 2015; Hargreaves 2017; Kaye 2017) conceptualize this movement from silence to audibility as characteristic of settler colonial discourses. Million (2013), Bourgeois (2014), and Hargreaves (2017) have also reflected on the erosion of Indigenous knowledges and methodologies within NWAC's reports. By mapping the gradual limiting of Indigenous knowledges and critiques across these reports, I discern the continuities and erasures of humanitarian liberal rights discourses. I argue that policy makers' emphasis on human rights normalized Canadian law and policing as responses to settler colonial violence while erasing some of the specific concerns and

interconnections between the denials of Indigenous rights and gendered and racialized violence raised by NWAC and Amnesty. I argue that policy makers emphasized human rights to normalize Canadian law and policing as responses to settler colonial violence while erasing some of the specific concerns and interconnections between the denials of Indigenous rights and gendered and racialized violence raised by NWAC and Amnesty. In what follows in this chapter, I will contextualize these discussions in a larger body of scholastic debate around rights.

The power relations surrounding NWAC's campaign have been considered within a larger set of discussions around Indigenous women's rights within Indigenous self-determination (Green 2001; Kuokkanen 2014). These discussions consider strategies concerning human rights as a tool for advancing Indigenous political aims. These dialogues also consider the tensions and contradictions of deploying gendered readings of human rights to secure political rights within and beyond the settler colonial state. Lastly, these interventions closely mirror older feminist debates around advancing legal claims through the state.

Following Green's (2001) analysis, gender-based rights in the Canadian context have continuities with pre-Contact Indigenous rights (inherent rights). The political discrimination that these rights challenge counter the consequences of state behaviours and colonial processes. For instance, "The rights claims of some women are constructed as undermining the rights claims, embodied in practices, of some Aboriginal governments on behalf of the collectivity" (728). Indigenous women's assertions of rights are concern collective rights that have been advanced via human rights. For Green, the secularism and commitment to gender equality enshrined within human rights allow for a response to injustices and violations of the fundamental human rights of Indigenous women because these rights are "grounded in history and in the international norms" not culture patterns recovering from settler colonialism (730–31). For Green, gender equality rights allow for Indigenous women's role in self-determination to be ensured rather than eroded (733).

Elsewhere, Green argues that “to be fully and authentically human, Indigenous peoples must be able to be Indigenous—in cultural, economic, political, ecological and other ways” (2014a, 11). She argues that, to ensure and protect these rights to existence, human rights present an avenue to assert and recognize Indigenous rights within Canadian and international law. For Green, the dynamic nature of Indigenous cultures and rights allow for a flexible approach to human rights as a field of contestation (11). In this way, Indigenous rights and human rights “are indeed indivisible: the human rights of Indigenous peoples must include recognition of their Indigeneity and the specific rights that flow from the profoundly political identity” (11). Human rights allow Indigenous peoples to assert their fundamental rights to land and self-determination (3). Indigenous human rights, rather than favouring either individual or collective rights, allow for both and the interconnections between the two to be acknowledged in social and political contexts (1).

Green (2014a) has critically analyzed the implementation of the landmark assertion of Indigenous rights in 2007 following the adoption of the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP). She notes that “While Indigenous human rights have been overwhelmingly honoured in their absence by settler states, it is not politically or legally impossible for these states to now commit to the constitutional, economic and political protection and implementation of these rights” (11). So, although Green views human rights as an avenue to assert Indigenous rights within Western formations of law, she does not view this as the only political tactic for achieving decolonization. As she remarks, “Legal action is only one measure in a decolonization toolkit and is generally only undertaken when political measures have not been fruitful. Organized public dissent, similarly, is a tactic deployed when virtually all other measures have failed” (12). For Green, Indigenous human rights serve as a means of asserting and challenging the ongoing issues of forced family disintegration, starvation, destruction of economies, and imprisonment and surveillance against Indigenous peoples within state law (13). Here Green offers a more nuanced reading of

Indigenous struggles to secure legal rights as one tool of many that have been used by Indigenous women, communities, and governments: legal strategies have potential limits and pitfalls, but they are merely one avenue for advancing political claims. In reflecting on NWAC's work, it is important to keep in mind that the legal appeals around human rights were merely one dimension in a broader national and international campaign to shift violence into public visibility.

Following Green's trajectory, it would be inappropriate to dismiss the impact, necessity, and value of Indigenous rights asserted through human rights. Like Green, I am critical of how states like Canada erode human rights by reading international law through domestic law to avoid expanding legal categories (11). It is the operation of these different erasures and systems of power that I view in state-centric readings of human rights. In a similar vein, Rauna Kuokkanen makes the argument that Indigenous women's human rights are necessary for ensuring Indigenous self-determination (2014, 126). She notes that Indigenous human rights are often understood as a third order of rights within international law following on the heels of prior reforms. The prior suites of rights reforms internationally include civil and political rights (first generation rights), equality rights (second generation rights including reforms like the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), and Indigenous rights (third generation rights) within documents like the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) that recognize the rights of Indigenous peoples to self-determination in a myriad of different registers: economic, political, social, and cultural. As she notes, Indigenous people's existence necessitates a respect for self-determination; without this recognition, Indigenous peoples are unable to exercise other human rights (2014, 126).

At the same time, for Kuokkanen self-determination rights require ensuring Indigenous women and girls do not suffer social and economic vulnerability (2014, 127) and as such asserting the foundational protections of Indigenous women is essential to ensuring self-determination rights. She

views the protection of Indigenous women as a precondition for Indigenous sovereignty because of the deep interconnection between individual autonomy and how these relations scale up to a politics of self-determination. If individual agency and autonomy are denied to individual women, collective self-determination is rendered impossible (127). Indigenous human rights, according to Kuokkanen, attempt to expand the narrow conception of post-Westphalian sovereignty of separate states “divided into mutually exclusive territorial communities” (127–28). Her expansive reading of this third generation of human rights attempts to both add to prior generations based on affirmative rights and protections in terms of the right not to be discriminated against, but also attempts to recognize the legal and jurisdictional complexity of territories.

Indigenous women’s readings of human rights attempt to expand upon prior understandings of violence against women, such as those used by feminist legal scholar Catherine MacKinnon (131).

MacKinnon defines violence against women as

aggression against and exploitation of women because we are women, systemically and systematically. Systemic, meaning socially patterned, including sexual harassment, rape, battering of women by intimates, sexual abuse of children, and woman-killing in the context of poverty, imperialism, colonialism, and racism. Systematic, meaning intentionally organized, including prostitution, pornography, sex tours, ritual torture, and official custodial torture in which women are exploited and violated for sex, politics, and profit in a context of, and in intricate collaboration with, poverty, imperialism, colonialism, and racism. (MacKinnon 2006 quoted in Kuokkanen 132)

Kuokkanen argues that Indigenous women’s organizations expand this understanding of gender-based violence by bringing the structural and systemic conditions (the dual impact of settler colonial racism and sexism) Indigenous women experience to the foreground (132). For Kuokkanen, this has also involved expanding the figure at the centre of rights protections from singular “woman” to collective forms of recognition that encompass nonhomogenous experiences of violence such as “cross-border violence, ecological violence, [and] spiritual violence” (2014, 132). The incorporation of different

systems of oppression and identity has meant expanding the categories of violence under consideration in this chapter.

Kuokkanen (2014) offers a concrete example of this through the International Indigenous Women's Forum, which states that "collective Indigenous rights are a key to anti-violence strategies and that the ability for Indigenous women to exercise their rights hinges on the legal recognition of Indigenous territories, governance and, ultimately, the right to self-determination" (132). Indigenous women's organizations have troubled the understanding of rights as inherently individualizing and anticollectivist. In expanding the kinds of rights violations considered by policy makers and community and displacing the homogenizing potential of these violations, Indigenous political claims have been read into international frameworks around this third generation of rights.

For this chapter, it is important to consider that NWAC was writing at a time before Canada adopted the UNDRIP. Indigenous self-determination was not yet domestically or internationally discussed as a central right in understanding violence against Indigenous women and girls. NWAC's analysis existed between human rights generations and could draw off first and second generation appeals under civil, political, and equality rights, but the third generation of Indigenous rights was not yet codified and internationally accepted in the UNDRIP until 2007 (internationally) and 2016 (accepted in Canada). It is the "inbetweenness" of NWAC's organizing at the UN—and the subsequent response by Canada—that I analyze to reveal the strategies that delimited and eroded the emancipatory and critical potential of this landmark human rights work.

On the other hand, Glen Coulthard (2014) discusses the tensions between individual and collective rights in appeals to the state. Coulthard is skeptical of the potential co-optation of appeals to the state. In his discussion on essentialism, Coulthard argues that "the colonial state is not only a racial structure, however, it is also fundamentally *patriarchal* in character" (101; emphasis in

original). He views the state as invested in and facilitated by patriarchal power relations. Drawing from Patricia Monture's analysis, he notes that

the legalist approach to seeking gender justice for Native women adopted by organizations like The Native Women's Association of Canada is that such an approach implicitly assumes that the colonial state is ultimately a *gender-neutral* apparatus that only *historically* adopted a patriarchal logic to frame Indian legislation instead of understanding male dominance as a constitutive feature of state power as such. (101; emphasis original)

From this, he understands appeals to the state as being subverted by the logics present in the state. He also builds upon Wendy Brown's argument that gendered emancipation strategies rooted in appeals to the state can affirm women's subordination under state power: "What are the implications of turning to the state as a protector of Indigenous women's rights if the state itself constitutes the material embodiment of masculinist, patriarchal power?" (2014, 101). His main concern is that gender discrimination appeals can "risk reiterating rather than transforming the subjective and material conditions of [Indigenous women's] oppression" (101). He argues that Indigenous feminist and essentialist critiques should not be abandoned because of the masculinist bent to state power. Instead, he argues that "the systems must be used very cautiously and strategically" (102). He strikes a middle path between the rejection of gendered rights and Indigenous sovereignty in favour of an approach that considers "the historical, political, and socioeconomic contexts and actors involved" (103). Given that his analysis is shaped by the constitutional context of the 1970s and 1980s, he assumes settler colonial recognition is one of the primary response from the modern liberal state in managing with Indigenous assertions of rights. From this there is a need to unpack that NWAC is changing organization with different leadership at different times. Rather than accept that NWAC assumes the neutrality of the settler state, it is important to consider the tensions of how the state presents itself as neutral.

Organizations are shaped by these patterns in their appeals. However, neoliberal shifts in domestic politics and the international system resulted in a different array of strategies for containing Indigenous claims. The state response to NWAC's work around gendered status cases to the UN reveals one set of responses for the maintenance and downloading of status-based discrimination. Although Coulthard's argument about the masculinist nature of the state is apt, he expects a specific tactic from the state-oriented around settler colonial recognition. This expectation led him to suggest that then-Prime Minister Stephen Harper "was not interested in the more symbolic politics of recognizing differences and historical injustices. He was explicitly anti-Native" (Coulthard 2017). There is a need to return to Brown's discussion of the masculinist nature of state power to understand these dynamics. NWAC's campaign was limited in the Harper era due to the logics of liberal rights and a focus on protection codes.

Protection Codes

For Brown (1995), legalist appeals to the state can normalize new formations of domination through the law. Since the 1970s, feminist movements have shifted away from critiques of capitalism toward legal protection and welfare state supports (59). As Brown asserts, the state performs a masculinist function due to the practices and ideas it embodies and produces. She explains, "If the institutions, practices, and discourses of the state are as inextricably, however differently, bound up with the prerogatives of manhood in a male dominant society as they are with capital and class in a capitalist society and with white supremacy in a racist society, what are the implications for feminist politics" (169)? In her critique of rights approaches that appeal to the state, Brown argues that mainstream feminist advocacy rests upon a politics of *protection* that can uphold repressive state power (i.e., male authority, the prison system, subordinate status for women) (1995, 170); among the

concerns she raises is the historical “confinement” and exclusion of women from state representation through “protection codes” (169–70).

One way Brown sees these politics being upheld is through hiving off different groups receiving protection according to hierarchical middle-class conceptions of “normal” and “deviant” (168–69). State protection historically rested on debates over personhood, citizenship, and politics that focus on women as subordinate (1995, 164). These class-based and “normative” exclusions are evident in the contemporary Canadian context. How might human rights codes open new spaces to maintain some of these exclusions and power structures? State claims of victim protection under the banner of human rights can reproduce political structures that allow the state to act on behalf of oppressed groups without transforming or reforming domination within these institutions.

Brown’s critiques of MacKinnon’s single oppression legal strategy for women mirrors some challenges with the dual model of racism and sexism that NWAC contested in their pathbreaking work. NWAC appeared to be making a similar set of appeals to the law that MacKinnon made in her approach. The assumed neutrality of human rights, the state, and the public sphere (public space) is implicated within the operation of power and the constitution of subjects. Here my interest is in the subjectivizing nature of human rights rather than the efficacy of NWAC’s use of knowledge or arguments. NWAC and Amnesty’s approach, at times, seems to resemble elements of Mackinnon’s (1989) legal strategy. I am drawing on Brown’s theoretical approach and method to draw out and untangle the assumed neutrality of health/public space, human rights, and the legal system (policing) in struggles for justice. My concern is how such a clear documentation of human rights abuses was dismissed and subverted by the state.

In her critique of Mackinnon (1989), Brown outlines some common challenges in feminist engagements with the law. At play within this, is the gendered nature of the law. Mackinnon attempts to articulate rather than mask the systematic workings of gender subordination (1995, 128) and

challenges the basis of the law as “inherently masculinist” (129). Rather than an expansionary project of equality, MacKinnon attempts to install “within the law the capacity to recognize stratifying social power, which its formal categories ordinarily make invisible and which rights discourse in particular depoliticize” (130). Importantly, MacKinnon attempts to make visible “gender as the effect of eroticized male dominance” to achieve substantive equality through the state (130). In the similar vein, if Amnesty and NWAC’s legislative and legal challenges attempted to make visible the dual operations of racism and sexism in Canada’s institutions and legal structures. Then the law was meant to both protect Indigenous women and eliminate discrimination within its institutions and laws? Where MacKinnon’s single system legal strategy and NWAC’s dual system (racism and sexism) legal strategy appear to align is that the law is viewed as a tool for politicizing inequalities experienced by Indigenous women and girls. So, while NWAC is more nuanced, NWAC’s understanding has a similar problem to MacKinnon’s legal argument. A potential limit of this strategy being that the liberal (settler-colonial) state can reenact hierarchies of protection through this claim to act on behalf of Indigenous women and girls.

However, the understanding of Indigenous subjectivity presented by NWAC is more nuanced than the universalist category of “woman” put forward by MacKinnon, there is a similar problem. MacKinnon puts forward a legal argument for the state to protect women through women’s subordination. For MacKinnon, women’s emancipation is figured as freedom from sexual incursion meaning “violation, appropriation, and subordination.” This is legal strategy figures the emancipation of women as possible by making ““the conditions themselves illegal, by *politicizing* them in the law” (Brown 1995, 130; emphasis original). MacKinnon politicizes the law itself. For MacKinnon, “If sexual subordination defines the category ‘women,’ then sexual subordination—whether through rape or marriage, incest or harassment, abortion restrictions or pornography—must be legally constructed as violation of women’s civil rights in an egalitarian legal order, a violation of women’s right not to

be socially subordinated” (130). Under MacKinnon’s legal approach, “sexual harassment and pornography become issues of gender equality rather than issues of gender ‘difference,’ and rather than gender generic issues of obscenity, assault, or labor relations” (130). According to Brown, MacKinnon’s legal approach depoliticizes the larger systems and issues at play within these categories and constitutes women within the law as subordinate. If subordination and legal protection are embedded within appeals to human rights, then these discourses risk reproducing some of the same tensions within MacKinnon’s legal rationale for protection.

Brown argues that “in MacKinnon’s analysis, gender is the congealed effect of a patriarchal organization of sexuality as male dominance and female submission” (128). NWAC’s efforts to counter the dual burden of racism and sexism experienced by Indigenous women in Canadian society expands the model of analysis used by earlier feminist legal challenges. Indigenous women’s accounts, as I will argue below, take a wider reading of gendered roles based on Indigenous understandings of family, while acknowledging that gender roles are shaped by systems of oppression. Hence, NWAC’s legal challenge breaks with earlier legal challenges in that NWAC did not simply see “‘woman’ [as] analytically conceived as only and always an effect of male dominance constituted by and operationalized as sexual dominance” but as an auntie, mother, sister, and daughter (129). Although NWAC’s legal stance viewed women as facing male dominance in the form of state policies, they contextualized Indigenous self-determination as distinct from stereotypes and forms of recognition emanating from the justice system, police, medical professionals, and Canadian legislation. NWAC’s discourse expands earlier approaches (like MacKinnon) by noting that the universalistic norms of justice and law are incompatible with Indigenous forms of justice and ways of knowing.

Brown argues that there are several concerns within MacKinnon’s (1989) legal approach to countering patriarchal legal orders. Primarily, she asserts that certain experiences are coded into law

that are “drawn from [specific] historical moments, and [specific] culture, racial, and class strata” (131). Second, she posits that an analysis of experiences of violence along only one axis of domination without attention to the underlying power structures and political dynamics that allowed for their visibility can reentrench those same forces within the law (131). Third, she argues that how sexual subordination is defined can encode specific subjectivities and definitions of womanhood into the law. These can reproduce an understanding of “femaleness as sexually violability” (131). She observes “the law produces the subject it claims to protect” (131). Fourth, Brown contends that attempting to achieve substantive equality by making discrimination within the state illegal returns to dual problem of the ruse of power and the ruse of consent.

For my discussion, in human rights attempts to reencode settler state law as the protector of Indigenous women, I attempting to unpack, how these laws target those Indigenous women who are thought of as sexual outlaws operating in spaces of illegality. How might these discourses maintain an exclusionary understanding of normative understandings of citizenship, womanhood, and sexuality? If making violence against Indigenous women and girls visible and illegal through the law requires resolving the tension between the foundations of the state and Indigenous rights, then NWAC’s challenge strikes at the very heart of the Canadian state’s right to govern and administer Indigenous rights. What underlying dynamics and patterns are being reproduced by the state through marginal recognition of gendered protection orders? The basis of Canada’s constitutional universalism is left unchallenged to embed and activate gendered protections within Canadian law.

These dynamics of protection carry with them major power relations that have historically subordinated women along class and racial lines. The state has focused on protecting “deserving” “middle- and upper-class women” due to their role in childcare and “household help” as part of the gendered division of labour (164). A problem persists between liberal discourses dependent on male status or a feminist conceptions of subjects around disavowal of some subjects and some domains of

activity as illicit. Brown explains that power “does not require all biological women to occupy the position assigned their gender, the emancipation of particular women can be ‘purchased’ through subordination (164). Brown questions why legal appeals oriented in sameness or difference are reproduced through liberal discourse (165). For Brown, this liberal politics of being worthy of protection depends on the exclusion of other groups.

Brown (1995) sees appeals by feminist groups to the state as being subverted or applied to only the smallest number of women possible along racial or class lines. Specifically, she identifies two different shortcomings in these appeals. First, appeals to the state affirm protection codes that reproduce understandings of vulnerability and degradation. This strategy “seek[s] protection *from* masculinist institutions *against* men” (170; emphasis original). These legal appeals also have the problem of fragmenting legal protections between those deemed deserving of protection as separate from those deemed undeserving. This protects some women as wives and mothers at the expense of others. Second, processes of state engagement and welfare state policies produce subjects who are “dependent on the state for survival” (172). Welfare rights organizing can “produce regulated, subordinated, and disciplined *state* subjects” rather than militant collective actions or *political* subjects (173). Brown highlights the structural erasure of the operation of capitalism and the subtle forms of bureaucratic governance (171). For Brown, both strategies do not give enough attention to the neoliberal state’s masculinist assumptions. These assumptions have entailed the domination, dependence, discipline, and even protection of some women at politically contingent moments (Brown 1995, 173). Human rights approach can challenge the discrimination and violence of the states. But these same appeals can also uphold the institutions and structures that constitute these systems of oppression.

I view the operation of what Brown has described as a “protection code” within NWAC’s appeals (1996, 170). NWAC affirmed the language of the state around “vulnerability,” “risk,” and

“criminality.” In turn, this assertion of “protection codes” allowed the state to act on behalf of NWAC. These masculinist assumptions reasserted the subordination of Indigenous women to the state. Governmental institutions and agents affirmed a gendered order that erased NWAC’s initial concern with structural causes.

Following Brown (1995), my critique of liberal rights is not to suggest that Indigenous women’s struggles to assert their rights in humanitarian spheres has not yielded gains or successes. Indeed, it would be wholly inappropriate for a middle-class white researcher to suggest such and to disavow the rights of nations and groups to self-determination. It would also be unethical to suggest that political and social gains have not been made through human, constitutional, and Charter rights in the early twentieth century. As Brown explains, “The question of the liberatory or egalitarian force of rights is always historically and culturally circumscribed; rights have no inherent political semiotic, no innate capacity either to advance or impede radical democratic ideals” (97). Rights do not have an inherent value or political thrust to them, but, rather, rest on broader norms, structures, and contestation and refusals within a social body. Struggles for political rights need to be considered within their historical context, social power, and political cultural context (100). Following Brown, I agree that “none of this is to suggest that those without rights in a rights-governed universe should abandon the effort to acquire and use them” in struggles against domination and oppression (1995, 124). This duality of rights—as both invested and constituted by power as well as constituting subjects and their necessity for life in a rights-governed society—is central. It is the accidental and unconscious work that rights-based discourses do to constitute subjects that I consider as an effect of these processes.

Returning to Sherene Razack (1991), and considering Brown here, liberal rights represent both a political site where subjects have been trained to desire rights and a site where Indigenous legal and political claims can be asserted, no matter how imperfect the translation is into liberal form. My point

is not to argue for or against rights or strategy, but to consider the kinds of power relations present within these undertakings. It is this consideration of the spaces opened by liberal human rights for state power to reassert itself that I am interested in below.

Conditions of Possibility

At the outset of the 1990s, human rights was not the sole lens through which Indigenous rights were understood. First, the Ontario Native Women's Association (ONWA) (1989), the Aboriginal Justice Inquiry of Manitoba (AJI) (1991), and the Royal Commission on Aboriginal Peoples (RCAP) (1996) adopted the language of self-government. These reports visualized violence against Indigenous women and girls alongside critiques of state power and assertions of self-government.

Simultaneously, the United Nations created institutions specific to Indigenous rights (Corntassel 2007, 138–39) that created a space for Indigenous rights at the United Nations.

Indigenous Self-Determination

Breaking Free: A Proposal for Change to Aboriginal Family Violence

The settler colonial public's growing awareness of Indigenous sovereignty claims stemmed from provincially and federally funded reports from the 1980s to the 1990s. Indigenous peoples have always asserted their rights to self-determination against Canada. These assertions emerged to the fore in the Red Power movement, which responded to the 1969 White Paper; the reports by the ONWA, the AJI, and the RCAP furthered the assertion of Indigenous political and legal systems of self-determination and justice. Moreover, to varying degrees, these assertions also gave rise to public awareness of Indigenous women's narratives.

In 1989, the ONWA released *Breaking Free: A Proposal for Change to Aboriginal Family Violence*. The report discussed domestic violence as stemming from a lack of "collective self-control

and massive unemployment,” as well as community-run projects that require self-government (31–32). The ONWA’s report stands apart from many government-funded domestic violence reports: it asserts that a fundamental lack of self-determination and federal control over every aspect of Indigenous life contributed to violence against Indigenous women and girls (3). This report situated systemic legal and political inequalities as the causes of violence in communities and the inequalities experienced by Indigenous women and girls.

The federal gaze was focused on male violence in Indigenous families living on reserves. As Bourgeois (2014) states, domestic violence discussions in the federal and provincial governments positioned Indigenous communities as sites of intervention for family violence (98). Historically, governmental family violence discourses—rather than being connected with Indigenous women’s economic or political rights—focused on cultural and familial deficits in terms of development and alignment with assumed Western superiority. In another vein, Cindy Holmes and Sarah Hunt (2017) discuss how heteropatriarchal and gendered family assumptions and a pan-Indigenous approach to family violence downplay culturally specific understandings of Indigenous kinship and extended clan networks in favour of the nuclear family (15). These dynamics undermined self-determination arguments by tacitly accepting liberal norms of family and kinship. During this time, the ONWA attempted to contest the omnipresence of these normative assumptions by bringing structural causes of domestic violence into public visibility.

Aboriginal Justice Inquiry

The inquiry into the murders of Cree student Helen Betty Osborne and Wasagamack political leader John Joseph Harper—known as the Aboriginal Justice Inquiry (AJI) (1988–1991)—emphasized state racism. The AJI called for an independent, Indigenous-led justice system grounded in Indigenous legal traditions (1991a). This inquiry raised awareness about Indigenous calls for

justice, with even the CBC's *The National* with Peter Mansbridge discussing the crucial need for a separate Indigenous justice system (Petricic 1991). The report called for the "development of professional, fully trained, regional Aboriginal police forces, reporting to and serving Aboriginal communities, with a broad mandate for law enforcement and crime prevention" (1991d, 1). It brought into question the very foundations of the Canadian criminal justice system.

Helen Betty Osborne of Norway House Cree Nation was abducted and murdered by four white settler men on November 13, 1971, in The Pas, Manitoba. Osborne was a nineteen-year-old student from Northern Alberta who dreamed of being a teacher. It took sixteen years for Osborne's murderers to be charged while the town kept silent. Osborne's murder troubled commonly held sexualized narratives because she was a nineteen-year-old Indigenous student seeking education to become a schoolteacher (210). Communities and families placed mounting pressure on the Manitoba Government to hold the Public Inquiry into policing (Priest 1989, 197). Amnesty notes that "the inquiry concluded that police had long been aware of white men sexually preying on Indigenous women and girls in The Pas but 'did not feel that the practice necessitated any particular vigilance'" (AJI 1991b, 2). The AJI stated that "Betty Osborne would not have been killed if she had not been Aboriginal" (1991b, "Conclusions"). The inquiry's findings challenged the stereotypes of disappearance, namely, those that sexualized Indigenous women.

The brutality of Osborne's murder made the prevalence of racist violence and indifference to the deaths of Indigenous women and girls publicly visible. The Chief Commissioner of the AJI, Anishinaabe Judge Murray Sinclair, stated that the economic and social discrimination against Indigenous peoples in the areas surrounding Winnipeg were substantial factors in delaying justice for Osborne (AJI 1991b, "Conclusions"). The report found that "violence and abuse in Aboriginal communities ha[d] reached epidemic proportions." The inquiry's main finding was that "racist and sexist stereotypes not only hurt Aboriginal women and their sense of self-esteem, but actually

encourage abuse—both by Aboriginal men and by others” (1991a, “Chapter 13”). It described a system of impunity. Police killings—and even the legibility of systemic racism and discrimination under Canada’s criminal justice system—was scrutinized.

Royal Commission on Aboriginal Peoples

The RCAP (1991–1996) was a governmental response to the militarized seventy-eight-day standoff between the Sûreté du Québec, the Canadian Forces, and the community of Kanesatake over the construction of a golf course on sacred burial ground and grove. Launched under the centre-right Progressive Conservative Government of Brian Mulroney, RCAP was a pivotal moment marking the reassertion of Indigenous territorial and political rights in mainstream Canadian politics. It also highlighted settler anxieties about Indigenous communities defending their territories.

The RCAP’s final report affirmed Indigenous claims to self-government under a “new relationship” within Canada’s constitution (1996b, 32). However, the parameters of self-government were reduced by the Liberal response to the report. Under Prime Minister Jean Chrétien, the federal Liberals offered a response to RCAP through the 1997 speech and action plan: *Gathering Strength*. Kiera Ladner asserts that *Gathering Strength* reframed Indigenous rights to self-determination as “dependent upon the existing order of governments” under Section 35 of the Canadian Charter of Rights and Freedoms (2001, 245). This move affirmed Canada’s ability to adjudicate the fitness of Indigenous self-government (246).

Moreover, in *Gathering Strength*, the federal Liberal Minister of Indian Affairs Jane Stewart (1997–1999) described colonial violence as something from the past: “from the early 1800s until about 30 years ago, a time when colonial governments imposed their ways on Aboriginal people.” She went on to note that “to move forward together in the process of *renewal*, it is essential that we deal with the legacies of the past [...] Our purpose is not to rewrite history but, rather, to learn from

our past and to find ways to deal with the negative impacts that certain historical decisions continue to have in our society today” (Government of Canada 1997). Stewart’s statement narrowed the discussion from ongoing institutional and systemic violence to a past legacy. Even federal readings of RCAP were not framed in terms of human rights.

Amnesty and NWAC’s reports drew upon all these different reports. However, the emphasis placed on human rights and the international sphere would transform how these rights were understood. A new system of liberal international decolonial and antiracist human rights was emerging above the state level.

Indigenous Human Rights at the United Nations

Due to legal and political disqualifications of Indigenous rights in Canada post-RCAP, Indigenous organizations and governments went to the UN. The UN had begun to recognize Indigenous critiques of the denial of rights as part of a focus on building a more inclusive international system. This produced a greater reliance on international appeals of rights violations at the UN. NWAC was drawn into these funding and consulting arrangements brought about by neoliberal downloading of funding from various ministries.

Since its founding in the mid-1970s, NWAC brought gender and racial discrimination cases under the Indian Act to the United Nations. NWAC was established in 1974 as an umbrella organization of local women’s organizations to advocate for Aboriginal women and communities (NWAC 2010c, i). The group organized around crucial Supreme Court cases: *Lavell v. Canada* (1971), *Bédard v. Isaac* (1972), and *Lovelace v. Canada* (1981). By contrast, domestically, NWAC was initially viewed as an outsider to the constitutional discussions over the Charter of Rights and Freedoms (Eberts et al. 2006, 83). However, this perception began to shift into the 1990s. By 1991, NWAC had adopted a discourse of “traditional motherhood” as a means of advocacy (Fiske 1996,

65). NWAC used this model as a shared ground with the Assembly of First Nations (AFN) to influence the postconstitutional policy landscape. This concept of “traditional motherhood” reflected a singular, pan-Indigenous “common viewpoint on traditional gender roles focused on traditional femaleness and motherhood as the centre of the health and wellbeing of the nation” (66). These understandings were carried forward in NWAC’s advocacy into the twenty-first century.

The neoliberal reconfiguration of the state’s funding regimes in the 1990s meant that government departments supported NGO programming through program-based funding arrangements (Pal 1995, 5–7). State institutions solicited NGOs to engage these funding sources, which positioned NGOs as dependent on state funding (22–23). As Rachel Laforest (2011) explains, these changes focused on downloading state functions to nonprofit, civil society groups, and for-profit corporations (2). However, federal reductions in funding emphasized delivering services and administrative tasks through nonprofits and Indigenous organizations (Malloy 2003, 140). In Canada, this “new” policy approach impacted women’s groups that were in close relationships with the federal government. Governmental priorities shaped these groups (148). Humanitarian focus on NWAC was happening at the same moment that a regime of state subcontracting was operating.

Indigenous representative organizations were entangled in this transformation. By the 2000s, organizations, including NWAC and the AFN, undertook project-based consultative work within Ottawa’s policy orientation. This trend occurred to such a degree that, as Ladner remarks, “many commonly ‘share[d]’ staff with federal departments (using secondment agreements) [were] involved in all aspects of the policy process, including policy formulation and implementation” (2008, 237) As she writes, “Even NWAC managed to get into the game with both its Sisters in Spirit initiative (in 2005) which served as a de facto research commission (and in some ways an inquiry) on missing and murdered women, and its work on matrimonial real property rights.” Indigenous representative organizations depended on federal funding for their continued operation and programming (Ladner

2008, 237). However, this space also allowed Indigenous women the ability to support advocacy work, international organizing, and engage in federal policy debates.

Meanwhile, the UN developed a series of forums and permanent bodies that hinged on Indigenous rights. The UN Permanent Forum on the Rights of Indigenous Peoples was established in 2000 as a subcommittee under the United Nations Economic and Social Council (UN ECOSOC). At the creation of the permanent forum, AFN National Chief Matthew Coon Come remarked that the image of “Indigenous people as wards of the state [was] gone. [They had] moved into a new era where [they could] participate as citizens of the world directly in the UN” (Lauria 2000). He went on to state that “the Supreme Court in Canada [was] not the last resort now; the permanent forum gives us an avenue to go beyond domestic law” (Lauria 2000). Indigenous representative organizations regarded supranational humanitarian spaces as avenues of redress for Indigenous claims. Jeff Corntassel (2007) asserts that transnational justice processes construed Indigenous rights as part of transnational human rights without creating state-level appeal or accountability mechanisms. This meant that UN apparatuses did not see accountability measures operating at the state level (138).

Transnational humanitarian forums were becoming sites of appeal for Indigenous political and legal claims (table 5). This political moment produced an increasing blurring between human rights and Indigenous rights. These institutions envisioned Indigenous leaders entering formal structures of power at the national and international levels as opposed to domestic accountability mechanisms (Corntassel 2007, 138–40). A dual track of international human rights was becoming visible: although these human rights bodies affirmed Indigenous sovereignty and self-determination, Indigenous rights were domestically narrowed by these understandings as these rights could only be enforced through discourses of territorial integrity and domestic state law (138).

The 2001 Durban Conference occurred during the International Decade of the World’s Indigenous People (1995–2004) (UN Declaration 2001, 6). This was the first time NWAC presented

their initial findings on violence facing Indigenous women and girls. Their presentation was vital in facilitating the reconceptualization of Indigenous rights through the language of human rights.

TABLE 5. Indigenous Forums at the United Nations by Date

Dates	UN Action
1995–2004	International Decade of the World’s Indigenous People
2005–2014	Second International Decade of the World’s Indigenous People
July 28, 2000 (Founded)	United Nations Permanent Forum on Indigenous Issues
Aug. 31–Sept. 8, 2001	The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance
2002	Special Rapporteur on the Rights of Indigenous Peoples Investigation

Neoconservatism

Neoliberalism is often thought of as an ideological project that flows from the state level downward. I contend that this political project has seen the reinventions of the relationship between the individual to the state and community and broader extensions of governance and regulation across society. Although commonly understood as originating in the US and UK in the 1980s, neoliberalism eroded confidence that “government” and “bureaucracy” were capable of fulfilling the public interest. The neoconservative dimensions of this project represent a political rationality wedded to hyper-religious values, nationalism, security, and public order, to be secured through intensified moral regulation of individual and collective conduct (Bradford 1999; Harvey 2005; McBride 2005; Brown

2015).⁵⁰ Stephen McBride (2005) contends that conservative think tanks like the Fraser Institute and the C.D. Howe Institute, alongside the 1984 election of Brian Mulroney's Progressive Conservative Government (1984–1993), brought increased reductions to the welfare state and a rejuvenated focus on individuals as responsible for their own social failures. I argued in earlier chapters about the need to reconsider the reach of the welfare state and the origin story of neoliberalism in Canadian society.

However, following the collapse of Brian Mulroney's Progressive Conservative coalition (Western populists, Québec Nationalists, and Ontario Finance) following the 1993 federal election of Jean Chrétien, the PC party attempted to reconfigure itself (Brooks 2016, 340). A "unite the right" movement emerged in the wake of the Conservative's 1993 defeat (Flanagan 2011, 105). This movement fostered discussions around a shared set of values to take back federal power from the Jean Chrétien (1993–2003) and Paul Martin's (2003–2006) Liberal governments. By May 1996, there was a discussion of merging the Western populist Reform Party with the federal Progressive Conservative Party at the *Winds of Change Conference* in Calgary organized by Conservative pendants David Frum and Ezra Levant (Flanagan 2011, 103). However, the PC leader Joe Clarke rejected these overtures (Brooks 2016, 341). A new Conservative Party emerged out of this context as a merger between the

⁵⁰ Here, I am following Wendy Brown's more recent trajectory around the analysis of political nihilism that argues neoconservatism and neoliberalism may be distinct in terms of the characteristics of how they claim to govern, but, overall, they represent two sides of the same coin in terms of the nihilistic individual and structural configurations produced through policy that erodes the state capacity, society, and social bonds (Brown 2019, 29). The key distinction from her earlier work being that both are unitary as opposed to distinct systems of rule (11–12). Brown (2015) had previously argued that neoconservatism focused on religion, nationalism, and state-led moral regulation in contrast to neoliberalism that focused on market-led diversity management. However, this distinction has become less helpful with time around the lasting effects on subjects and civic and international cultures wrought by deregulation, privatization, and financialization as well as new regimes of warfare and surveillance (2019, 18–19). In terms of settler colonialism, the political distinction is largely aesthetic rather than political as most governing parties in Canada have accepted the consensus of free markets, free individuals, and free enterprise, which yielded a predominant focus on extractive industry-led growth, policing crime, small government, and the denial of Indigenous claims to land.

Progressive Conservatives and Canadian Alliance creating the Conservative Party of Canada led by Stephen Harper.

In 2006, when Prime Minister Harper (2006–2015) was elected with a Conservative minority government, displaying an antagonistic approach to Indigenous rights became apparent, as I will discuss below (Gardner and Clancy 2016). This new Conservative Party of Canada came together around a shared set of values focused on fiscal conservatism, traditionalism, and security (Flanagan 2011, 105). The goal was to bring in economically conservative, entrepreneurial, and small business newcomers into the ranks of the Conservative Party (Flanagan 2011, 106). As Thomas Flanagan, Harper's chief strategist, has noted, the merger between Alliance Reform and Progressive Conservative Parties aimed to gain a broader range of voters (Brodie et al. 2016). Mainly, it spoke to those voters who wanted a stronger approach to national security, traditional family values, and a reduction of government spending, regardless of ethnicity and class, to ensure that the party could win the 2006 election (Brodie et al. 2016). The 2006 Conservative Party platform made clear that the party advocated for reducing taxes, focusing on job creation through tax relief, protecting communities from crime through harsh sentencing, and enhancing border security. According to Flanagan, the project for this united party was to shift the intellectual centre of Canadian politics from the eastern provinces to the western provinces while also challenging the primacy of government in policy making (Brodie et al. 2016). These mentalities meant a renewed focus on the individual as the moral and political centre of social policy in Canada. This set the stage for the discounting of Indigenous women's political advocacy.

The Emergence of the Humanitarian Victim and the Indigenous Woman

A gradual set of shifts in terms of focus, language, and categories of analysis can be seen across NWAC and Amnesty international reports (Table 6). This gradual transition in language and categories used in these reports reveals different openings that the settler colonial state was eventually

able to exploit. Below my analysis traces out how critiques that once implicated settler colonial institutions and structures came to advance some of their mandates under domestic law. Due to these transitions in focus, language, and concepts, the arch of the reports presented a moment of opening to settler state rehabilitation instead of a moment of accountability. In reading through these reports below, I propose to track how this opening was taken-up by a particular kind of agenda by the settler state: tough-on-crime policies.

TABLE 6. Sisters in Spirit Reports

Date	Report	Organization
2001	<i>Stop the Undeclared War Against Aboriginal People</i>	NWAC
2002	<i>Violations of Indigenous Human Rights</i>	NWAC
2004	<i>Canada-Stolen Sisters: A Human Rights Response to Discrimination and Violence against Indigenous Women in Canada</i>	Amnesty International
2009	<i>Voices of Our Sisters in Spirit: A Report to Families and Communities</i>	NWAC
2010	<i>What Their Stories Tell Us: Research Findings from the Sisters in Spirit Initiative</i>	NWAC

Stop the Undeclared War Against Aboriginal People (2001)

Canada drew Indigenous organizations into official government processes in the lead-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerances (hereafter the World Conference) in Durban, South Africa. The World Conference was an international symposium intended to “review progress made in the fight against racism, consider ways to strengthen existing standards to fight racism, and provide concrete recommendations to increase the effectiveness of the UN machinery to combat racism” (Seligman 2014, 1). It ran from August 31 to September 8, 2001, with government and NGO delegates from most UN member states attending (UN 2001b). In the conference’s daily highlights for September 5, 2001, Secretary-General Robinson noted how important it was for Indigenous participants to have “a positive experience” at Durban (UN

2001a). Although the World Conference focused on Black, Asian, and Afro-Caribbean histories of racism, slavery, and colonial violence, it also brought Indigenous voices into international discussions of colonialism.

In preparation for the World Conference, Canada's Secretary of State for Multiculturalism and the Status of Women, Hedy Fry, oversaw six regional consultations across Canada. These meetings were held in Vancouver, Edmonton, Winnipeg, Toronto, Montreal, Halifax, and Iqaluit. A single national conference was held in Ottawa (Seligman 2014, 10). They brought together "NGOs, ethnocultural organizations, Aboriginal organizations, youth, academia, labour, business, and human rights commissions" with "1,115 people attend[ing] at least one meeting of the domestic consultations, including 487 Aboriginals, 102 youth and 38 Aboriginal youth" (134). These consultations produced an action plan that was replaced with a list of twelve priorities (table 7).

TABLE 7. Canada's 12 Durban Priorities

-
- 1) Acknowledging the Past
 - 2) Recognizing Victims and Groups Vulnerable to Racism
 - 3) Intersectionality and Multiple Discrimination
 - 4) Redress and Remedies
 - 5) Globalization
 - 6) Holistic and Forward-Looking Approach to Racism and Diversity
 - 7) Hate and Bias
 - 8) Role of the Media
 - 9) Role of Civil Society
 - 10) Youth
 - 11) Cooperation at the International Level
 - 12) Education and Other Concrete Preventative Strategies (Seligman 2014, 145).
-

Throughout these meetings, Indigenous and antiracist organizations were invited into a state-dominated dialogue on colonialism and racism, and as such Indigenous and antiracist organizing priorities were mediated by state officials (145). These tensions were visible within the Aboriginal Advisory Committee to the Canadian government for the World Conference. It was a twelve-person delegation that included Michèle Audette of the Québec Native Women's Association serving as chair

(NWAC president 2009–2011) (Seligman 2014, 139). The Canadian government financed sixty-three NGOs “and even selected a few [...] to serve on the official government delegation in Durban” (10). According to Steven J. Seligman, many NGOs and grassroots groups came to view these delegations at Durban “as *de facto* representatives of the government itself” rather than independent parties (136; emphasis original). However, this was a prominent moment of Indigenous women’s leadership and organization at the international level (Falcon 2016, 134).

The World Conference may have had specific objectives relating to the inclusion of Indigenous voices, but this process was fraught. Members of NWAC and the National Action Committee on the Status of Women (NAC) travelled to South Africa to deliver a position paper before the conference (Kennedy 2002; Anderson and Lambert 2006). On September 7, 2001, NWAC was scheduled to present *Stop the Undeclared War Against Aboriginal People* (UN 2001c; NWAC 2002, 7). However, neither NWAC nor NAC delegates were given a forum to speak (UN 2001c). There was a backlog of fifty-three speakers from the day before; the chair announced that, due to time constraints, NAC and NWAC and several other groups were not able to present (UN 2001d). The UN, the Government of Canada, and the conference had desired Indigenous and antiracist participation, but effectively transformed these sessions into state-dominated spaces. Although it is unthinkable now, in the following decades, that NWAC would not be heard before a UN group meeting or conference, the lack of international priority for these issues was evident in how NWAC and NAC’s time was cut. Violence against Indigenous women and girls was not being openly discussed. Despite NGO groups being included within international dialogue around colonialism, they were not prioritized within these state-led practices like Durban. The inclusion of Indigenous voices was desired, but the space to engage in political speech was heavily circumscribed.

The World Conference operated within liberal strategies of governance. Mary Robinson, the United Nations High Commissioner for Human Rights and Secretary-General of the World

Conference, visualized NGOs as agents of human rights and change (UN 2001b, 16). She conceptualized the “catalytic role” NGOs played in raising awareness and promoting human rights as essential to advancing the World Conference’s goals. The UN Economic and Social Council also committed to supporting NGOs in political advocacy (26). Rather than NWAC’s work being separate from international liberal projects, it was desired by them. The UN had positioned itself as a space for Indigenous political rights. However, under this international call, there was no domestic legal supports for Indigenous organizations or other NGOs promoting human rights.

The Durban Declaration, a declaration and programme of action was a blueprint to stop mitigate racism globally. The report was noteworthy as it recognized the rights of Indigenous peoples only insofar as they were subordinate to the “territorial integrity of States,” which required “appropriate constitutional, administrative, legislative and judicial measures, including those derived from applicable international instruments” (UN 2001b, 13). In short, even at this early moment, UN reporting visualized Indigenous rights to self-determination as requiring legal and political adjudication within the domestic legal structures of settler states. At the same time, NGOs were seen as vital advocates for Indigenous rights within the UN system. NWAC’s following report, *Violations of Indigenous Human Rights*, was also caught in this tense duality between translating Indigenous rights into human rights and the privileged legal status of the settler colonial state. The conference and declaration received little support from Canada and the United States.

Not only was NWAC’s report not presented, but it was also never released. The UN Archives, Library and Archives Canada, Crown-Indigenous Relations do not hold a copy of this report. However, its discussion in the press and subsequent studies can offer some insight. Then-NWAC president, Kukdookaa Terri Brown (Tahltan Nation-Crow clan), spoke about the unreleased report at the Missing Women’s Ceremony in downtown Vancouver in April 2002. Brown noted that *Stop the Undeclared War Against Aboriginal People* included firsthand accounts of Indigenous women who

spoke about their experiences as victims. Through the report's title, NWAC drew on an established practice within Black and feminist organizing to draw out the state as being at war with internal groups. These testimonies revealed "that [the] killing and maiming of aboriginal women was not uncommon," and there was a dearth of government concern in addressing these deaths (NWAC 2002, 7). Brown noted in her 2002 remarks at the Strawberry Ceremony in Vancouver that NWAC was "calling on all national, provincial and local aboriginal organizations to take action on this issue" (quoted in Kennedy 2002). Her appeals emphasized a lack of state concern for these deaths, as well as the need to build a coalition to bring systemic racism to account (NWAC 2002, 7). Here, the report drew readers' attention to the lack of governmental coordination and the permissibility of violence facing Indigenous peoples in Canada. Specifically, the report emphasized the lack of concrete policy in protecting Indigenous women.

Stop the Undeclared War Against Aboriginal People matters for several different reasons. It has received scant attention in terms of how the literature reflects upon this campaign. Scholars that study Sister in Spirit campaign—Million (2013), Bourgeois (2014), and Hargreaves (2017)—have focused predominantly on Amnesty's 2004 and NWAC's 2010 reports. Later NWAC discussions of this 2001 report reveal a nascent, systemic critique of institutional patterns of discrimination and indifference in Canada. The events at the World Conference and the response to the report suggest how processes of containment were operating around human rights appeals. The lack of discussion about mass gendered violence in the Durban Declaration and the fact that violence against Indigenous women received such little attention reflects the duality of human rights advocacy at this moment. The World Conference represents a moment in which antiracist and decolonial critiques were prominent within international discourses; however, it was also a moment where international humanitarian forums and state-based policies contained these critiques through the promise of a site of discussion that bore no fruit. Indigenous critiques of human rights like Corntassel (2007) and

Million (2013) assume the success of these humanitarian hearings, but the inability of NWAC to present sheds light on the power relations operating between different moments of state power. Which groups get heard reveals much about what politics is emphasized at a given moment. The inability of NWAC or NAC to present at this point is less about a waitlist and more about the weight these groups were accorded in the gendered political landscape of Canadian and international politics at this moment.

Violations of Indigenous Human Rights

In 2002, NWAC released *Violations of Indigenous Human Rights* as part of a UN rapporteur investigation into Indigenous rights. This report was part of NWAC's efforts to secure federal funds to investigate MMIWG (Harper 2016, 90). NWAC presented the report at the first meeting of the Special Rapporteur on the Rights of Indigenous Peoples in 2002. The study drew attention to the number of Indigenous women and girls facing physical and sexual violence (2002, 4) and its approach was influenced by findings from the AJI and RCAP (17). It was also informed by Indigenous methodologies, representing a pivotal moment in which Indigenous understandings of justice came to the fore. Storytelling also emerged as a technique for sharing the memories of family members related to missing and murdered Indigenous women (3). Each story was meant to impart an understanding of systemic violence while humanizing these women's lives.

The report identified that over the previous fifteen years approximately 500 Indigenous women and girls were "murdered or reported missing" (NWAC 2002, 4). The authors of the report understood this violence in several ways. First, the report stated that this violence was due to historical and ongoing patterns of "internal oppression and colonialism" (4) and situated colonialism as the cause of poverty, violence, and rights violations under the Indian Act, the residential school system, and the child welfare systems (3). Second, the report posited that sexualized stereotypes in the

justice system contributed to a lack of prosecution of violent crimes (6). Third, the report located the causes for this violence in the denial of treaty rights, “seizures of land and resources, and official [state] violence toward those who would protest,” while also noting the refusal of the Canadian government to negotiate self-government agreements post-RCAP (28). Lastly, the report made visible the incommensurability of the Canadian justice system and Indigenous concepts of justice. To this end, NWAC wrote that “sending someone to jail does not break the cycle of violence and does not resolve the conflict between the offender, the victim, their families and their community” (8). This incompatibility was then used to highlight the “over-representation” of Indigenous women and girls in prisons and the offenders’ lack of accountability to the victim, family, and community (12–13). Through these different critiques, NWAC situated systemic inequality and the denial of Indigenous understandings of justice and self-determination as an important means of maintaining systemic patterns of racism (27). A decolonial focus on Indigenous rights, a critique of settler state power, and storytelling practices were present within critiques of state policies in this report.

Specifically, *Violations of Indigenous Human Rights* focused on systemic patterns of discrimination. NWAC positioned Indigenous women and girls through family categories (NWAC 2002, 3) by foregrounding the life stories of nine Indigenous women (5–7). NWAC viewed these women’s lives through the lens of legal discrimination in the justice system, histories of sexual abuse, and family violence (4–7). These narratives conceptualized Indigenous women as victims of historical and contemporary systemic discrimination from the residential school and the child welfare systems. The report also stated that “Aboriginal women have been victims of [serial killings] for many years” (5), while challenging the understandings of justice active in the criminal justice system:

Aboriginal communities are more interested in breaking the cycle of violence and in order to break that cycle, the offender must be accountable to those who are most affected: him/herself, the victim, the family/ies and the community. The mainstream justice system does not allow for any type of accountability to the victim. (8)

Instead of a blanket endorsement of Indigenous women as the victims of crime, NWAC was attempting to highlight the larger incommensurability and tensions within the Canadian justice system that created insecurity for Indigenous women and contributed to ongoing patterns of violence. Included within these concerns was the “over-representation” of Indigenous women in prison due to, as NWAC described, poverty-related and alcohol-related legal punishments (13).

As part of its advocacy strategy, *Violations of Indigenous Human Rights* humanized these women through their family roles. For example, the report positioned Indigenous women as “nurturers, caregivers and givers of life” (2002, 4); similarly, it considered Pamela George as “a 28-year-old mother of two” (6). At the same time, the report furthered another classification of Indigenous womanhood—that some women experienced “disassociation with themselves and their families” (3). The advocacy of NWAC was producing Indigenous women, even at this early moment, through a binary understanding split between familial roles and those “disassociated” from traditional roles.

In taking up the emerging reports of violence in Vancouver’s Downtown Eastside, NWAC called attention to the permissibility of violence against Indigenous women: “The Downtown Eastside of Vancouver, British Columbia has been home to dozens of Aboriginal women whose spirits were lost somewhere along the way and whose lives were consumed by drugs and prostitution” (2002, 6). Here, the report both calls attention to the social devaluation of these women’s lives while also leading into the social impact of Canadian institutions in causing Indigenous women to enter the sex trade. For example, NWAC notes that the “province’s solicitor general has rejected calls for an inquiry into police handling of the case while Pickton is before the courts” (25). At the same time, the report connects addiction, poverty, and street-level sex work back to “intergenerational abuse and violence” resulting from residential schools that produced “other types of abuse; whether it was alcohol, drugs, violence against others or violence against themselves” (25). The approach NWAC

used draws out the systemic and historical underpinnings of both social devaluation and intergenerational patterns of trauma. In concentrating on the narrative that addiction and the sex trade contributed to violence against Indigenous women, the report both draws attention to these patterns of rights violations while also setting up a figure to rest an appeal upon. This positioning creates a tension: NWAC notes that, in the context of Vancouver, “The women, most of whom were prostitutes and addicted to drugs, began disappearing in 1983, although the majority of them - 39 - went missing in the last six years” (6). But later in the report, NWAC assert that drugs and alcohol should not be taken as the leading cause of death for Indigenous women (2002, 9). A potential risk at play in this line of thinking is a focus on addiction and sex work as the problem to be solved, rather what NWAC does is to focus on the systemic and historical considerations. The report visualized two different figures of rights—one was focused on familial categories and one resting on assumptions about vulnerability.

The report sought to make Indigenous rights commensurable with human rights. The report stipulated that “violations of [...] Aboriginal human rights [had been] a continuous issue since colonization” (2002, 3). This move positioned pre-Contact Indigenous rights as commensurable with state-centred human rights. This framing was distinct from what had been presented in the ONWA, AJI, and RCAP reports; the language created a new framework of appeal to internationally assert Indigenous women’s claims. Indigenous human rights allowed for systemic critiques and Indigenous political critiques to be made through the language of human rights. This emphasis on state-centred human rights carried with it some restrictions around the kinds of territory, governance, and law appeals that could be made.

Violations of Indigenous Human Rights contained three calls for action. First, it called upon the federal government “to provide more funding for women’s services and programs” (NWAC 2002, 7). Second, NWAC requested funding from the federal government, organizations, and individuals

working “against sexual abuse and violence on women” (7). Third, it appealed to the federal government to implement the Royal Commission on Aboriginal Peoples and ensure Indigenous nations’ self-government (28). This focus on violations of international law existed alongside domestic state authority, which represented an uneasy tension: although the report affirmed Indigenous rights under RCAP, it also relied on a view of Indigenous womanhood as deserving of recognition due to historic and ongoing victimization. As I discuss in the next section, Amnesty International’s 2004 *Canada-Stolen Sisters* report continued this dynamic.

Canada-Stolen Sisters: A Human Rights Response to Discrimination and Violence Against Indigenous Women, 2004

Amnesty published a report titled, *Canada-Stolen Sisters: A Human Rights Response to Discrimination and Violence Against Indigenous Women in Canada* (hereafter *Stolen Sisters*), in 2004. Working in collaboration with NWAC, the report came out during NWAC’s campaign to garner media attention and secure national funding for research into the root causes of violence against Indigenous women and girls. By March 2004, NWAC had launched its year-long Sisters in Spirit advocacy campaign, which included teach-ins, rallies, and family gatherings, to raise awareness about violence. As a member of the Missing Women Coalition, Amnesty was at the forefront of international advocacy.

Amnesty’s report raised the profile of violence against Indigenous women and girls. *Stolen Sisters* documented violations of Canadian and international law using a human rights framework in the Canadian context. Amnesty developed the report via interviews and primary research from 2003–2004 and used storytelling approach to reflect on nine Indigenous women’s life stories (Amnesty 2004, 21). Given that the report relied on prior investigations and findings, there was an emphasis on Western techniques of knowledge production in tandem with Indigenous storytelling (17–19). The

report focused on specific international covenants and conventions that Canadian institutions and lawmakers were violating.

Stolen Sisters discussed factors that “ha[d] contributed to a heightened—and unacceptable—risk of violence against Indigenous women in Canadian cities” in the Western provinces over three decades (2004, 2). The report’s main finding was that due to patterns of “discrimination,” “Canadian authorities ha[d] failed in their responsibility to protect the rights of Indigenous women in Canada.” It determined that discrimination was a fundamental factor contributing to “overt cultural prejudice and [...] implicit or systemic biases in the policies and actions of government officials and agencies, or of society as a whole” (3), and established human rights covenants as a response to the discrimination embedded within Canada’s justice system. Amnesty’s report pointed to systemic omissions and actions by government officials and agencies as being responsible for violence against Indigenous women. But what was emerging within Amnesty’s calls was a focus on state protections of individual and collective rights. Institutions and various levels of government were both implicated as responsible for violence and tasked with redressing their failures and omissions. This subtly shifted the critique NWAC had made in 2002 that focused on the discontinuity between the Canadian justice system and different Indigenous conceptions of justice.

Amnesty recognized that systemic violence emerged from a violation of the human rights of Indigenous women and girls. The report identified that the failure to protect Indigenous women from violence stemmed from cultural and systemic discrimination against Indigenous women and girls that placed them “in harm’s way” (2004, 3).⁵¹ The report used international law to mark out multiple sites

⁵¹ Amnesty has shifted the basis of its argumentation to a more nuanced discussion of the relationship between territory and community in its more recent reports. Amnesty’s 2016 report documents the physical, sexual, and environmental violence from man camps that impact Indigenous women and communities in northern British Columbia. A cursory comparison of the 2004 and 2016 reports reflects a shift in understandings toward community and of territorial and cultural violence produced

of systemic discrimination committed by the Canadian state. However, the report assumed that state compliance with these international treaties and covenants would affirm Indigenous rights (4). The report advocated for institutional reform and legal compliance to transform the legal discrimination and victimization caused by institutions.

The nine stories linked discrimination and violence to the residential school system and the Sixties Scoop (Amnesty 2004, 21–22), and the life stories approach illustrated the structural underpinnings of state discrimination (21–36). The report pointed out that “fundamental measures that could help reduce the risk of violence to Indigenous women remain unimplemented” (3). The report also identified risk factors to help shape policy that would protect Indigenous women and girls. For instance, Amnesty viewed these women as “at-risk” due to “isolation and social marginalization that increase[d] the risk of violence faced by women in the sex trade [and] is often particularly acute for Indigenous women” (16). These “risks” were connected to human rights violations, patterns of discrimination, and vulnerability (6). Risk was not viewed as individual or inevitable; it was described as structural and collective. While NWAC reports had focused on vulnerability produced by institutional and systemic violence, Amnesty’s report introduced the language of risk factors to target action.

As a result, *Stolen Sisters* featured a dual reading of Indigenous women and girls. In one sense, it emphasized the language of “sister, mother or daughter” (Amnesty 2004, 35). In another, it featured a policy-based approach pointing to categories of risk around sex work and police injustice (13). For example, the report saw Indigenous women in the sex trade as “vulnerable” through “addictions to alcohol or drugs” (21). However, both approaches viewed legal discriminatory and

by dispossession from territory. This initial 2004 report was focused on documenting violence from a singular, human rights approach and not from a grounded pedagogy centred on relations with territory.

victimization as the result of Canadian laws, policies, and practices (21). The report featured two ways of speaking about Indigenous womanhood through its analysis of systemic discrimination but used the term victim to refer to Indigenous women. In part, this was drawn from prior studies in the Canadian context like the Manitoba Justice Inquiry and the Royal Commission on Aboriginal Peoples. Specifically, however, Amnesty focused more explicitly on the understanding of Indigenous women as victims of rights violations and described their focus on violence as stemming from the fact that “the link between racial discrimination and violence against Indigenous women has not yet been adequately acknowledged or addressed, and because the victims of this violence are all too often forgotten” (3). This reading of “violence against women, and certainly violence against Indigenous women as a human rights issue” shifted emphasis to “an adequate level of protection by state authorities” (2004, 3). Although criminal justice discussions had been central to and questioned by other reports, this view of victimhood and protection under a human rights framework also placed focus on physical security under Canadian law.

Stolen Sisters called upon Canada to reform its institutions using a human rights framework. Its six streams of recommendations reflect this approach (table 8). The first stream called upon “all levels of government, including Indigenous governance structures [to] publicly condemn the high rates of violence against Indigenous women [...] and make public their plans to address the crisis” (Amnesty 2004, 35). Under the second stream, the report entreated the federal government to offer “adequate funding for comprehensive national research on violence against Indigenous women, including the creation of a national registry to collect and analyze statistical information from all jurisdictions” (2004, 35). Amnesty requested the government appeal to the United Nations’ special rapporteurs to study violence in Canada; they also called on police to keep consistent records. Amnesty called upon the Government of Canada to enact basic reforms and actions to acknowledge and respond to the scale of violence facing Indigenous women and girls.

TABLE 8. Amnesty International Recommendations

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1. Acknowledge the seriousness of the problem
 2. Support research into the extent and causes of violence against Indigenous women
 3. Take immediate action to protect women at greatest risk
 4. Provide training and resources for police to make prevention of violence against Indigenous women a genuine priority
 5. Address the social and economic factors that lead to Indigenous women's extreme vulnerability to violence
 6. End the marginalization of Indigenous women in Canadian society
-

Amnesty's recommendations highlighted the lack of police investigations for Indigenous deaths but were resolute on policing reform. Stream four focused on education and training about historical trauma and residential schools for police officers, service providers, and the public. A measure recommended by the AJI concentrated specifically on cultural sensitivity training in which police would learn about Indigenous peoples' histories (Amnesty 2004, 36). These recommendations preserved the authority of Canadian law through human rights while displacing concerns raised by prior reports about policing and the justice system. For instance, the Manitoba Justice Inquiry, cited by Amnesty, had specifically recommended creating a separate Indigenous justice system (23). The report echoed prior calls by NWAC, for federal government, provincial, and local governments to engage in dialogue and action around violence. The report shifted away from overt critiques of the compatibility of the Canadian justice system and Indigenous understandings of justice; although Amnesty had called on governments to implement all outstanding RCAP recommendations in the report, self-government was not formally part of Amnesty's recommendations (2004, 36).

On a different plane of analysis, the public scrutiny brought by this report helped persuade Paul Martin's Liberal government (2003–2006) to fund NWAC's research. The federal government provided \$5,000,000 through Status of Women Canada to create a strategic plan for the Sisters in

Spirit Initiative. A formal proposal to the Privy Council Office followed in August 2004. This new funding allowed NWAC to undertake deeper research into the causes of MMIWG (Bourgeois 2014, 190).

Million (2013) argues that Amnesty's *Stolen Sisters* report dovetails with the neoliberal co-optation of feminist groups following the 1970s. The intensification of feminist advocacy in "US and Canadian societies [brought] more hypervigilance around sexual crime but not less misogyn[y]. They also became more invasive and controlling" (39). Within neoliberalism, women's networks encouraged women fleeing violence without supports (dependent on state funding) to find assistance through workfare programs (39). In reaching out to the state, "feminist networks sought more legitimacy and funding for operations, [and] they often advised women to take state funding" (40). This move increased the adoption of policies aligned with the neoliberal political order (policing, therapeutic interventions, and workfare) (40). Million suggests that Amnesty's report alongside humanitarian discourses reproduced dominant understandings that prefigured and elided Indigenous political concerns in favour of policing-based responses concentrated around the justice system. I agree with Million that Amnesty's report must be read as part of a trajectory of work by Indigenous women to bring violence into greater visibility (35). I also agree with Million's point that Amnesty's report reshaped the terrain of discussion emerging out of RCAP, Manitoba Justice, and prior reports to focus more directly on the dual registers of gender and race. This approach also entailed a sustained engagement with state laws concerning human rights that meant limiting critiques of the justice system and self-government arrangements. The problem Million sees around the history of feminist organizing that Amnesty's human rights campaign builds upon is that it allows for the protection of women to focus predominantly on criminalization, which means that "policing interventions were increased in segments of the population deemed "unproductive" (40). In drawing out this focus around criminalization, there is a need to also considered how the language of victimhood was used to

constrain and delimit questions of Indigenous territory and self-government. The rights discourse Amnesty took up had not only expanded the discussions in the 1990s reports, but it had also transformed them through an emphasis on protection and risk factors. I concur with Million (2013) and Bourgeois' (2014) analysis that this moment represents a shift in how violence and rights were being understood.

Internationally, a different picture of Canada's response to gendered violence under the Martin Liberal government becomes visible in the Canada's submission to the UN's In-Depth Study on All Forms of Violence Against Women on March 31, 2005. This document reveals the height of denialism NWAC was facing in Canada. The letter suggested a split between federal powers to enact criminal law and provincial responsibility to carry out the enforcement of those laws. This had the effect of placing most of the responsibility for the failure to protect Indigenous women on the provinces, with no mention of Canada's federal police force, the RCMP (2005, 4). Also, within this letter, Canada focused on individualized victim compensation and supports through the criminal justice system (2005, 15–16). Rather than featuring proactive responses to protect Indigenous women, the letter to the UN highlighted the expansion of victim services.

Voices of Our Sisters in Spirit: A Report to Families and Communities

Voices of Our Sisters in Spirit: A Report to Families and Communities was released on March 31, 2009. It was financed by funding from Status of Women Canada. Its mandate was “to better understand racialized, sexualized violence” against Aboriginal women and girls. The report contained NWAC's examination of the root causes of this violence and identified “measures to increase the safety of Aboriginal women and girls” (NWAC 2009, 3). It also provided evidence and information for families of missing women and girls. The research process involving families and communities was extensive (Jacobs 2016). NWAC presented an initial report to Indigenous families and communities in 2008, with an updated version containing additional stories released in 2009 (NWAC

2009, 2). The 2009 report was divided between capturing updated life stories of women and a more quantitative approach to risk factors and causes of violence. It drew upon life stories and featured a life cycle approach that reflected on the different life stages and corresponding responsibilities from youth to elders (2009, 3). This 109-page study was developed from consultations with family members as the “owners of knowledge” under a newly developed participatory action framework. This report introduced the concept of “racialized, sexualized violence against Aboriginal women in Canada” (2009, 99), and pointed to systemic inequalities as the cause of violence. In the report, the life stories that families told attempted to humanize their loved ones. These stories offered personalized details of these women’s lives, focusing on each woman’s unique qualities as part of an overall shift to spotlight Indigenous voices. The life cycle approach (infant, toddler, child, youth, young adult, parent, grandparent, and elder) tracked experiences at different points of women’s lives while situating how colonialism has disrupted these roles (4). These stories highlighted the women as loved sisters, daughters, mothers, aunties, and grandmothers (5). However, the life stories were contained in the first half of the report. The latter half was focused on research data and analysis.

Voices of Our Sisters in Spirit offered a critique of state practices by classifying Indigenous women and girls as a “vulnerable population.” It saw “vulnerability” stemming from systemic oppression:

[A]cceptance of interpersonal violence, including the violence against women that is portrayed in video games, music videos, television shows, movies and other media. Society as a whole must also recognize the social and economic inequalities that exist between [...] Aboriginal women and Aboriginal men, lead to a gap in the options available to women and girls who experience violence.

The report pointed to structural inequalities and systemic racism as the central cause of murders and disappearances. It also situated Indigenous women and communities as victims of these power dynamics (NWAC 2009, 99). In this way, the report reflects a translation of the international human rights violation framework down to the domestic level.

The study confirmed that 520 Aboriginal women and girls were confirmed to have gone missing or been murdered in Canada. NWAC found that “126 (24 %) ha[d] been identified as missing and 347 (67%) ha[d] been identified as having died as a result of homicide or negligence” (2009, 88). It found that in “80 [percent] of cases NWAC ha[d] been able to identify the age of the woman or girl involved” (89). Over half (fifty-two percent) of cases from NWAC database were under thirty years of age. Approximately thirty percent of the women included in the database were mothers (90). Significantly, NWAC noted that forty-three percent of cases occurred since the year 2000 (91). At 137 cases, or twenty-six percent, British Columbia was the province with the highest number of incidents (92). NWAC established demographic data and risk factors to target policy that could protect Indigenous women and girls.

NWAC’s recommendations established “Aboriginal culture [,] and ethical values” as central means of responding to violence. First, they called for “the reduction of violence against Aboriginal women and girls, which result[ed] in their disappearance or death” (2009, 98). In the short term, NWAC urged all levels of government to “publicly condemn the high rates of violence against Aboriginal women, [and] acknowledge their role in addressing this reality [...] including making public their plans to address this Crisis” (2009, 98). This recommendation emphasized government actions and funding to intervene into violence. Under the second recommendation, NWAC petitioned for the “reduction of poverty experienced by Aboriginal women and girls [that would] increase their safety and security” (2009, 98). In this regard, the report argued that “the increased risk of violence [was] often linked to low income and measures of socioeconomic stress” (100). State-dependent poverty reduction programs became a principal focus under “recommendations aimed at reducing the poverty experienced by Aboriginal women and girls” (100). This pillar included short-term measures like expanding “training, education and skills development programs and funding.” It also called for increasing “support for NWAC to research and evaluate poverty line and market basket measures”

(2009, 100). The report emphasized NWAC's role in evaluating the success of economic solutions to poverty.

In their third recommendation, NWAC asserted the need for “the reduction of homelessness and increased ability of Aboriginal women to access safe, secure and affordable housing which meets minimum standards of cleanliness and repair” (98). They also described the necessity of expanding adequate housing and shelter support services (100), which took the form of barrier-free access and geographic distribution of shelters and services. NWAC requested that “governments work with NWAC to establish appropriate funding levels for programs and services that meet the needs of Aboriginal girls and youth who are homeless” (101). NWAC also required increased funding for youth programs and services (101). Here, NWAC advocated for both long-term and immediate supports to help Indigenous women and girls facing systemic violence. Finally, the fourth recommendation called for “improved access to justice for Aboriginal women and girls and their families” (NWAC 2009, 89). This recommendation stressed ensuring “supports, resources and services are available to families who have lost a family member” (101). NWAC requested the development of new training materials for police to address “cultural differences” (102). They underscored victim services and policing reform via cultural competency training as essential.

NWAC concluded by echoing Amnesty's five-year-old call to “work cooperatively with” NWAC to review victims services, child welfare funding models, and develop gender-based funding formulas (2009, 102–03). In doing so, NWAC pointed to the specific areas that required governmental attention to start untangling the systemic drivers. Within this, NWAC called upon governments to “identify gaps and barriers to the protection of and full enjoyment of human rights by Aboriginal women” (102–03). In this way, the report reasserted prior calls by previous reports but problematized specific settler colonial institutions instead of Indigenous women and girls.

Importantly, this report represents a bridge between the international focus on international law and

the domestic. It also represents a middle path between Indigenous epistemologies around storytelling and a greater reliance on risk factors and data to compel the settler state to act. As Bourgeois (2014) remarks, and I echo, this report represents the introduction of racialized and sexualized violence, an important focus on the dual patterns of discrimination NWAC was attempting to demarcate.

What Their Stories Tell Us: Research Findings from the Sisters in Spirit Initiative

In 2010, NWAC released *What Their Stories Tell Us: Research Findings from the Sisters in Spirit Initiative*, the last Sisters in Spirit report. It documented “the root causes, circumstances and trends of missing and murdered Aboriginal women and girls” (NWAC 2010c, i). The report had “the objective [...] to create a ‘census’ of these cases of missing and murdered Aboriginal women and girls” (2010c, 17). As Sisters in Spirit Director Kate Rexe discussed at a press conference in Ottawa on April 21, 2010, this last report was “a quantitative report, largely focus[ed] on the numbers, trends, facts, and figures related to missing and murdered Aboriginal women and girls in Canada” (2010b). It sought to create a set of risk factors the authors could use to make conclusions and inform policy decisions (2010c).

What Their Stories Tell Us shifted away from life stories to a qualitative approach focused on data. The report deemphasized the language of racialized, sexualized violence and focused on evidence-based findings. The life stories of individual women were confined to textboxes around the findings. The authors relied on publicly available news information, Statistics Canada data, and data NWAC collected, as they were not given access to RCMP data (2010c, 17–18), including “media articles, police websites, and reported court decisions” (18). Stories from families interviewed by NWAC supplemented these sources (i). The report developed a list of 250 variables sorted into four thematic categories: “demographic information, life experiences (of missing and murdered Aboriginal

women and girls), incident information and trial information” (18). Importantly, of the 582 cases of MMIWG identified by NWAC (ix), “The majority of cases occurred in urban areas. 70% of women and girls disappeared from an urban area, and 60 [percent] were murdered in an urban area” (ii; emphasis original). The data presented in the report focused on the risks to Indigenous women’s lives. Importantly, this work also brought trans and Two-Spirit Indigenous women into visibility and contested the erasure that existed in various police files (2010, 17). At the same time, the report revisited cases that families had deemed suspicious, negligent, and connected to community. Here, NWAC brought the lack of case tracking by both federal statistical data and national police forces into visibility.

What Their Stories Tell Us found that “Aboriginal women [were] almost three times more likely to be killed by a stranger than non-Aboriginal women” (NWAC 2010c, ii). For known cases, it grouped accused offenders into three categories: twenty-three percent were ex-partners, seventeen percent were acquaintances (friend, neighbour, or someone known to her), and 6.5 percent were strangers to the victim (29). In cases with a known suspect, the report saw Indigenous women and girls as equally vulnerable to intimate partner violence and violence by strangers (29). This finding exposed that violence facing Indigenous women was both committed by strangers and acquaintances due to Indigenous women’s lack of access to institutional supports and lack of response from the justice system. As with prior reports, systemic considerations were interwoven with how Indigenous women were marginalized and victimized by Canadian society: “The stories shared by families, communities, and friends also [revealed] that many missing and murdered women and girls were ‘vulnerable’ only insofar as they were Aboriginal and they were women” (2010c, 39). NWAC centred on “Aboriginal women and girls” as “victimized” simply “because of their race and gender” (3). Systemic considerations of discrimination were at the forefront of the report.

Again, the report argued that “the social and economic marginalization of Aboriginal women in Canada” was the result of “colonial policies that dislocated Aboriginal women, families and communities, and result[ed] in trauma, violence, as well as circumstances of vulnerability” (2010c, 39). Through this analysis, the authors figured colonial social relations as the primary driver of violence. The report argued that Indigenous women and girls are

victims of violence [that] must be understood in the context of a colonial strategy that sought to dehumanize [them]. [...] NWAC has found that colonization remains the constant thread connecting the different forms of violence against Aboriginal women in Canada. (2)

The study asserted the “social and cultural” attacks by residential schools, day schools, and the child welfare systems gave rise to “a climate where Aboriginal women [were] particularly vulnerable to violence, victimizations, and indifference by the state and society” (7). It took a systematic approach to violence. It also shifted away from the language of racialized, sexualized violence for a focus on “vulnerability” (7). This shift in emphasis subtly focused on intervention.

Ultimately, *What Their Stories Tell Us* maintained a complex reading of Indigenous womanhood. In contrast to a focus on victimhood, this report focused on familial categories and vulnerability. The report also stated that “Aboriginal women and girls [were] forced into situations or coping strategies that increase[d] their ‘vulnerability’ to violence” (13). Although the report featured their nuanced life stories (2), these stories were positioned against poverty, addiction, and sex work (13). These two depictions make it possible for the state to collapse Indigenous women’s behaviour in categories of risk. Whereas the reports of the 1990s in the DTES focused on Indigenous women’s conduct, this report cast the gaze toward institutional and systemic factors contributing to violence. However, it also outlined specific activities as contributing to the risks facing Indigenous women and girls. This language implied a dual focus on the systemic and institutional patterns of discrimination

facing Indigenous women. In this way, the report continued the systemic critique, but also expanded on the idea of risk factors that had been previously emerging from Amnesty's report.

In contrast to earlier reports, like *Violations of Indigenous Human Rights* (2002), NWAC attempted to move beyond associations between the sex trade and MMIWG. For instance, the 2010 report deemphasized sex work in the overall number of cases, writing that in "(74 of 149) [cases] the women were not involved in the sex trade; in 51 cases, the women were known to be involved in prostitution at the time of disappearance or death" (2010c, 31). Here, NWAC attempted to decouple the earlier focus on sex work from violence against Indigenous women and girls that stereotypes had obscured over the last decade. These techniques sought to bracket discussions of "risk" and "vulnerability" in the sex trade from those about "missing and murdered Aboriginal women and girls." NWAC's framing of violence remained focused on victimization due to systemic injustice. But this move marked another transition, in that the report positioned Indigenous women as "victims of violence" and not the holders of inherent human rights. A very subtle movement had taken place that gradually reshaped the kind of political critique that could be made.

As the report shifted focus away from the sex trade, the authors began to concentrate on new categories of risk in their future research section. NWAC called for attention to be directed toward emerging risk factors. For example, the report explained how new sites of "risk" were emerging that included "FASD (Fetal Alcohol Spectrum Disorder), hitchhiking, gangs, mobility, and jurisdictional issues" (2010c, ii). These areas of "heightened vulnerability" preserved assumptions that problematized the behaviour of Indigenous women and girls. For instance, NWAC noted that

mobility amongst Aboriginal women, particularly as they move from small communities to large urban centres, makes them "vulnerable" to violence. [...] women and girls raised in rural or isolated communities are often unprepared for the transition to an urban environment. (37)

This emphasis on emerging risk factors and sites of research afforded space for policy makers to target these groups of women. Although NWAC was concentrating attention on these areas of concern due to their correlation with systemic violence, these categories also imbued with power of the settler colonial state. In turn, this allowed for the problematization of the familial categories NWAC had used to advance its claims of protection.

What Their Stories Tell Us called for a two-pronged approach: proactive (preventions) and reactive (response) streams. The former identified that “violence prevention need[ed] to be about more than individual choice” in its recommendations. In the report, NWAC also advocated for the revitalization of ‘[Indigenous] ways of being’ [...] necessary to reclaim the balance inherent in traditional gender roles and [...] take responsibility for the transmission of pride, cultural awareness and traditional knowledge to future generations” (2010c, 32). The report also underscored the need for governments to support “families and communities [that] lack clean water, access to childcare or the economic security to have safe, affordable housing” (2010c, 32). These recommendations established the absence of necessary cultural supports and physical infrastructure.

NWAC’s 2010 report also made visible the stereotypes circulated within “the police, the courts, victim services, the media and other service providers when Aboriginal women and girls [went] missing or [were] found murdered” (2010c, 32). It called for the removal of “obstacles [surrounding victim services] that preclude families from a complete and equal response” (33). NWAC also called for “returning to traditional forms of justice [as] an important step toward decolonization; however, Aboriginal women and their families ha[d] rights and society must be protected from violent offenders” (34). This approach reasserted that society was under threat from individual “violent offenders” (2010c, 34). The report existed between a decolonial critique that made violence visible and asserting the institutions and logics of settler state law as foundational to protecting Indigenous women and girls.

The report also demanded recognition of the ongoing devaluation of Indigenous culture and the “context of colonization and its intergenerational effects” for “incarceration, recidivism, healing, and Aboriginal justice” for Aboriginal men and boys (2010c, 34). To this end, NWAC assessed that “experience of violence in childhood [wa]s a known risk factor or indicator for perpetrators of violence later in life (Cripps et al. 2009, quoted in NWAC 2010c, 34). Finally, NWAC wrote “that a woman losing her children may ‘push her over the edge,’” identifying that child apprehension contributed to “vulnerability” for both mother and child (35). Although NWAC’s 2010 report drew attention to the “needs of Aboriginal women, particularly young women and mothers” (31), it also engaged in discussions of risk and risk factors facing Indigenous women and girls. This discourse represented an opportunity for state power to intervene within the categories NWAC had discussed. This approach suggested the possibility that racism within the Canadian justice system was not inherent but could be contested. It also suggests that settler state law could also support the gender equity of Indigenous women.

What Their Stories Tell Us offered recommendations that affirmed the reform of settler state institutions rather than their transformation. The report reminded Canada of its fiduciary commitment as “all levels of government in Canada have a responsibility to keep these women and children safe” (2010c, 36). It outlined that the “deaths and murders in [...] systems [such as child welfare and prisons] must be examined individually, even though root causes and the issues may intersect” (36). For instance, NWAC wrote that

[i]n order to address the overrepresentation of Aboriginal children in care, it is necessary to address the socioeconomic status of Aboriginal peoples. It is critical that Canada acknowledges that the current system works in ways that perpetuate racism towards and inequality for Aboriginal families and communities. (9)

With this, NWAC connected child welfare with socioeconomic discrimination against Indigenous peoples in Canada. The report called for a systemic and antiracist evaluation of institutional impacts

of Indigenous women and girls as well as calling for the overarching impact of different systems to be evaluated. Although this differed from earlier NWAC reports, it clearly marked institutions as responsible for injustice independent from the actions of Indigenous women and girls.

However, rather than overtly contesting the state, NWAC relied on Canadian law to support Indigenous rights. In their attempt to assert the necessity of due diligence in Canadian law, NWAC argued that “when in police custody, prison, residential school or foster care, the responsibility of care for Aboriginal women and girls, as well as men and boys, falls to the state” (2010c, 35). According to the study, these spaces were mutable and did not preclude Indigenous existence. This approach relied on asserting the fiduciary responsibility of the state for Indigenous safety in institutional spaces that hinged on Indigenous insecurity. NWAC called for an investigation into state-funded support services for Indigenous women (32). It also recommended that “the police, the courts, victim services, the media, and other service providers” remove barriers that prevent equal responses to violence (33). Finally, there was a focus on caring for the children “left behind after their mothers disappear[ed] or [were] lost to murder” (34). These recommendations established Indigenous rights as predicated on reforming Canadian institutions to immediately respond to violence.

Critiques of Liberal Human Rights

Post-structural scholars have pointed to how NWAC’s reports maintained long-standing premises within settler colonialism (Million 2013; Dean 2015; Hargreaves 2017; Kaye 2017). International and state-based conceptions of sovereignty have been said to narrow the field of intelligibility around violence facing Indigenous women and girls. Million (2013) argues that Indigenous peoples’ decolonial work in international human rights is circumscribed by discourses of victimhood and trauma (2–3). As she suggests, “The international law that enables Indigenous trauma to appeal for justice is the same sphere in which [Indigenous peoples] articulate political rights as

polities with rights to self-determination” (3). These dynamics undercut Indigenous claims to self-determination by figuring Indigenous rights through clinical and therapeutic interventions under settler colonial states (4). As Million puts it, settler states “are nation-states who most often represent Indigenous peoples now as medicalized victims, as healing, rather than as societies who vie for political presence” (53). This focus on victimhood erases political assertions and produces Indigenous governments and subjects as objects of recuperation by the settler state.

In another vein, Bourgeois (2014) understands NWAC’s project as a threat to the Canadian state’s continued “existence and authority” (153). In her detailed analysis of interviews given by NWAC members involved with Sisters in Spirit, Bourgeois makes the point that both external and internal pressure caused NWAC to practice self-censorship in their latter reports (182). For instance, she maintains that NWAC adopted the critical theoretical framework of racialized and sexualized violence to implicate systemic and institutional discrimination (238). However, she contends that NWAC abandoned this framework in the 2010 *Sisters in Spirit* report (239), which meant that NWAC’s report “failed to address colonialism in any meaningful way” (201) and, in doing so, decentred traditional sovereignty (201). NWAC made the final report more accessible to the broader Canadian public as well as state power. Although Bourgeois describes the implications of the 2010 federal budget, she leaves room to draw out how specific federal policing discourses drew upon a narrow view of human rights focused on the punishment of violent crime. This process of how federal policy makers and experts displaced concerns over the lack of enforcement of the human rights of Indigenous women to centre a tough-on-crime approach merits further discussion. The emphasis on legal protection and risk in Amnesty’s reporting is important to understanding how state power was able to displace and subvert the efforts of Indigenous women’s organizing.

Lastly, Hargreaves (2017) contends that the storytelling approaches NWAC used affirmed the power of settler colonial governance rather than disrupting it. She argues that a storytelling strategy

without theoretical and systemic critiques collapses back into state discourses (99). For Hargreaves, this unfolded due to a lack of critical unpacking of the meaning of Indigenous women's life stories, as well as the gradual deemphasis of storytelling approaches in favour of data-driven appeals. At the same time, Amnesty and NWAC gradually scaled back their understanding of Indigenous justice as presented in *Stolen Sisters* (2004) to focus on policing in *What Their Stories Tell Us* (2010) (82). Hargreaves argues that across NWAC's critique of settler colonial violence, some logics endured and new ones emerged. The practices they were wedded to were realigned rather than left behind (99).

NWAC's reports critiqued settler state authority over Indigenous women and girls. Million (2013), Bourgeois (2014), and Hargreaves (2017) have focused predominantly on Amnesty's 2004 and NWAC's 2010 reports. This focus on these two reports obscures how human rights discourses shifted during this period. The role of Canadian law and the limits of state power around Indigenous self-government were openly questioned within this period. In my analysis, I considered the limits of earlier generations of rights as a means of securing the full breath of Indigenous rights advanced across NWAC's reports. I see a trajectory emerging when examining the shifts between reports. The discussion of NWAC's early advocacy around Durban in 2001 reflects a broader focus on systemic critiques, and NWAC's 2002 report continued this trajectory with a focus on historical critiques of Canadian institutions. NWAC's original aims became less overt in the process of securing state legal transformation. The tensions in translating transformative international political and territorial assertions of Indigenous human rights to domestic law and institutional policy posed a problem for securing protections for Indigenous women's rights.

By considering the assumptions around state sovereignty during NWAC's advocacy at Durban, I examined how NWAC's reports became implicated in the UN's nation-state reading of rights: NWAC was positioned within a framework that eroded Indigenous political claims through the precepts of state sovereignty and legal authority. This conference represented a crucial moment in

which significant antiracist and decolonial critiques were present within international discourses. However, it was also a moment where international humanitarian forums drew Indigenous voices into circumscribed processes of truth-telling. This process brought NWAC into greater alignment with statist policies.

Where I agree with Million, Bourgeois, and Hargreaves is that Amnesty's 2004 report offered a greater focus on risk and criminalization, where prior reports had not. In the shift from international human rights reporting to domestic reporting—as seen in NWAC's 2009 report—state protection and categories of risk became an increasing focus. By the final 2010 NWAC report, openings had emerged within how NWAC was describing Canadian law, vulnerability, and risk factors to allow for policy makers to subvert NWAC's aims. To be clear, NWAC and Amnesty still articulated violence as being caused by both Canadian institutions and systemic patterns of discrimination, but these were increasingly read through domestic law.

I diverge from Million, Bourgeois, and Hargreaves through my tracking of how the specifics of Harper-era policy maker discourses reshaped understandings of humanization and systemic vulnerability. The 2001 report reveals an international political forum that was not receptive to NWAC's initial critiques of violence. Rather than what scholars have come to expect from a ready-made set of truth-telling practices or open internal humanitarian forums for speech, there was a profound silence. I traced how the lack of a third generation human rights framework during this decade limited the kinds of claims that could be made. Although I concur with Indigenous scholars who argue that human rights represent an important potential for advancing Indigenous women's rights, the dual rights framework appeal NWAC made at the time was susceptible to state subversion, as I will outline below, because it lacked clear mechanisms for articulating political, economic, and territorial rights within international law. This lack of an expansive reading of Indigenous rights under international law watered down the broader formations of violence that Amnesty and NWAC were

attempting to advance to a singular focus on victimization and vulnerability. In effect, the work that NWAC had done to expand a singular focus on gendered violence (violence against women) to violence against Indigenous women (gendered and racialized sexualized violence) could be collapsed back into a singular statist agenda that focused on protection orders.

Humanitarian Victimhood

In the immediate response to NWAC's reports, the Harper government narrowed how violence against Indigenous women and girls was being understood by the Canadian public. This policy approach involved rehabilitating state institutions through the language of action. Policy makers focused on demarcating specific roles for subjects within moral frameworks. This approach also involved downloading responsibility for community safety to Indigenous communities. What stands out within this discourse is the discursive cutting speeches, reports, and project funding enacted to narrow understandings of vulnerability and victimhood—from systemic critiques of state power under NWAC—to matters of criminal justice. These discourse of policing and narrowing was evident in Budget 2010 and the 2010 Speech from the Throne.

Budget 2010

On March 3rd, 2010, Budget 2010: *Leading the Way on Jobs and Growth* was tabled before the House of Commons by the Minister of Finance, James Flaherty, for the federal Conservative government. The budget recentred attention on violence against Indigenous women and girls as a matter of policing in three crucial ways (2010a, 126). First, the budget shifted money from NWAC's research to criminal justice responses to violence (Palmer 2015, 124; Voices-Voix 2015, 36–37). It promised an investment of \$10,000,000 over two years for “concrete actions [that would] be taken to

ensure that law enforcement and the justice system meet the needs of Aboriginal women and their families” (2010a, 132). Second, the budget outlined that an additional \$14,000,000 would go to a National DNA Data Bank (to be completed five years later in 2015). Finally, \$6,600,000 would support Victims of Crime (Federal Victims Strategy) (126–27). By selectively adopting prior policing recommendations, the Conservative government obscured discussions of further research into the causes of violence. The Feminist Alliance for International Action (FAFIA) stated: “0.003565 [percent] of the 280.5 billion dollars of planned total expenditure for the fiscal year 2010-2011” went to stop violence against Indigenous women and girls (2012, 13). Policing, victims’ services, and forensic investigation were the centre of the Crown’s response.

The 2010 Speech from the Throne positioned budgetary measures within a framework of state-focused criminal justice-based responses. The speech stated that “our Government will now focus on the further protection of children, women and victims of white-collar crime” (2010e, 7). The Governor General Michaëlle Jean went on to suggest that the government “will protect the most vulnerable members of society: our children” (7). Specifically, the speech referred to the violence facing Indigenous women as “a pressing criminal justice priority” (7). With this, the government narrowed the discussion from one of institutional and systemic patterns down to a criminal justice-based response. Moreover, the Throne Speech called forth new “legislation to give police investigative powers for the twenty-first century. Canada’s police officers and chiefs have asked for these vital tools to stay ahead of the tactics adopted by today’s criminals” (2010e, 7). The violent deaths of Indigenous women and girls were used as fodder to rationalize and normalize the expansion of police powers. This strategy assumed that increasing police powers would lead to an increase in the detection of crime and the removal of bias within police investigations.

Many of the measures around justice were read through the language of fairness for victims of crime and the swift punishment of offenders. According to the speech, the federal government would

deliver justice swiftly by “cut[ting] the number of long, drawn-out trials,” “enhanc[ing] the powers of police to investigate crime,” and “offer[ing] tangible support to innocent victims of crime and their families” (2010e, 7). This discourse not only framed violence as a crime, but it also instituted specific personages in the matter of crime. It produced those who were murdered or missing as the victims of crime, rather than of institutional patterns of discrimination. It assumed that those accused of a crime were guilty. Finally, the speech also figured the state as a neutral arbiter in determining the fairness and speed at which punishment and justice would flow to the guilty. The complexity of NWAC’s approach was erased in favour of police investigations, victims’ services to families, and accelerated punishments. As I discuss below, a focus on policing contributed to the overrepresentation of Indigenous women in prisons.

The carceral system intensified discrimination against Indigenous women rather than mitigating it. In his 2015 report, then-Correctional Investigator of Canada Howard Sapers explained that, from 2000 to 2015, the Aboriginal women prison population increased by ninety percent (Government of Canada 2015a, 1). Although they represented only 4.3 percent of the Canadian population, Aboriginal women accounted for 35.5 percent of the women in custody and 24.6 percent of the current total inmate population (2). According to Statistics Canada, from 2011 to 2012, Aboriginal women accounted for forty-three percent of all female admissions to adult custody in Canada, with a high rate of youth incarceration (36). The federal focus on carceral policies intensified the gaze of the state on Indigenous women and girls. This contributed to an increase in prison sentences for Indigenous women rather than their broader protection within Canadian society. The Harper-era program of policing did the opposite of what it claimed to do: protect Indigenous women. In fact, settler colonial power around the prison system was augmented by this emphasis on policing and the incarceration of Indigenous women.

As part of an audit exercise by Public Safety, the Wesley Group, an antipoverty nonprofit group, outlined that Aboriginal women represented 78.2 percent of the female self-harm incidents from 2008 to 2009 (2012, 30). Their report, *The Aboriginal Women's Experience in Federal Corrections*, established that segregation (solitary confinement) was being used as a response to mental illness and FASD in prisons (51). The study found that Indigenous women were being held in solitary confinement at higher rates than other inmates during their prison sentences and this was having corresponding effects on self-harm and mental illness (51). The “protection code” response by the state affirmed the carceral as a means of responding to violence. Rather than increasing the sentencing of perpetrators of violence, the focus on protection intensified the surveillance of Indigenous women and girls leading to increases in incarceration, which contributed to destructive strategies rooted in dealing with those deemed noncompliant within carceral spaces.

Multiple accounts (NWAC 2010c; Bourgeois 2014; Voices-Voix 2015; Harper 2016) have affirmed NWAC's advocacy as breaking a long-imposed silence. NWAC has described its work as “bringing to light issues of violence, leading to the disappearance and death of Aboriginal women and girls” (2010c, ii). Bourgeois (2014) refers to NWAC as “warrior women” who were “advancing strong anti-colonial anti-violence responses that support[ed] the end goal of ending violence against [I]ndigenous women and girls in Canada” (16). The nonprofit coalition Voices-Voix (2015) argues that funding cuts by Prime Minister Stephen Harper's government (2006–2015) silenced NWAC through the defunding of Sisters in Spirit in March 2010 (42). Anita Olsen Harper (2016) argues that “many people believe[d] that revealing these findings was long over-due and that the overall Canadian consciousness [was] still suffering from collective (and selective) amnesia regarding violence towards Indigenous women” (86). Likewise, Riel-Johns (2016) argues that Amnesty's No More Stolen Sisters Campaign brought MMIWG to the foreground as “it was not something that was publicly known at the time” and “Canadian society has overlooked these factors and has ignored their

systematic nature” (35). Policing discourses displaced NWAC’s critiques of systemic racism while also harnessing the language of protection and institutional fiduciary responsibility to rationalize action over investigation.

On April 21, 2010, the Standing Committee on the Status of Women met to discuss the implications of the end of federal funding for the Sisters in Spirit program and how federal action could draw on Indigenous expertise. Participants thought that funding would come from Justice Canada. The Assembly of First Nations, Métis Council of Canada, NWAC, and Pauktutit Inuit Women’s Association were all present. The meeting showed differing views toward policing from Inuit, First Nations, and Métis women’s groups. However, the general agreement was that policing was only one facet of the issues facing Indigenous women and girls in Canada (Government of Canada 2010b, 6). As Chief Elizabeth Cloud (Women’s Council, Assembly of First Nations) pointed out in her testimony, “Violence against indigenous women is not only a criminal concern or a social issue, it is also a fundamental human rights issue. Evidence suggests that Indigenous women are targeted for violence and fail to receive an adequate level of protection by the state because of their gender and Indigenous identity” (1). Chief Cloud went on to remark that “there is still a lack of national data. Police in Canada often do not even record whether or not the victims of crime are Indigenous” (1). Likewise, the representative for the Métis Nation—Saskatchewan, Helene Johnson, noted the nation’s support for “Amnesty’s call for the federal government to create a national plan of action to protect the rights of Métis, First Nations, and Inuit women. It agrees that a plan of action must include the collection and routine publication of gender-disaggregated data on health and social and economic conditions for Métis” (2010b, 3). Two representatives from two different organizations had pointed to the lack of reliable tracking and data around the federal collection of victim and perpetrator information with relation to criminal statistics.

With this, these representative organizations were calling into question the efficacy of protecting women through the current system of policing. Johnson went on to call for a First Ministers' meeting, noting "the complex and extensive nature of violence against Métis women will require a massive undertaking. It will need to involve multiple levels of government and include justice, law enforcement, child welfare, and social service agencies" (Government of Canada 2010b, 3). Finally, when prompted in question, Kate Rexe, the director of NWAC, noted that "the \$10 million will not be able to address the issue on the front lines and the immediate needs of women in communities" (2010b, 8). Several different Indigenous women's organizations raised concerns over the targeting and precision of funding by the federal government around crime.

Pointedly, the Bloc Québécois MP in the session, Nicole Demers, raised a critical question about the \$10,000,000 in funding for which the various organizations were effectively bidding during this meeting:

Currently they say there is \$10 million, but we don't give it to you because we don't know how to take care of you. We know how to stop violence. Once again it's us, the whites who are going to tell you how to stop the violence. I have a lot of trouble accepting that. We lead you to believe that there is money for the Aboriginal Healing Foundation, in the health sector. If there is money, we should give it to you. We lead you to believe that there is \$10 million for the Sisters in Spirit. If that money is there, let's give it to you and stop leading people to believe things, telling stories and saying whatever and give you the money because you are the ones who know how to heal, how to take the measures you have to take to ensure that women no longer experience this violence. I've had enough! Pardon me, but I had to say that.

Don't you see you're in the best position to know how to help women get away from violence? (Government of Canada 2010b, 13)

MP Demers questioned the paternalism at the heart of taking the money from NWAC and redirecting it to policing initiatives. Moreover, Demers remarks revealed the protracted confusion and derision over where the money was going to go, and which groups were going to get it. In pointing to the power relations of federal policy makers claiming to know better than Indigenous women's organizations, the Bloc MP highlighted the power relations at play within

this funding regime. This statement represents both a rupture to the tone of the transcript from the session as well as a moment of unwillingness to accord with the federal discourse that was taking shape. What can be seen here is the tension in this tough-on-crime approach to what had previously been understood as a problem of human rights and systemic racism.

The 2010 budget defined Indigenous women as figures of protection and correction through state power and, in doing so, viewed Indigenous rights as secondary to Canadian law. This logic is evident in government discourses and projects following the budget. For instance, on November 5, 2010, Minister Ambrose offered a poignant response to a question during question period:

We all have a responsibility to protect vulnerable women in our community, which is why last week we made a \$10 million investment commitment to create a new RCMP centre for missing persons and improve our law enforcement databases to investigate murdered and missing [A]original women. We have also created a new community and educational aboriginal safety plans and are creating a national website for public tips to help locate missing women. Most important, we are working with and have the support of the Native Women's Association of Canada. (House of Commons 2010c, 5943)

The state was being rehabilitated through its role protecting those it defined and produced as vulnerable. The federal government discourses cemented policing as a response to violence facing Indigenous women and girls. The government used the language of risk, training, and vulnerability used by NWAC. These policy discourses erased settler colonial historic and on-going violence and placed governmental attention and public focus on categories of risk as sites of police intervention. The policy measures downloaded the work of engaging in community safety from government to Indigenous communities to develop individual plans. The emphasis on national tips transferred responsibility for investigation from Justice Canada and the RCMP back out to the public. Citizens were made responsible for reporting crimes to the police and observing suspicious behaviour.

Evidence to Action

Evidence to Action was a federally funded project that emerged out of this political context surrounding Budget 2010 and worked to transform the representations that NWAC had deployed throughout Sisters in Spirit. On October 29, 2010, Minister of Public Works and Government Services and Status of Women Rona Ambrose held a press conference with members from NWAC, the National Action Committee on the Status of Women, the Salvation Army, the RCMP, and the Vancouver police to explain Budget 2010's \$10,000,000 funding package (Lori Culbert 2010). Effectively, no new money would flow to Sisters in Spirit, with \$4,000,000 going to the National Support Centre for Missing Persons, \$1,000,000 for school- and community-based pilot projects, and \$1,500,000 to aboriginal women community safety (Culbert 2010). The press conference did little to explain the nebulous meaning of action in the funding package. Community-based educational programming and awareness-raising that left institutional patterns of discrimination unaddressed were central to this discursive shift by the Harper government.

Evidence to Action allowed for greater administrative control by the Harper government. Under this new funding regime, NWAC was no longer able to use the Sisters in Spirit branding, logo, or database, or to advocate in the public media about violence (Million 2013; Palmater 2015; Monchalin 2016). As Minister Ambrose explained, *Evidence to Action* focused on helping “communities understand, prevent and respond to violence against Aboriginal women and girls. This will include training for police officers, educators, justice officials, frontline healthcare workers, social service providers and community leaders across Canada” (Government of Canada 2011a). In defining violence prevention as a matter of education, the Minister cast communities as unknowing entities in need of training and guidance.

This project allowed NWAC to share information and raise awareness with the Canadian public from school age children to police forces, but it also allowed the government to shift responsibility to individuals within the public realm rather than a coordinated multijurisdictional

government-based response. Instead, through Evidence to Action, the individual was positioned as responsible for solving state problems. Evidence to Action was funded partially out of the \$1,500,000 from Budget 2010 and other funds, making for a total of \$1,890,844 for Evidence to Action Phase I and Phase II (Government of Canada 2011). Evidence to Action collected new life stories and focused on “sharing, caring, raising awareness and working towards prevention” (NWAC 2014). The Evidence to Action funding excluded NWAC’s use of the name Sisters in Spirit and barred engagement in policy or research” (2013, 53). Indigenous women were increasingly brought into visibility by transnational humanitarian discourses that figured them as a site of intervention for various levels of government. Status of Women Canada would provide NWAC with funding as part of Evidence to Action. This two-year project defunded Sisters in Spirit. This shift in focus to communities redirected the public gaze away from settler institutions and practices toward both community education and securing communities against violence.

Evidence in Action and the cuts to Sisters in Spirit received heated debate in the House of Commons on November 28, 2010. This exchange sheds light on the challenges this policy maker discourse was met with from the outset. Critics like Liberal MP Anita Neville said that “not only does the Conservative government refuse to call a public inquiry into the shocking number of missing and murdered aboriginal women but it has lost the support of the Native Women’s Association of Canada” (2010d, 6389). Neville called upon the Conservative government to call a national inquiry. In response, then-Minister of Public Works and Government Services and Minister for Status of Women Rona Ambrose suggested that “we have an obligation and a responsibility to protect vulnerable women, and that is exactly what we have done with our new program” (6389).

Ambrose went on to reiterate prior government commitments: “We have committed, now, to creating a new RCMP centre for missing persons and improving our law enforcement databases to investigate missing and murdered women, and we created a national website for public tips to help

locate missing women” (6389). Neville went on to respond that “it is beyond offensive to hear the current government congratulate itself when so little money is going to victims and their families. We are talking about 600 missing and murdered First Nations, Inuit and Métis women” (2010d, 6389). It is the level of disbelief and derision to this new language of law enforcement and vulnerability that is most compelling here. This discourse of state protections of victims and the vulnerable was almost farcical given the sheer lack of coordination as well as where funds were coming from and being directed. The Conservative government claimed to speak in the name of action and protecting victims but offered no clear national strategy or whole government response to protecting Indigenous women; ultimately, that was never the point of this focus on victims’ rights and the vulnerable. In speaking on behalf of families and in the language of justice, the discourse secured its function in rehabilitating state institutions through the moral framework of action. Critiques of the focus on policing were discounted as part of a moral framework that stood in the way of action. What emerged out of the humanitarian focus on the protection of victims at the state level under the federal government was the protection of state power and institutions at the expense of victims.

Two techniques are evident in *Evidence to Action*: (a) placing funding controls on Indigenous organizations to shape the kinds of work that could be undertaken and (b) reforming institutions and communities through minimal training and educational initiatives on the historic nature of colonialism. Both practices reflect an individualized focus without challenging the primacy of institutions or relations of territory. Governmental practices spoke through the language of cultural sensitivity and cultural competency to reassert power over Indigenous communities while targeting the grassroots. The language of reforming individual officers, communities, and organizations repositioned the state institutions as acting to challenge systemic injustices while leaving the systemic causes of violence untouched.

Conclusion

From 2001 to 2010, NWAC transformed the national narrative around violence against Indigenous women and girls to focus on loved ones, sisters, and aunties. These appeals through human rights law to the United Nations and the Canadian state reshaped national discourse. NWAC brought international attention to systemic and institutional patterns of ongoing gendered and racialized violence in the form of mass killings of Indigenous women. The Sisters in Spirit Campaign brought together families from across Canada and allowed for the formation of dozens of grassroots groups post-2010 (e.g., Families of Sisters in Spirit). The Indigenous human rights framework NWAC used offered sustained critiques of the tensions within the Canadian justice system and Canadian institutions.

These systemic critiques were undermined by the emergence of a federal discourse by policy makers that focused on policing. This discourse individualized crime as a matter of victimhood. It deemphasized the systemic in favour of carceral responses to crime. It also produced reactive as opposed to proactive measures. The federal discourses around policing narrowed the field of action from an institutional reform to a focus on protection orders through state hierarchy. Absent from federal responses were proactive measures for dealing with intergenerational trauma, economic supports for Indigenous women, and reforms to address both child welfare and prison system discrimination. Amnesty and NWAC also brought attention to the police erasure of Two-Spirit identities (NWAC 2010c, 17).

In this chapter, I have shown that the state response to Sisters in Spirit cut discussions of violence off from systemic critiques of Canadian law and institutions with the language of risk, vulnerability, and victimhood. I expanded upon the analysis by Million (2013) and Bourgeois (2014) to point to the narrowing efforts by federal policy makers post-2010, which limited the focus on self-determination and territory. I argued that limits were observable even at the outset of the 2001 World Conference prior to the main reports NWAC released. However, I proposed that state centred liberal

rights assumptions limited the kinds of claims NWAC could make, starting with the statist focus of the 2001 Durban World Conference. I considered the gradual shifts around territory, self-government, and the positioning of victimhood and vulnerability from Amnesty to NWAC's later reports. The post-2010, Harper-era response to NWAC's campaign narrowed the field of visibility around Indigenous women's rights. This narrowing of the terms of debate continued under Budget 2010's focus on policing.

Many scholars and activists believe the Harper government silenced NWAC (Bourgeois 2014, 335; Palmater 2015, 128; Voices-Voix 2015, 36–37). The Conservative approach was not, however, an outright suppression. It reappropriated many of the assumptions deployed by Amnesty and NWAC that foregrounded the position of the Canadian state. Gradually, within Amnesty and NWAC's reports from 2001 to 2010, the language of risk, criminalization, and protection had emerged. Government discourses seized upon these openings while cutting off the systemic and institutional critiques active within human rights frameworks. The effect of this narrowing by neoliberal carceral policy was to erode the expansive work NWAC had done to articulate an expansion of prior feminist legal arguments to include both gender and race. The neoliberal response by the state through the language of protecting the most vulnerable and at risk narrowed this understanding to solely that of crime.

Protection orders as described by Brown (1995) revealed that different policies implicated different groups of women based on material status, class relationships, and racial hierarchies. The neoliberal policy focus on policing, as a response to violence facing Indigenous women, augmented practices of criminalization and incarceration targeting Indigenous women rather than protecting them. Additionally, many of the measures proposed by government policy makers as part of the post-2010 response not only deemphasized state action, but also directed responsibility for violence back out to communities and individuals as a means of governing society. The response was, in part, a bolstering of policing capacities and powers for investigation, data, and forensics via the RCMP's

national DNA forensics lab. There was also a corresponding redirection of accountability away from institutions to individuals and society with post-campaigns, informational activities, training, and community safety planning sessions. Rather than responsibility being held by the state, under the neoliberal policing agenda it was downloaded to the individual level through these various initiatives.

From 2001 to 2010, Indigenous human rights emerged through Indigenous contestations in the international system and Indigenous women's political struggles. NWAC used these spaces to contest racialized and sexualized violence. In this way, NWAC's organizing allowed for patterns of vulnerability to be made visible as well as for broad-based organizing with families and communities. As evident around the Status of Women Standing Committee meeting, these newly formed discourses were not easily displaced or forgotten within the Canadian context. Humanitarian discourses also presented a discursive space for Indigenous women's political concerns to emerge into visibility. However, these institutional spaces and the legalistic focus on state structures and state sovereignty gradually eroded Indigenous political concerns.

A process of downloading around vulnerability and victimhood became evident over this decade, which limited Indigenous knowledge. Under human rights frameworks, the focus on establishing a clear pattern of harm through "victimization" meant that appeals were oriented around establishing clear cut cases of human rights violations. As these findings were presented at the domestic level, the final reports of Sisters in Spirit were increasingly being read by policy makers through the lens of physical security. By Budget 2010, the focus was solely on responding to systemic and institutional patterns of violence through policing and prisons. State policy makers produced their actions as protecting the victims of crime and the vulnerable. In turn, this allowed for domestic law, state institutions, and the police to be rehabilitated through this discourse. In effect, human rights at the domestic level became read through physical security and police investigations rather than a more expansive reading of human rights predicated on antidiscrimination and barrier reduction for social,

economic, and political rights. In the next and final chapter, I will discuss how, after 2010, provincial and federal investigations intensified calls for the National Inquiry into Missing and Murdered Indigenous Women and Girls rather than diminishing them.

Chapter Five:

The Figure of the “Missing and Murdered Aboriginal Woman”

After NWAC’s Sisters in Spirit Initiative, Indigenous and non-Indigenous organizations brought concerns about Canada’s lack of action around MMIWG to the United Nations. In 2008 and 2010, the UN affirmed these concerns and called for Canada to launch investigations. In bringing forward these concerns, governmental and nongovernmental groups brought policing under greater scrutiny. However, rather than being a moment of accountability for the police forces, the subsequent provincial and federal investigations intensified police powers and limited police responsibility to Indigenous families and the wider public. In this chapter, I delve into the discourses that made this recuperation of police authority possible. I undertake a discourse analysis of five governmental reports that discuss “missing and murdered Aboriginal women and girls.” I argue that these five reports externalized and individualized state responsibility for the deaths of Indigenous women and girls. I examine how each report contributed to narratives of state “innocence” by visualizing the state as searching for the “missing” and avenging the “murdered.”

Several reports shaped a shift in focus across the mid-2000s in Canada. First, two reports by the House of Commons Standing Committee on the Status of Women, *Call into the Night* and *Ending Violence Against Aboriginal Women and Girls*, laid the foundation for affirming individual risk as responsible for disappearance in 2011. Then, the British Columbia Missing Women Commission of Inquiry (hereafter the BC Inquiry) (2011–2012) displaced discussions of systemic bias in policing in *Forsaken: The Report of the Missing Women Commission of Inquiry*. Finally, the House of Commons Special Committee on Violence Against Indigenous Women (2013–2014) in *Invisible Women: A Call to Action A Report on Missing and Murdered Indigenous Women in Canada* and the Royal Canadian Mounted Police (RCMP) *Missing and Murdered Aboriginal Women: A National*

Operational Overview (2014) shifted public and governmental focus from urban centres to Indigenous communities. These reports (table 9) trained attention on individuals and Indigenous communities, which deemphasized state responsibility for systemic violence. Overall, I argue that these moves challenged the need for a national inquiry and contributed to calls for an independent inquiry. I also maintain that these reports shared an understanding that missing and murdered Indigenous women fell under police jurisdiction.

I consider several dynamics that shaped these investigations. I begin by evaluating some theoretical literature on the separate inquiries that emerged post-2010. I then outline how rights-based appeals rooted in discrimination claims lapsed back into provincial and federal investigations. Next, I take up the five separate reports that constituted Indigenous womanhood through discourses of being “missing” and “murdered.” Finally, I conclude by discussing how these reports contributed to calls for an independent National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG).

TABLE 9. Governmental Reports 2011–2014

March 2011	<i>Call into the Night: An Overview of Violence Against Aboriginal Women</i>
December 2011	<i>Ending Violence Against Aboriginal Women and Girls: Empowerment, A New Beginning</i>
November 2012	<i>Forsaken: The Report of the Missing Women Commission of Inquiry</i>
March 2014	<i>Invisible Women: A Call to Action A Report on Missing and Murdered Indigenous Women in Canada</i>
April 2014	<i>Missing and Murdered Aboriginal Women: A National Operational Overview</i>

Theorizing Commissions, Policing, and Settler Colonial Recognition

There has been limited comparative work on the three separate hearings into MMIWG from 2011 to 2014. Wendee Kubik and Carrie Bourassa take up the similar narratives between the Standing Committee on the Status of Women report, the BC Inquiry, and the Special Committee on Violence Against Indigenous Women and Girls (2016, 21–26). They critique the assumptions in the RCMP’s 2015 operational overview report about violent Indigenous men (26) and describe “the failure of police to protect Aboriginal women and girls from violence and to investigate promptly and thoroughly when they are missing or murdered” (27). I take up the continuities and differences between the reports to mark out shared strategies for erasing systemic violence. My concern is that Canadian policing upholds an understanding that Indigenous communities are disordered sites. I argue that the presence and absence of police interventions have marked Indigenous women’s lives.

The existing literature has focused on the BC Inquiry as reasserting settler colonial assumptions (Stanton 2013; Bourgeois 2014; Collard 2014; Bychutsky 2017). These accounts point to the limiting of Indigenous and community voices during official proceedings. The academic literature has neglected how the final report, *Forsaken: The Report of the Missing Women Commission of Inquiry*, gave rise to an expansion of police powers targeting “missing and murdered Aboriginal women.” Indeed, *Forsaken* reveals policing strategies that arrange the lives of Indigenous communities and how the BC Inquiry shaped further denial of systemic racism.

Robyn Bourgeois (2014) focuses on the processes that have disqualified Indigenous knowledge and voices from testimony throughout the BC Inquiry. She argues that a narrative of “vulnerability” interlinked Indigeneity and prostitution, allowing the BC Inquiry to divorce its analysis from systems of oppression. The sex worker stereotype envisioned the survival sex trade as the primary source of violence (331). Emphasis on expert testimony intensified police procedure and sex work as sites of focus. These dynamics obscured the “perspectives of [I]ndigenous women and

other marginalized groups” (313–14). However, Bourgeois does not engage with how these exclusions shaped provincial responses.

Several other approaches point to the erasure of Indigenous systemic critiques and the narrowing of institutional responsibility. Kim Stanton, 2013–2017 Director of the Women’s Legal Education and Action Fund (LEAF), a court challenges coalition, remarks that the BC Inquiry’s adversarial process excluded many participants. She discusses how the disproportionate number of lawyers provided for the Vancouver Police Department (VPD) and RCMP, coupled with the lack of Indigenous or community voices, undermined the BC Inquiry (2013, 74–75). Juliane Collard (2015) contends that the BC Inquiry worked to absolve institutions and individual officers by focusing on solutions (790–91). She argues that its terms of reference, legal counsel, witness practices, and format excluded Indigenous and non-Indigenous critiques of the legal system (779). Critiques of the BC Inquiry have laid out how an emphasis on procedure removed Indigenous knowledge. However, their analysis offers space to consider how the BC Inquiry interacted with federal investigations to rehabilitation settler institutions while contributing to the emergence of the national inquiry.

Lastly, in her sociology master’s thesis, Rebecca Bychutsky (2017) argues that *Forsaken* contributed to colonial maintenance in three ways. First, the report framed these women as “abandoned,” producing them as targets for intervention; by doing this, the BC Inquiry erased prior policies’ responsibility for marginalizing these women (73). Second, by establishing collective responsibility, the BC Inquiry collapsed distinctions between the police and the settler colonial public. Finally, the Inquiry absolved the government and police of responsibility for inaction (78). I agree with Bychutsky’s analysis that the BC Inquiry targeted Indigenous women and girls with new forms of surveillance and discipline. Building off her work, I trace out how the BC Inquiry’s understanding of abandonment expanded police surveillance of Indigenous and non-Indigenous women. I propose to trace out how these techniques circulated federally.

Coulthard (2014) argues that the settler colonial state governs through judicial and symbolic processes that affirm the cultural rights of Indigenous peoples as a means of maintaining political authority (5). He views this colonial politics of recognition as an essential feature in maintaining Indigenous communities' legal and political subordination to the Canadian state. However, in an interview with *Upping the Anti*, Coulthard acknowledges that "Harper was not interested in the more symbolic politics of recognizing differences and historical injustices" (2017, para. 6). Here, Coulthard highlights this political period as a departure from practices of recognition. Although I agree that from 2011 to 2015 the government was more antagonistic to Indigenous rights, provincial and federal governments worked through a series of truth-telling practices dependent on securing specific images and norms to rehabilitate nonprofits and policing. This public rehabilitation of settler colonial policing and minimalist supports maintained the symbolic dynamics of a symbolic politics of reconciliation but did not appear in the final recommendations. Consequently, the National Inquiry into Missing and Murdered Indigenous Women and Girls emerged because the provincial and federal responses reinscribed the status quo. The period from 2011–2015 represents a shift in how official investigations were securing state power in Canada, including the operation of power in limiting Indigenous rights and assertions against the settler state.

There had been few academic investigations into the affinities between the BC Inquiry, the work of the House of Commons Standing Committee on the Status of Women, the House of Commons Special Committee on Violence Against Indigenous Women, or, even, the RCMP Operational Overview. I propose to chart how this archive of reports individualized, normalized, and dismissed the necessity of national action and investigation via the figure of the "Missing and Murdered Aboriginal Woman." I outline how these reports categorized Indigenous women and girls as subjects of state authority.

Conditions of Possibility

In the early 2010s, Indigenous and non-Indigenous organizational advocacy centred around the United Nations Convention on the Elimination of all Forms of Discrimination Against Women. These international calls and commitments emphasized state-level investigations into systemic violence and directed Canada to conduct investigations. However, the findings of these inquiries affirmed a damage-centred reading of Indigenous communities and intensified the surveillance of Indigenous women and girls.

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

The UN General Assembly ratified CEDAW in December 1979, and Canada ratified in 1981, with reports every four years. The thirty articles of the Convention sought to protect women's rights to equality of treatment, legal status as persons, reproductive rights, and to curtail the role of culture and tradition in limiting women's fundamental freedoms (Government of Canada 2017b). Specifically, Article 2(e) affirms that states were expected to "undertake [...] all appropriate measures to eliminate discrimination against women by any person, organization or enterprise" (4). The Convention also said that states must "exercise due diligence to prevent, investigate and [...] punish acts of violence against women, whether those acts are perpetrated by the [s]tate or by private persons" (Amnesty 2004, 4). The CEDAW established an obligation for states to report on violence and practice due diligence to prevent violence. On December 22, 2000, Canada ratified the Optional Protocol to the CEDAW, which allowed nonstate groups to file complaints against states regarding violations of the Convention (Government of Canada 2017b). NWAC and humanitarian groups like Amnesty used this provision to highlight systemic inequalities facing Indigenous and non-Indigenous women and girls. To do so, these groups had to document rights violations.

Numerous groups, including NWAC, brought their complaints against Canada and British Columbia to CEDAW in the early 2000s. By 2007, CEDAW "called on Canada to increase funding

for shelters for Indigenous women” (Feminist Alliance for International Action 2012, 3). In 2008, the UN body requested the Canadian government undertake a more in-depth investigation into violence against Indigenous women and girls, citing the failure of police investigations as contributing to impunity for violence (FAFIA 2012, 3–4). These calls scrutinized policing as a space of reform.

Acknowledging systemic discrimination against Indigenous women, CEDAW called on Canada to enact two initiatives in their 2008 report that described the lack of investigation by various police. They indicated concern “that hundreds of cases involving Aboriginal women [...] ha[d] neither been fully investigated nor attracted priority attention, with the perpetrators remaining unpunished” (BC CEDAW Group 2010, 3). To this end, CEDAW (2008) demanded a review of existing cases. The UN body directed Canada to “urgently carry out thorough investigations of the cases of Aboriginal women who ha[d] gone missing or been murdered in recent decades” (quoted in FAFIA 2012, 8–9).

Finally, CEDAW’s 2008 report entreated Canada to “develop a specific and integrated plan for addressing the particular conditions affecting Aboriginal women, both on and off reserves [...] including poverty, poor health, inadequate housing, low school-completion rates, low employment rates, [and] low income” (Government of Canada 2011a, 9). CEDAW instructed Canada to report back in a year on police conduct, police investigations, and its national action plan on violence against Indigenous women and girls (FAFIA 2012, 9). Canada reported back to CEDAW in 2009 without undertaking any action. During this period, NWAC, Amnesty, and FAFIA approached CEDAW in 2009 and 2010 with reports stating the urgent need for action in Canada. The CEDAW followed up with two separate letters directed at Canada (FAFIA 2012, 9).

In 2010, a coalition of twelve nonprofit organizations from BC submitted a report titled, *Nothing to Report*, which outlined the inaction of the provincial and federal governments and identified successive policies as contributing to poverty and inadequate social assistance. Thirty-five Indigenous and non-Indigenous groups endorsed the report (BC CEDAW Group 2010, 1–2). The

CEDAW agreed that the lack of police investigations made “violence against Aboriginal women and girls” possible (3). The BC CEDAW Group stated that they had nothing to report due to the inaction of the BC and Canadian governments. *Nothing to Report* called on the BC Attorney General to instate a provincial inquiry into the misconduct of police investigations regarding Indigenous and non-Indigenous women’s deaths (9). In doing so, the report called upon BC to investigate police conduct under international law. This process intensified the scrutiny of provincial and federal inaction; consequently, Indigenous and non-Indigenous organizations called on the province and federal government to investigate police inaction as a form of discrimination. For instance, CEDAW and the BC CEDAW Group called on British Columbia to hold a provincial investigation into police misconduct. However, CEDAW placed no restrictions on and gave no guidelines as to how these investigations would unfold.

The Figure of the “Missing and Murdered Aboriginal Woman”

The House of Commons Standing Committee on the Status of Women released two reports concerning MMIWG in 2011. A Liberal MP chaired the first committee under a Conservative minority government. The final report was issued under a Conservative majority government. The discourses in the federal reports mirrored some assumptions and practices of the BC Missing Women Commission of Inquiry. Both the federal and provincial investigations saw restrictions on evidence admitted and supports for families and those directly impacted by violence. By not addressing Indigenous political concerns, these investigations contributed to an increase calls for a national inquiry. Finally, in 2014, the House of Commons Special Committee on Violence Against Indigenous Women published *Invisible Women* reflecting on the different accounts of violence against Indigenous women and girls and the structural nature of their causes. To normalize policing as a response to MMIWG, the RCMP released *Missing and Murdered Aboriginal Women: A National Operational Overview* in 2014. The discourses across these reports departed from evidence heard before the

hearings and NWAC's prior findings in the early 2000s. This lack of openness intensified calls for an independent national inquiry.

Call into the Night: An Overview of Violence Against Aboriginal Women

On March 22, 2011, the House of Commons Standing Committee on the Status of Women released *Call into the Night: An Overview of Violence Against Aboriginal Women* (hereafter *Call into the Night*). Standing Order 108(2) established committee, which called for a multiparty investigation into violence against Indigenous women and girls. Its mandate was to investigate the root causes as well as “the extent and nature of the violence,” and to recommend “solutions in consultation and with the full cooperation of Aboriginal women” (Government of Canada 2011a, 3). Chaired by Liberal MP Hedy Fry (v), the committee ran from April 2010 to February 2011. It heard from 150 witnesses and conducted site visits across Canada (3). The fifty-six-page report examined the causes of violence against Indigenous women and communities while putting these discussions in a historical and sociological context. This report laid a foundation for responsabilizing Indigenous communities by policy makers.

This interim report underscored the indifference of policy makers and institutions in responding to violence. The authors argued that “the indifference of society to the fate of these Aboriginal women render[ed] Aboriginal women more vulnerable to targeted acts of violence against them, by strangers or acquaintances” (2011a, 14). The understanding that “society” was “indifferent” to Indigenous women existed in a tense relationship with how Canadian law and institutions were marked out in the report as active and direct processes. It also delineated the structural conditions of the child welfare system that produced circuits of “vulnerability.” For instance, the report remarked “that young women who had grown out of the child welfare system [were] more likely to engage in high-risk behaviour, exposing them to violence” (12). The committee pointed to the “over-

representation” of First Nations children in the child welfare system: “[by] March 31, 2010, about 8,682, or 5.4 [percent] of children living on reserves were in care outside the parental home. This proportion is almost eight times that of children living off-reserve” (13). The report conceptualized this “over-representation” as a provincial and federal policy issue (13). Here, the report upheld prior findings concerning the systemic nature of discrimination. Although the committee implicated the child welfare system, the report did not challenge the uneven funding models or indeed the fact that these institutions produce the “vulnerability” that was said to be caused by “indifference” in society. Instead, the committee evoked an older tactic—erasure. It figured a singular “society” (Canada)—that had been shown by NWAC and confirmed by CEDAW to discriminate against Indigenous women and communities legally, economically, politically, and institutionally—as somehow “indifferent.”

Call into the Night visualized Indigenous women through familial categories; in doing so, it maintained prior assumptions about these classifications. For instance, the report discussed “cases of missing Aboriginal daughters and mothers” (Government of Canada 2011a, 4). In the same vein, the committee stressed that “[w]omen’s roles in the household have been more enduring through time, thus they may have suffered less than men from the cultural dislocation” (6). This statement reproduced understandings of the settler colonial gender roles. It also assumed a unifying set of traditions across cultural and territorially distinct peoples while eliding how historical trauma and other relations had impacted Indigenous communities in distinct ways. The view that the household shielded Indigenous women from cultural dislocation erases complex settler colonial projects around Indigenous homes and naturalizes the household as a necessarily culturally reinforcing space for Indigenous women.

The report viewed these idealized roles as a model of stability for securing the safety of Indigenous women. It also stated that “witnesses emphasized that cultural re-appropriation was a key part of rebuilding healthy individuals and safer communities” (Government of Canada 2011a, 6). The

committee understood cultural “reappropriation” as returning to traditional gender roles as viewed through the Western lens of domesticity. These gendered assumptions were echoed in the stated goals for the committee. The committee asserted that we “want to dream with Aboriginal mothers who give birth to new sons and daughters—to dream that those families will receive the support they need to live lives free of violence, free of racism” (4). Support for Indigenous women was understood in terms of supporting families and heteronormative reproduction.

On the other hand, the committee coded Indigenous women through the language of risk. *Call into the Night* described Indigenous women as “unable to afford adequate, safe housing on low social assistance rates” (Government of Canada 2011a, 11). The report emphasized Indigenous women’s lack of access to safe housing rather than acknowledging how government policy has shaped housing access. These factors were said to contribute to a “‘vicious cycle’ of poverty, addiction, and prostitution in which some Aboriginal women [found] themselves” (11). The report also stated that substance abuse had “a devastating impact on the whole community” (23), which reproduced the focus on Indigenous communities as substance using. In reading “missing and murdered Aboriginal women” through the language of poverty, addiction, and the sex trade, governmental discourses maintained a focus on Indigenous women’s behaviour (15). This emphasis on behaviour and addictions established a foundation for policy makers to remove a discussion of policy and historical impacts leading to specific behaviours. In this report, the state was subtly being positioned as a neutral actor.

Call into the Night established family violence as a site of intervention. The lack of safe and accessible housing was said to limit

women seeking to escape family violence, or even to prevent it [...] housing challenges can serve as a major deterrent. A safe and healthy home requires adequate space for family members. To leave when violence occurs, emergency shelters must provide a place to which a woman can escape, ideally with her children. (Government of Canada 2011a, 24)

The committee focused on Indigenous families' health and safety in a context separate from the policies that intervened upon Indigenous family dynamics. In effect, this discussion of safety and shelters assumed that these areas were not already matters of governmental concern and did not link these program and services to federal funding reductions.⁵² At the same time, the conditions leading to a lack of adequate housing in communities was obscured within the report. Importantly, by rendering the shelter, the family, and the home as sites of inquiry, the report subtly coded assumptions about where violence was taking place. In this way, the report reproduced a longstanding federal focus that placed emphasis on Indigenous communities as lacking resources.

The Standing Committee emphasized improving access, protection, and supports for Indigenous women in different localities (i.e., on/off-reserve, northern/southern, urban/remote) (2011a, 4–5). *Ending Violence*, had two founding principles for developing the next report. The first was to draw on the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), resulting in an emphasis on the “importance of working with Aboriginal people to find solutions to the violence in their communities” (7). The second principle stated that “it [was] impossible to deal with violence against Aboriginal women without dealing with all of the other systems which make women vulnerable to violence and make it difficult for them to escape violence” (7). *Ending Violence* focused on partnership and the overlapping nature of systems that gives rise to violence. However, collaboration could also be read as the subtle downloading of responsibilities to Indigenous communities.

⁵² As the Pacific Association of First Nations Women, Ending Violence Association of BC, and BC Women's Hospital & Health Centre point out in their report *Research to Dead*, a set of funding cuts by successive provincial and federal governments in the early 2000s left many Indigenous communities in BC operating without shelters or Elder/youth services in their communities (2005, 16).

Moreover, the report construed northern and remote communities as operating outside of legal and administrative protection due to their lack of access to police and judges. Here, the committee shifted focus from violence in cities to violence in remote communities (Government of Canada 2011a, 18), which was part of a gradual shift in attention away from violence in urban centres toward a focus on northern and remote communities as sites of risk that would become intensified in subsequent reports. This transition in attention matters because it directed the governmental gaze solely toward Indigenous communities.

In its summation, the Standing Committee wrote that “a number of witnesses demanded that the Government of Canada establish an independent public inquiry to examine the issue of missing and murdered Aboriginal women in Canada” (2011a, 15). It stated that a national inquiry would divert funds away from immediate action, and “that the money [for an inquiry] could be better spent on prevention and supports rather than on the costs of maintaining children in foster homes or group homes” (12). As such, the report maintained the idea that government funds for Indigenous issues were scarce.

Call into the Night also directed national attention toward Indigenous men. The committee stated, “that while Aboriginal men [were] perpetrators of violence, they [were] also victims of ongoing colonization and oppression” (2011a, 21). The report remarked that addiction and mental health services were offered at a greater rate to single Indigenous women than Indigenous men. The report noted that the lack of treatment, mental health, and services for Indigenous and non-Indigenous male partners left Indigenous women in danger when male partners were released from prison (22). These assumptions acknowledged the cycle of violence and viewed Indigenous men as perpetrators of that violence. It did not establish a clear plan for how to support male-centred services and healing. As Bourgeois (2014) and Holmes and Hunt (2015) remark, this focus on Indigenous men as the main cause of violence had been a longstanding federal focus in domestic violence policy research that had

been commissioned by the government. Although the report captured a facet of the violence that was most evident to the government, it only mainly focused on Indigenous men as the perpetrators of violence. Emma LaRocque, in her writing for RCAP, describes how the colonial system has caused Indigenous men internalize discrimination of Indigenous women. This line of thought is well established across Indigenous women writing since the early 1970s (Holmes and Hunt 2015, 27). There has also been a long history of federally funded domestic violence reports and studies. However, by 2011 domestic violence was treated as a revolutionary finding by the committee. This report was a return to this older genre of writing about community violence.

To this end, the committee noted that their recommendations must take a “co-ordinated [and] holistic approach to violence against Aboriginal women” (2011a, 7). With this, they would examine poverty, housing, and communities/families in a federally harmonized manner. The *Call into the Night* and *Ending Violence* reports affirmed a collaborative strategy with communities. However, these reports took a deficit view of Indigenous women and communities. They envisioned Indigenous women as subjects to be integrated into the Canadian economy—not as rights-holding subjects.

Ending Violence Against Aboriginal Women and Girls

The 2011 federal election (March 26 to May 2)—in which the Conservatives won a majority—disrupted the committee, altered its leadership, and deemphasized its initial findings. By December 2011, the Conservative-led House of Commons Standing Committee on the Status of Women released *Ending Violence Against Aboriginal Women and Girls: Empowerment, A New Beginning* (hereafter *Ending Violence*). Member of Parliament Irene Mathysen (NDP) chaired the committee, which was primarily occupied by Conservative MPs (Kubik and Bourassa 2016, 21). The committee continued the work called for by Standing Order 108(2) to study violence against Aboriginal women (Government of Canada 2011b, v). It “[gathered] information about the extent of

[...] violence, programs in place to address it, the root causes, and what steps could be taken to break the cycle” and adopted a more “forward-looking” approach. This final report built on testimony from Indigenous witnesses (1) and moved away from a systemic analysis (Kubik and Bourassa 2016, 21). In adopting this forward-looking approach, focused on new services and responses, the committee deemphasized structural oppression in their analysis.

The report reasserted the language of individual economic development and security. It centred on “empowering young Aboriginal girls and women, supporting their desire to strive for a better life of independence, confidence, influence and power, with the goal of reducing [their] victimization” (Government of Canada 2011b, 1). The committee discussed “steps [that] could be taken by government and other parties to enhance the economic opportunities for Aboriginal people, and women in particular” (2). The report gradually redirected attention to “poverty, prostitution and abuse experienced by Aboriginal women and girls” (1). This shift away from systemic analysis buttressed liberal and normative understandings of responding to violence by targeting nonconforming groups.

Empowerment, A New Beginning understood Indigenous women as depleted subjects. The committee wrote that “Aboriginal poverty, property, and economic growth” were vital to “community safety for Aboriginal women” (2011b, 1). It focused on “policing,” “family violence prevention,” and “healing” as solutions to violence (1–2). The report upheld the idea that Indigenous women were an “at-risk” group due to individual life choices through these classifications. The committee took aim at “poverty, prostitution and abuse” as leading causes of death (1). The report also directed attention to “the economic opportunities for Aboriginal people,” specifically, those directed at Indigenous women’s entrepreneurship and skills training (2). Ultimately, the report highlighted ‘risk,’ ‘poverty,’ and ‘vulnerability’ as the causes of “missing and murdered women.” This means that poverty required individual economic development, protection of property and individuals through policing, and a

liberalization of the market surrounding Indigenous spaces (21). To this end, the report stated that “the disproportionately high number of missing and murdered Aboriginal women [wa]s a distinct phenomenon that highlights Aboriginal women’s vulnerability” (10). The committee’s claim of having an action-oriented approach directed consideration away from systemic issues covered in *Call into the Night*.

This final report identified Indigenous women and their families as victims of violence. Specifically, it described poverty as a root cause of the “disproportionately high number of Aboriginal women working as prostitutes in Canadian cities, and [...] proposed that moving women into employment, even part-time, could assist in reducing the numbers” (Government of Canada 2011b, 3). To this end, the violence they endured resulted from individual life choices and a lack of economic status. For instance, the committee echoed the 2006 Federal–Provincial–Territorial Working Group on Missing Women: “[T]he identification, investigation, and prosecution of cases involving serial killers who target persons living a high-risk lifestyle, including those in the sex trade, [were necessary] strategies to protect potential victims” (16–17). According to the report, Aboriginal women were missing and murdered due to their “high-risk lifestyles” in the survival sex trade and serial killings. This view directed focus onto individual killings and away from systemic considerations.

These individualizing practices were evident in the recommendations of the final report, which reasserted prior federal commitments from Budget 2010. The committee proposed nine recommendations (2011b, 43) and marked out support services such as shelter supports, homelessness strategies, and family violence prevention as the predominant responses. The committee concentrated on three themes across its nine recommendations: economic growth, skills training, and service reform (29–32). These themes focused on the federal jurisdiction with some collaboration with provinces, territories, and Indigenous governments. For example, the committee called upon the “federal government [to] work towards removing barriers to economic growth for on-reserve

Aboriginal peoples, with a particular focus on barriers to the full economic participation of Aboriginal women” (43). This approach dovetailed with a review of the federal Post-Secondary Student Support Program to assist “Aboriginal women escaping violence” (5). The committee called upon Health Canada to “consider support services in the Inuit and First Nations Health Branch for families of missing and murdered Aboriginal women” (43). *Ending Violence* took federal initiatives that were already underway and slotted them in as solutions for violence. The dissenting opinions outlined that Conservative members rejected the Liberal and NDP recommendations (60). In proposing prior government priorities, the final report did not adhere to the interim report’s calls for collaboration and holism.

Moreover, the committee focused on policing and domestic violence. Police training and policing reform emerged as vehicles for preventing more “missing and murdered women.” The Family Violence Initiative, Canadian Police College, Aboriginal women’s organizations, and the Department of Public Safety were to create and disseminate training materials on Indigenous cultural and historical context to officers (Government of Canada 2011b, 19). The report proposed a review of the Family Violence Prevention Program under Aboriginal Affairs and Northern Development Canada (43). It positioned cultural competency, case review, and police training as solutions to institutional racism.

By December 12, 2011, the Liberal and NDP members from the Standing Committee protested the report in the House of Commons. As NDP MP Mylène Freeman stated, “The report omit[ted] huge portions of the content heard during testimony, offer[ed] no recommendations whatsoever that would commit the government to act, and d[id] not acknowledge the humanitarian crisis facing [A]boriginal women” (Government of Canada 2011d, 4317). Ultimately, the recommendations were not based on testimony. This final report put forth the understanding that

Aboriginal women were “missing and murdered” due to poverty, crime, and high-risk lifestyles. These same premises were also evident in the BC Missing Women Commission of Inquiry.

Forsaken: The Report of the Missing Women Commission of Inquiry

Several key informants insisted that the BC Missing Women Commission of Inquiry represented a significant turning point around violence facing Indigenous women and girls in the City of Vancouver. Notably, several participants stated that they viewed the Oppal Commission as a hostile environment for witnesses. One interview noted the possible suppression of a research study on the systemic racism within the Vancouver Police Department. Several participants also noted the change to police procedures since the recommendations. These changes included shifts in filing missing person reports, a greater focus on taking complaints against officers, and investigating missing person reports. It was these interviews that alerted me to the dynamics surrounding policing reform in the BC Commission and what followed in BC policy under Christy Clark’s centre-right Liberal government (2011–2017).⁵³

⁵³ Unlike the federal Liberal Party of Canada that is thought of as a centre-left party, the BC Liberals are a centre-right party committed to austerity, the extreme reduction of taxes, and deregulation. The centre-right Liberals under Premier Gordon Campbell (2001–2011) enacted sweeping tax cuts including a 25% cut to personal income tax (the government’s source of revenue) (Whiteside 2018, 32). This cut meant that the government would lose 3.5 billion in revenue from 2004–2013 and made the government dependent on sales tax revenue (32). During their tenure in office, spending controls were imposed on public sector agencies and P3s were emphasized (34). Both funding reductions and deeper controls over regional health authorities meant greater regulation by the Ministry of Health. These measures resulted in service cuts (34). In 2004, Bill 37 in BC enacted wage rollbacks across 43,000 hospital and long-term health care workers and casualized the health sector (35). Campbell mirrored the austerity and small government focus of other premiers like Progressive Conservative Premier Mike Harris of Ontario (1995–2002) and Premier Ralph Philip Klein in Alberta, including commitments to welfare reductions and antideficit spending measures (Whiteside 2018, 32). Christy Clark (2011–2017) followed Campbell and upheld many of the same austerity- and privatization-focused policies. The BC Missing Women Commission was being held and implemented during a period of intensified neoliberal downloading and privatization of state responsibility.

In response to numerous calls by families, Indigenous and non-Indigenous organizations, and the UN, the centre-right Liberal Government under Premier Gordon Campbell (2001–2011) established the Missing Women Commission of Inquiry on September 27, 2010 (Oppal 2012f, 4).⁵⁴ Wallace (Wally) Oppal was appointed commissioner on September 28, 2010 (2012b, 6). Oppal was a former Attorney General who headed the Commission of Inquiry into Policing in British Columbia in the 1990s.

The Oppal Inquiry ran from 2011 to 2012 and submitted its final report and recommendations under Liberal Premier Christy Clark (2011–2017). The Commission gathered testimony from eighty-six witnesses. The inquiry investigated the conduct of the RCMP and VPD as well as the disappearances on Highway 16 (Oppal 2012f, 24). By May 2, 2011, eighteen groups—comprised of individuals, organizations, and coalitions—were given standing within the inquiry as implicated parties (8–10). Eleven out of the eighteen groups were full participants, this included legal and civil immunity rights, ability to submit evidence, the ability to present evidence, protections from allegations of misconduct, and possible provincially funded legal representation (8). Participants included families of victims, the VPD and Vancouver Police Board, the RCMP, the Vancouver Police Union, the Coalition of Sex Worker-Serving Organizations, the Committee of the February 14

⁵⁴ Campbell's tenure as premier represented a populist form of neoliberalism that straddles both issues of popular support and saw major funding reductions in the province. Premier Gordon Campbell (2001–2011) was part of a significant neoliberal transformation focused on privatization, individual responsibility, public sector reform, and deregulation in British Columbia in the twenty-first century. However, the Liberals were building on the foundation of what had been made possible by previous governments. For instance, Campbell's government was unsympathetic to single mothers, low-income families, and minimum wage earners, with multiple attempts to restrict social assistance (Lacharite and Summerville 2017, 3–5). His time in office also included significant opposition to Indigenous assertions to self-government around the BC Treaty Commission in 1992 and the Final Agreement of the BC treaty process in 2000 over the Nisga'a around self-government provisions (Belanger 2017, 63–64). This persistent opposition to Indigenous rights continued throughout his time as premier. Specifically, Indigenous rights were positioned as an obstacle to BC prosperity through natural resources (2017, 70). Party policy viewed Indigenous rights as in opposition to BC economic growth.

Women’s Memorial March, the Downtown Eastside Women’s Centre, and the Vancouver Area Network of Drug Users (VANDU) (8–9). By May 19, 2011, the BC Attorney General had announced that only the families of missing women represented by attorney Cameron Ward would receive funding (10). The Clark government argued that “the family members should take priority for any available financial assistance” (IACHR 2014, 104). After the first year, only two of the original eighteen groups remained due to the lack of legal representation: the VANDU and CRAB–Water for Life Society (Bourgeois 2014, 317). This idea of families as the most deserving of limited state supports augmented the idea of a compassionate government. Simultaneously, it elided critical potentials by screening out other groups.

The inquiry had a four-part mandate (Oppal 2012b, 6–7). First, the inquiry would “make findings of fact respecting the investigations conducted between January 23, 1997 and February 5, 2002.” Second, it would investigate the decision to avoid several charges against Robert Pickton by the BC Criminal Justice Branch in 1998. Third, it would prioritize reforms to the administering of police investigations relating to missing women and multiple homicides in BC (6). Finally, the inquiry would focus on changes to homicide investigations in BC (7). The terms of reference narrowed the boundaries of discussion to policing reforms. Unlike Manitoba’s Justice Inquiry, the impact of policing on Indigenous communities was not questioned.

Oppal appointed an independent counsel for Aboriginal interests: Métis lawyer Robyn Gervais (later replaced by Suzette Narbonne and Elizabeth Hunt [Kwakiutl]) and, for the DTES interests, Jason Gratl (Oppal 2012b, 7). Conversely, the VPD and RCMP had twenty-four publicly funded lawyers (Collard 2013, 46). These measures protected police officers testifying before the inquiry.

Deepening the focus on policing, the inquiry “interviewed over 45 community witnesses,” but only ten testified (Oppal 2012f, 14). By comparison, forty-three police witnesses provided evidence (17). This imbalance expanded the amount of information police services could bring to bear during

hearings. The Vancouver Police and RCMP both had legal representation with providing testimony and outnumbered the community organizations in terms of volume of pre-inquiry submissions and testimony before the inquiry. The inquiry emphasized police expertise and evidence. For instance, the VPD provided an extensive 410-page internal review highlighting the limits police faced in their investigations due to legal and privacy rights (Oppal 2012f, 17). The author of this report, Officer D.C. LePard, took the stand for fourteen days straight reviewing the challenges facing departments (19). His testimony stressed the need for internal police reforms and an expansion of powers. Moreover, Oppal drew upon expert witnesses selected for their knowledge about survival sex work and systemic violence: John Lowman, Kate Shannon, Thomas Kerr, and Bruce Miller (Miller is not named in *Forsaken*) (2012f, 15). When they deviated from the Attorney General's directives and focused on systemic racism, witnesses such as Miller, who was commissioned to review VPD case files and write a report on systemic racism, were dismissed from the inquiry (Collard 2013, 780). The inquiry's fact-finding privileged academic and police expertise (782).

On November 19, 2012, Oppal released the four-volume final report *Forsaken: The Report of the Missing Women Commission of Inquiry* (hereafter *Forsaken*). The report found that the “missing and murdered women investigations were a blatant failure” that involved “gross systemic inadequacies and repeated patterns of error” (2012c, 3). *Forsaken* determined that the “VPD was systemically blind to the impact [their] enforcement strategy had upon the women” (2012a, 67). It concluded that a fear of “police harassment” caused “prostitutes to rush transactions, jump into cars quickly, and move to dark or more isolated areas” (110). Such “rushed transaction[s],” it claimed, “denied the sex worker the time to innately sense whether a client [was] a ‘bad trick,’ and moving to a darker, isolated area [would put] her in a more dangerous environment” (2012b, 110). Oppal found that intensified policing strategies targeting sex work in the DTES “had well documented negative public health outcomes” (87). He concluded that the policing strategies common during the 1990s

were contributed to these deaths. However, Oppal also concluded that the VPD was not culpable in practicing bias against Indigenous and non-Indigenous women. This movement from individual complicity to systemic misconduct took several steps and required a focus on “abandonment” and social “indifference.”

Forsaken focused on serial killing as the primary cause of disappearances. Oppal wrote: “This Commission of Inquiry must be understood within the provincial, national and international phenomenon of the serial murder of women and, more specifically, targeted groups of women” (2012b, 14). Oppal considered serial murders in the United States, the United Kingdom, Latin America, and other parts of Canada (14–20). He stated that in the Latin American case, it “appear[ed] to be politically motivated: women advocat[ing] for social change ha[d] gone missing under suspicious circumstances that suggest[ed] political assassinations” (20). According to Oppal, the killings in Latin America were political, while those in Canada were not.

A particular reading of social marginalization was said to explain why these women were “vulnerable” to serial murderers. Oppal wrote, “The common factor is that victims are socially and economically marginalized women, which makes them highly vulnerable to all kinds of violence, including serial predation” (2012b, 5). He described their marginalization as bound up with the “retrenchment of social assistance programs, the ongoing effects of colonialism, and the criminal regulation of prostitution and related law enforcement strategies” (78–79). Again, these factors were outside the scope of the commission, whose mandate did not allow for the consideration of “governmental responses” or “inadequate social assistance” (112). Oppal’s terms of reference restricted analyzing past policies. This lack of attention regarding past cuts to provincial funding for social services elided the denial of foundational services, funding, and rights obligations to Indigenous communities.

Furthering the report's justification of "vulnerability," Oppal asserted that "the women who went missing from the DTES were caught in this cycle of distress and were further marginalized by their involvement in the survival sex trade" (2012b, 98). He rejected the explicit language of "high-risk" lifestyles given that "this narrow view [could] not explain the disappearance of so many women over such a sustained period. This attitude allow[ed] [...] society, to simply accept that these women and others like them live[d] and continue[d] to live, in desperate and deadly situations" (111). He went on to describe these women as "forsaken twice: once by society at large and then again by the police" (2012b, 4). Collective social responsibility emerged as the leading cause of these women's deaths. By positioning society as indifferent, the police were made to be agents service society rather than an institution that must abide by Canadian law and human rights codes. This strategy allowed the report to place blame on an indifferent society, *Forsaken* used the image of the "missing and murdered woman" to rehabilitate institutional authority. The report called for a "legacy of safety and security for vulnerable women; a legacy through which [it could] reclaim the abandoned promise of equal protection" (Oppal 2012a, 108). It positioned Indigenous and non-Indigenous women and girls as abandoned by society despite police targeting and street-level human development approaches trained on their lives.

Moreover, the Oppal Inquiry's definition of misconduct erased institutional and governmental complicity in the lack of investigations. *Forsaken* used court precedent to situate misconduct on a five-level spectrum "from least to most blameworthy: (1) mistaken; (2) unfortunate, inappropriate and ill-advised; (3) irresponsible, failure to act and willful blindness; (4) improper, negligence and bad judgment; and (5) grossly negligent, malicious or corrupt" (2012b, 172). These categories defined different levels of culpability and positioned these acts on an ascending scale. Oppal presented the actions of the Vancouver Police as a mistake. These assumptions rested on his definition of misconduct.

Oppal categorized the above levels into two types of misconduct, individual and systemic, stating that the “finding of individual misconduct should be limited to situations where conduct is motivated by improper, malicious or corrupt intentions” (Oppal 2012b, 72). Regarding systemic misconduct, he wrote that “police organizations may themselves be subject to a finding of misconduct for failing to establish a norm or standard of conduct when there reasonably should have been one” (72). The report considered misconduct “negligent, malicious or corrupt” behaviour and the failure to establish “norm[s] or standard[s].” This classification emphasized police standards rather than racial disparities in police treatment of families and the investigation of missing person cases (2012b, 172). This emphasis omitted the long history of police disregard of Indigenous families and loved ones reporting disappearances. It also denied CEDAW’s finding that there was a systemic lack of police investigation into cases involving Indigenous women.

Oppal focused on “systemic explanations” of and “systemic solutions” to misconduct. He argued that for individual misconduct, “There [wa]s no purpose achieved by blaming individuals for mistaken behaviour” (Oppal 2012b, 172). This reading of misconduct diverted attention away from individual responsibility and limited discussions of institutional misconduct. Building on prior reports, such as *Empowerment, A New Beginning*, he took a “forward-looking” approach to policing methods of investigation and data management (2012b, 172). To do this, he drew heavily on Justice Campbell’s inquiry into serial killer Paul Bernardo’s killings. Campbell stated that “[i]t [wa]s often the case that systemic failures, as opposed to individual mistakes, [we]re the real cause of public disasters and the most appropriate focus of public inquiries” (quoted in Oppal 2012b, 172–73; italics original). This stance in the Bernardo case prevented an emphasis on individual misconduct in favour of systemic failures. This move also conceptualized violence as part of the past by directing attention to current actions. In the same vein, the BC Inquiry drew on the Bernardo Inquiry to shift focus from racial discrimination in cases to the general public.

Oppal argued in *Forsaken* that there was insufficient evidence of police misconduct in the investigation of missing women:

[These] errors amount to, at most, an error in judgment. These findings fall short of my definition of misconduct and are not, in any case, the focus of my report. The pointlessness of targeting individual failures is especially pronounced in this case, given the passage of time since the events under scrutiny and the fact that most of the individuals involved have retired from active police service.

The statute of limitations operated as a rationale for not assigning individual or systemic blame to the police for their failure to investigate disappearances (2012b, 172). There was no accountability for discriminating against Indigenous women and families. Violence in policing was positioned as beyond the temporal window for prosecution.

Forsaken silenced concerns about individual and institutional racism by understanding police and society as indivisible. Referencing Sir Robert Peel's aphorism, Oppal wrote that "the police are the public and the public are the police" (2012b, 112). This positioning assumed that police actions could be excused by social racism. The report stated that "the systemic bias operating in the missing women investigations was a manifestation of the broader patterns of systemic discrimination within Canadian society and was reinforced by public indifference to the plight of marginalized female victims" (2012d, 217). According to Oppal's report, the presence of systemic bias in Canadian society rationalized racism within the VPD and the RCMP. No focus was given to why the police were pushing street-involved women out of the DTES while also somehow ignoring their disappearance. Ultimately, Oppal made sixty-three recommendations and identified two urgent measures: giving twenty-four-hour funding to existing DTES centres and implementing a public transit system for Northern BC communities along Highway 16. Other recommendations concerned policing reform and healing initiatives. These recommendations emphasized police training and reform as well as community engagement.

A closer reading of the recommendations reveals an intensification of police surveillance on Indigenous and non-Indigenous women marked out as vulnerable (Oppal 2012a, 160). Oppal recommended that nonprofit service organizations create a voluntary database to track “vulnerable” women in BC by collecting their DNA and other information in case they went missing. This measure included an automatic missing person protocol if women involved in the sex industry did not check in with police within a given time frame, claim their social assistance payment, or visit local organizations. This proposed protocol tightened police surveillance of sex workers and avoided disappearance cases not connected to the sex trade. It did not lend greater credibility to missing person cases brought by Indigenous families or communities. Instead, the report focused again on the sex trade (Oppal 2012a, 129). Oppal’s report narrowed the provincial and national focus to women in the sex trade, which obscured the complex reality—presented within the report itself—that Indigenous women were going missing along Highway 16 as well as from Vancouver and other cities. Oppal spatially distinguished these dynamics from each other in the report through containment in different volumes and sections.

The report also directed the police to engage with communities by establishing liaison programs. Oppal remarked that the VPD had established a Sex Trade Liaison Officer, a Homelessness Outreach Coordinator, and an Aboriginal Liaison Officer within its Diversity and Aboriginal Policing section. He called on the City of Vancouver to create parallel positions to connect with the survival sex trade. Specifically, he advised other police forces to follow the VPD’s example of establishing support officers. Oppal also requested the provincial government undertake community consultation and create an independent body equivalent to the Vancouver Police Native Liaison Society, which was abolished in the 1990s. His recommendations again emphasized bringing nonprofit organizations into a close-knit relationship with police forces. After being externalized, communities were included in frontline policing (Oppal 2012a, 128).

Despite the volume of recommendations in the report, BC only implemented a few. By 2014, the Government of British Columbia had given \$750,000, via BC Housing, to the WISH Drop-In Centre in the DTES to expand twenty-four-hour services to vulnerable women and provide with them an avenue to leave the sex trade (BC 2014, 4). By mid-2014, the BC Liberals' 2015 Final Status Update stated that the provincial government had consulted communities along Highway 16 about a shuttle bus service (2015b, 20). As of 2020, the government had failed to establish a shuttle bus system for northern communities.

Forsaken expanded police investigative powers for missing person cases. It solicited the provincial government to enact legislation that would allow police to bypass privacy legislation in the event of a missing person investigation (Oppal 2012a, 148–49). The report echoed police calls for faster investigations as a rationale for expanding police data collection and information-sharing abilities across jurisdictions (152–55). The province passed the *Missing Persons Act* on March 24, 2014 (BC 2014, 12). If a woman were declared missing by police, her information could be circulated by the police force with other jurisdictions. These practices deemphasized the economic and social underpinning of these disappearances as these deaths were the outcomes of successive federal and provincial policies. Rather than ushering in a moment of accountability, the policy measures adopted by the BC Liberal government post-Oppal rehabilitated and expanded police powers. The evidence provided by police called for increased powers, which the Oppal inquiry delivered through its recommendations.⁵⁵

Policing and support services were understood by policy makers as requiring training to deal with potential problem officers within the ranks of the VPD and RCMP forces. Victim support

⁵⁵ Specifically, multiple interviews illustrated that, since the Oppal Commission, the police expanded the complaints department to attempt to investigate reports of discrimination and missing persons cases. Interviewees noted the reworking of the VPD complaints department, cultural competency training, and shifts in case and data management.

workers across BC attended eight training sessions to help them become more knowledgeable about “grief, trauma, and [how to] support family members of missing and murdered persons” (BC 2014, 13). Similarly, the expanded focus on provincial Cultural Competency Training—greatly expanding programming that had existed since 2010—for police officers served this same purpose (5). A grant of \$205,000 was provided through the Civil Forfeiture Office to train police academy cadets and active police officers (9). Responsibility for bias was presented as an individual concern managed through cultural competency training.⁵⁶

Following the release of *Forsaken*, the New York City-based human rights group, Human Rights Watch, published *Those Who Take Us Away*, which outlined policing abuses and human rights violations by the RCMP in northern British Columbia along the Highway of Tears (Highway 16). With the support of Mavis Erickson and Sharon McIvor, Human Rights Watch investigators travelled to northern British Columbia. There they heard reports going back decades that the RCMP assaulted Indigenous bystanders, used strip searches, starlight tours, “excessive force,” and committed sexual assault (Human Rights Watch 2013, 46–60). One participant identified that in Prince George, the RCMP used a civilian house to forcibly confine, strip search, and sexually assault a woman in police custody (60–61). Human Rights Watch identified multiple allegations of sexual violence and “excessive” force by the RCMP in northern BC against Indigenous women and girls (62–64).⁵⁷

⁵⁶ There was significant disagreement among three of my key informants over the effectiveness of cultural competency training relating to stopping police violence against Indigenous communities. One key informant believed that the measures were vital in changing the actions of individual officers. Another participant was skeptical about the effectiveness. Still another key informant argued that there was no measurable evidence to suggest that cultural competency training changes the way police respond to Indigenous peoples.

⁵⁷ In my interviews, discussion often shifted to focus on the RCMP and their uptake of the recommendations. A key informant pointed to the shifts in the Ombudsman report around RCMP officer training as a dropbox exercise and the lack of transparency, as noted in the Ombudsman’s report and Civilian Review and Complaints Commission, around the fact that systemic tracking of information had not shown an improvement in communications or case management. Key informants,

Forsaken augmented police powers rather than curtailing them. It minimized claims of systemic bias by casting blame on a few individuals within the Vancouver Police Force.

Forsaken also represented a significant departure from the concerns raised by the CEDAW groups. Rather than increasing civilian oversight of policing or investigating police misconduct, the Oppal inquiry recuperated police authority through cultural competency programming and engagement exercises. This report visualized the police as an institution capable of protecting sex trade workers and Indigenous communities. Indigenous women were viewed as vulnerable subjects because of the sex trade and hitchhiking rather than because they face systemic discrimination. *Forsaken* elided governmental, institutional, and individual responsibility through the language of “indifference,” “abandonment,” and “misconduct.”

Invisible Women: A Call to Action—A Report on Missing and Murdered Indigenous Women in Canada

Following *Forsaken*, the House of Commons established The Special Committee on Violence Against Indigenous Women on November 21, 2013. The motion called for a multiparty investigation into violence against Indigenous women and girls. The committee was called upon “to conduct hearings on the critical matter of missing and murdered Indigenous women and girls in Canada, and to propose solutions to address the root causes of violence against Indigenous women” (Government of Canada 2014a, 6). It focused on “three main themes: violence and its root causes, front-line assistance, and preventing violence against Aboriginal women and girls” (6). The committee released its report, entitled *Invisible Women: A Call to Action* (hereafter *Invisible Women*), in March 2014. The committee was comprised of twelve members, including seven Conservatives, four New Democrats,

I spoke with, identified cultural competency training, complaints investigation, and missing persons cases as significant sites of policing reform following *Forsaken*.

and one Liberal MP, with Conservative MP Stella Ambler as chair (Hansard 2013, 2786). It held thirteen meetings from March 2013 to March 2014 (House of Commons 2014c). Approximately forty-four individual witnesses and organizations appeared before the Special Committee (Government of Canada 2014a, 48–50).

Invisible Women focused on how violence against Aboriginal women and girls was a “tragedy of not being heard” while situating itself as a “forceful call to action” (2014a, 3–4). The Special Committee emphasized finding “practical, action-oriented solutions to increase the safety of Aboriginal women and girls across Canada” (4). Through witness testimony, it found “that many of them [we]re exposed to violence on a daily basis” (9). It emphasized that these women’s lives were marked by “domestic violence, human trafficking, substance abuse, prostitution, poverty, lack of housing and poor living conditions, lack of prevention services such as mental health services, and the ongoing legacy of residential schools” (17). However, the report also asserted that there was no need to investigate the root causes of their deaths any further given that multiple reports already discussed these factors (7). The report suggested that a “breakdown of the family and the community for many Aboriginal people” was a cause of violence (17). Through the adoption of an action-oriented approach and its emphasis on Indigenous womanhood as “depleted,” the committee fixed on Indigenous women’s conduct and not the systemic and policy underpinnings of this violence. In these ways, this report mirrored the conclusions of *Ending Violence*. The report temporalized violence as a legacy and obscured deeper analysis through a focus on action and future facing work.

Invisible Women focused on the barriers faced by rural and remote Indigenous women (2014a, 20). It stated that even when services were nearby, there were significant obstacles in providing “culturally appropriate services” and culturally educated service staff, which created a hurdle to access (20–21). It further posited that a lack of coordination was a significant challenge for rural, remote, and on-reserve communities (21). The report did not account for how successive policies had

contributed to this inaccessibility, nor did it explicitly focus on urban centres. This focus on lack visualized Indigenous communities as sites of absence and depletion.

Through the language of collaboration, the report conceived solutions to violence through a downloading of responsibility. The committee proposed that “the most important role the federal government can play is to support initiatives coming from communities themselves [...] A universal model should not be imposed. Instead, communities should be helped to acquire the tools they need to find their own solutions” (2014a, 5). In theory, the report spoke of collaboration. In practice, community safety plans were born of limited consultations and no new investments from the government. Collaboration operated as a means of downloading responsibilities and work onto communities.

Current government priorities and initiatives were written as central recommendations. This approach was evident in shelter supports. The committee identified two concerns:

First, there is an urgent need to increase the number of shelters and second-stage housing on reserve and in rural or remote communities. However, there was no account of expanding the access of Indigenous women and communities to safe housing as well as preventing abuse. Second, the funding for existing shelters must be increased. (2014a, 30)

This analysis operated in a vacuum around the decades-long history of funding or underfunding of frontline supports. *Invisible Women* deemed shelter funding a primary response to violence. Again, this advanced the idea that domestic violence and a lack of shelters—not housing affordability or a lack of federal supports for housing—were the issues contributing to violence. This focus on women’s shelters also solidified the governmental gaze on reserve, rural, or remote communities and not urban centres. The government again positioned itself as protecting Indigenous families through the intensification of policing and the carceral system.

This discussion of funding for shelters obscured a few major problems. The funding proposed by the government did not scale accordingly with the level of funding needed. As Amnesty has

pointed out, for federally funded shelters “the vast majority of First Nations reserves across Canada do not have shelters for women escaping violence” (2016, 24). In 2016, there were thirty-nine federally funded shelters for First Nations women that were meant to support 617 federally recognized First Nations communities in Canada. According to the federal government, this means that roughly forty-five percent of First Nations communities have federally funded shelters that are regionally located. As Amnesty notes, these shelters were often a great distance from communities (in towns and urban centres), did not offer culturally based programming, and did not run programming specific to Indigenous women (Amnesty 2016, 24–25). Shelter funding did not consider geographic locality, cultural capacity, or linguistic accessibility. As Amnesty also points out, this discussion unfolded without reference to the fact that rent inflation and housing scarcity generated by the influx of temporary workers for extractive and hydroelectric infrastructure projects in northern communities make housing inaccessible for Indigenous women by shifting the rental market prices (45–46).

The report was split over the cause of violence stemming from stranger violence and intimate partner violence. As its report stated, “Violence against Aboriginal women and girls [was] largely perpetrated by an acquaintance of the victim, usually a man” (Government of Canada 2014a, 10). Within this trend, it also identified that “Aboriginal women and girls [were] much more likely than their non-Aboriginal counterparts to be victims of violence at the hands of strangers who t[ook] advantage of their vulnerabilities” (2014a, 10). Here, the report upheld the understanding that both strangers and acquaintances targeted Indigenous women. However, it also visualized domestic violence and shelters as areas of governmental concern—a concern that would shift to focus on intimate partner violence in the RCMP’s reporting.

Similarly, *Invisible Women* asserted that violence against “missing and murdered Aboriginal women and girls” resulted from human trafficking and the sex trade (2014a, 5). The committee suggested “that those who leave their communities, or leave an abusive household sometimes find

themselves homeless, or forced into the sex trade” (18). Subtly, it positioned those who leave these spaces as “vulnerable” subjects to be secured. The report emphasized individual choices rather than structural inequality, stating that “many of them work as prostitutes to support themselves and their children; others are victims of trafficking and forced by pimps to work as prostitutes” (10). The report narrowed the causes of violence against Indigenous women from the ones named the 2011 Standing Committee on the Status of Women reports. In this way, *Invisible Women* obscured violence and disappearances operating beyond the sex trade. The report narrowed the field of focus from violence targeting Indigenous women overall to the most immediate and observed sector of illicit activity.

In this vein, *Invisible Women* committed to reserve, rural, and remote communities as problem sites to be governed, which positioned remoteness as an issue needing government intervention (2014a, 21). The report stated that Indigenous women and girls “experience higher levels of marginalization [and] many Aboriginal people live in rural and remote communities where services [we]re not available” (20). The committee wrote that “women [we]re sometimes forced to stay with an abusive partner because they ha[d] nowhere else to go” (18). It viewed remoteness—not historical injustice and inaction, but rather community capacity—as a problem endangering women and girls. The report shifted focus away from Indigenous women in urban centres. Consequently, the committee identified remote Indigenous communities as the focus of increased government intervention to address a lack of supports and funding.

The 2011 census indicated that the percentage of Indigenous peoples in urban centres increased from forty-nine percent in 1996 to fifty-six percent in 2011. This included major urban centres like Calgary, Edmonton, Winnipeg, Ottawa-Gatineau, Regina, Saskatoon, Toronto, Montreal, and Vancouver (Indigenous and Northern Affairs Canada 2011). Also, given NWAC’s data around the location of disappearances (2010c), it seemed that a significant number of cases occurred within urban centres. This focus on remote communities erases major infrastructure and resources projects

co-located with communities in northern Canada. For example, regions with large numbers of Indigenous women going missing, like Highway 16 in British Columbia, were surrounded by the forestry and extractive industries (Amnesty 2016). The committee concentrated on the reserve, remote, and rural communities and conceptualized them using a binary model of urban and rural.

In the end, *Invisible Women* rebranded prior government commitments as new actions in its recommendations. It made sixteen proposals, fifteen of which restated former federal commitments, while the sixteenth established a federal action plan based on those commitments (2014a, 41–45). These included a focus on community safety plans, a national DNA database for unidentified human remains, the National Centre for Missing Persons and Unidentified Remains, and some community-based projects (12, 26). These proposals replicated the 2010 budget proposals from the federal government in responding to violence. Moreover, the report divided recommendations by theme: awareness campaigns, support for victims' families, support for communities, police services, and other supports (2014a, 39–41). Canadian law and the criminal justice system became linked with protecting families through harsh penalties against violent offenders. The report directed resources towards offender sentencing (rec. 2); developing a Victims Bill of Rights (rec. 3); and implementing a national DNA-based missing person's index (rec. 4). All of these were portrayed as providing closure to families (39–40). Other than intended funding and supports to offer families "standing access and assistance" during investigations and trials (rec 3.), these proposals embodied reactive responses to violence (40). The recommendations also emphasized federal responses to community projects. They slated education (rec. 5), support for community programs (rec. 6), economic development and skills training (rec. 7), support for shelters or frontline services for victims (rec. 8), and support for childcare agencies (rec. 9) as priorities (2014a, 40). According to the report, Indigenous communities were problem spaces due to poverty, domestic violence, and a lack of programming.

Policing emerged as the response to injustice. The committee directed federal, provincial, and municipal governments to “examine the possibility of collecting police data” surrounding violence against Indigenous women and girls (Government of Canada 2014a, 40–41). It instructed police forces to “improv[e] procedures among police services to facilitate multipartite investigations” (rec. 11) and to improve the training of police officers in “cultural understanding and sensitivity” (rec. 12). The report called for greater police awareness of substance abuse in Aboriginal communities (rec. 14) and implementing best practices in preexisting programs and services for Indigenous women and girls (rec. 15). Through these recommendations, the federal government saw “missing and murdered Aboriginal women and girls” as an impoverished, substance-using, and street-involved “vulnerable” population in need of policing (2014a, 41).

Invisible Women’s recommendations were so divergent from witness testimony that the NDP and Liberal members called for a national inquiry (2014a, 75–79). The government countered by commissioning an RCMP study to confirm many of the findings of the Special Committee. Later in 2014, Status of Women Canada issued an action plan following the final report’s publication. Its recommendations mirrored those of the Special Committee and Budget 2010 (13, 76, 77) and allowed the federal government to respond to CEDAW’s call for a national action plan.

Though the Standing Committee had granted NWAC special standing as an expert witness during its proceedings, NWAC withdrew in protest. On Thursday, November 21, 2013, NWAC expressed its “displeasure with their role in the Committee” (NWAC 2014a, 6). After requesting equal standing to review the evidence and call witnesses as part of the committee, NWAC was granted expert advisor status. According to the final report, NWAC was invited to “attend each meeting of the Committee and to provide their comments orally or in writing subsequent to each meeting and that the comments be appended to the Committee’s testimony” (2014a, 6). The departure of NWAC meant

that fewer Indigenous families would present before the Standing Committee. This absence prevented the federal government from positioning itself as listening to families.

In a press release, as an expert witness and advisor, NWAC expressed major concerns about the quality and depths of inclusion within the Special Committee. Specifically, NWAC noted lack of access to the key items such as the work plan, witness list, committee budget, and internal documents. NWAC also noted its concern “that the SCVAIW’s offer to appear before the committee as an ‘expert advisor’ and ‘expert witness’ was meant to pacify NWAC and reduce negative public and media criticism” (NWAC 2014a, 2).

Missing and Murdered Aboriginal Women: A National Operational Overview

Following the Special Committee, in May 2014, the RCMP released *Missing and Murdered Aboriginal Women: A National Operational Overview* [hereafter the *Operational Overview*]. This study examined numerous RCMP and provincial policing files (RCMP 2014b, 4). The report was meant to “guide Canadian Police operational decision making” (3). In effect, the report involved “targeted crime prevention, better community engagement and enhanced accountability for criminal investigations” (3). It stated that “this [was] the most comprehensive data that [had] ever been assembled by the Canadian policing community on missing and murdered Aboriginal women” (4). In combining different data sets, the *Operational Overview* augmented a governmental focus on MMIWG as a matter of policing while also serving as a basis of information to coordinate future action. It served as the basis of public knowledge about MMIWG long after its publication, but it contained contested data and limited connections.

The report was developed as part of an RCMP-led study into violence facing Indigenous women and girls across Canada (2014b, 3). Due to its “collection methodology, data mismatches,

and/or purging of records from closed files,” it purportedly represented a complete number of cases. The RCMP “cross-reference[d]” data with NWAC’s prior findings (6), focusing on the time frame from 1980 to 2012 to align with NWAC’s studies (7). However, several problems persisted in categorizing the total number of cases. For example, the RCMP’s evaluations rested on how individual officers recorded “ethnicity”; this meant that “perception-based” evaluations, meaning “how an individual looks in terms of complexion and/or ancestry,” determined how police tracked “ethnicity” (RCMP 2014b, 21). As the report made clear, “Asking a police officer to judge a person’s race based on his or her perception [wa]s difficult and c[ould] yield incomplete and inaccurate results” (21). That the Canadian Police Information Centre coded “Aboriginal” as an “ethnicity” while Statistics Canada coded it as an “origin” was another challenge (21). Different federal data systems were set up to track different descriptors with no standard comparative process. To resolve this, the RCMP team carried out a “file-by-file review” that shifted the “unknown/unavailable” factors for “Aboriginal origin” from twenty percent to 1.5 percent. This review allowed the project to link an origin identifier to 1,200 cases. The follow-ups and investigation of this “origin” identification also changed forty homicides from unsolved to solved (22). The RCMP’s categorization of cases rested on officer discretion to identify Indigenous persons.

To determine the number of Indigenous homicide victims, the RCMP drew upon data from Statistics Canada for the Canadian Centre for Justice Statistics Homicide Survey (2014b, 20). As the RCMP remarked, “Homicide data reported to Statistics Canada only include[d] incidents that ha[d] been substantiated by investigators as an offence of culpable homicide and [were] a part of the official record—suspected homicides or deaths deemed suspicious [were] not a part of the analysis in this report” (21). This discrepancy meant that the number of homicides hinged on initial detection of homicides and not recording deaths as accidental. Consequently, the homicide figures undercounted the number of deaths.

The *Operational Overview* identified 1,181 cases of “missing and murdered Aboriginal women” with “164 missing and 1,017 homicide victims” (RCMP 2014b, 3). It established “that Aboriginal women [were] over-represented among Canada’s murdered and missing women” (3). It also contended that “the majority of female homicides [were] solved (close to 90%) and there [was] little difference in solve rates between Aboriginal and non-Aboriginal victims” (3). In emphasizing the high-solve rate, the federal government understood the criminal justice system as a productive means of responding to violence against women (2014b, 14). However, the solve rate did not necessarily translate into convictions.

The RCMP subscribed to a set of factors that reinforced prior assumptions advanced by federal committees. Their report stated that the leading cause of death was physical beating, which accounted for thirty-two percent of deaths (2014b, 10). Data from 1991 to 2012 suggested that the most common location for bodies to be found was residences (sixty-eight percent), followed by vehicles/public transport (ten percent), and open areas (twelve percent) (2014b, 11). The *Operational Overview* shored up federal interpretations that physical beatings and households should remain areas of governmental scrutiny. In turn, this amplified federal discourses claiming that domestic violence was a driver of MMIWG.

The report concentrated on “Aboriginal victims” through the language of “risk,” which perpetuated prior understandings that coded violence against Indigenous women as related to the sex trade and illegality. For instance, the RCMP observed that “Aboriginal victims were less likely to be employed than non-Aboriginal victims (16% versus 40%)” (2014b, 17). Although the report stated that only about two percent of homicides were “linked to the drug trade or gang or organized crime activit[ies]” (12), the study suggested that “Aboriginal victims were more likely to support themselves through illegal means” (eighteen percent vs. eight percent) (17). With this figure, the report affirmed a damage-centred view of these women (3).

The *Operational Overview* also directed attention to Indigenous communities in several ways. First, it found that “most homicides were committed by men, and most of the perpetrators knew their victims” (2014b, 3). It went on to state that “approximately three quarters of victims were killed in a residence” (11). The study identified that “female homicide victims generally [had] known the person who kill[ed] them—more than 90% had a previous relationship with them,” including a spouse, family member, other intimate relationship, or acquaintance. The RCMP stated that this pattern of victims knowing their perpetrators was similar for Indigenous and non-Indigenous women (12). The report determined that “Western provinces and the North” had a higher proportion of Aboriginal victims (9). Overall, the study concentrated on nonurban spaces as sites of intervention. Moreover, the RCMP wrote that “offenders accused of killing Aboriginal females were more likely to have a criminal record (71% compared to 45%)” and were less frequently employed than those charged with killing non-Aboriginal women (forty-one percent compared to twenty-six percent). Perpetrators were said to more often be on social assistance or disability insurance (twenty-four percent compared to ten percent). Those accused of killing Aboriginal women were less likely to be identified as making a living through illegal activities (five percent compared to eight percent). This analysis placed scrutiny on those closest to Indigenous women (RCMP 2014b, 13).

The study proposed several recommendations. First, it called for a “review [of] all outstanding cases within their areas of responsibility to ensure all investigative avenues [had] been explored” (RCMP 2014b, 18). Second, the RCMP would assess the case files to “identify communities with the highest risk of violence against women” and target “at-risk individuals” (18). They suggested working with Public Safety to “introduce and initiate crime prevention programs within these communities” (2014b, 18). Third, they would share findings with other departments (18–19). Finally, the RCMP stated they would alter how they collected identifying “characteristic data” and share these cases with the National Centre for Missing Persons and Unidentified Remains (19). The data produced by the

RCMP established criteria to govern Indigenous communities based on categories of risk. Their recommendations affirmed that violence was unfolding in more remote areas and that a pattern could be identified for risk factors that contributed to violence. Hence, *Overview* established individual and illegal activities as the basis of police intervention.

The *Operational Overview*'s findings were contested upon release. The AFN called for a coordinated national action plan while also affirming the "need for a National Public Commission of Inquiry, as well as immediate direct investments in shelters and preventative support measures to keep the most vulnerable of our citizens safe and secure" (AFN 2014). The Ontario Federation of Indian Friendship Centres (OFIFC) remarked that "the report divert[ed] blame rather than address[ed] real issues facing Aboriginal communities both within and outside of RCMP jurisdictions" (OFIFC 2014, 2). The OFIFC also stated that the General Social Survey, from which the RCMP got its data, only sampled six percent of the Indigenous population in the provinces, excluded the territories, and lacked an exact comparison between missing Aboriginal and non-Aboriginal women (2). Likewise, the Legal Strategy Coalition (LSC), a coalition of nonprofit organizations, argued that "the 2014 Overview also sidestep[ped] the issue of whether police behaviour in dealing with reports of missing Aboriginal women [met] acceptable standards" (2015, 2). The LSC was concerned that the RCMP report was "not based on any reliable method for identifying who is Aboriginal" (2015, 3). These three organizations called into question the data, methods, and reporting techniques used by the RCMP. However, the RCMP's report had normalized police intervention as a dominant means of responding to violence against Indigenous women and girls. Despite these critiques, because it was the only state established data, the RCMP's figures and assumptions became a central source for policy and discussions about MMIWG. It subtly encoded and built on the assumptions and narratives that had circulated between federal and provincial hearings from 2011 to 2014.

The Effects of Missing and Murdered Discourse

Governmental investigations from 2011 to 2014 brought the image of the “missing and murdered Aboriginal woman” to prominence. Her manifestation depended on reading “risk” and “vulnerability” via individual conduct. Policy makers drew together data to rationalize the protection of “high-risk” Indigenous communities based on risk factors. In doing this, governmental discourses from the BC Inquiry, policy makers, and the RCMP elided systemic conditions structuring settler colonial violence. *Call into the Night* visualized northern Indigenous communities as under protected. The final report by the 2011 Standing Committee declared that “family violence” and a lack of shelters contributed to “vulnerability,” exploitation, and deaths (2011b, 10). It emphasized “victimization, poverty, prostitution and abuse” as the causes of violence (1). The final report imagined “rural, remote and on-reserve communities” as spaces absent from settler colonial law (28). These concerns obscured the government’s role in structuring these circumstances through funding.

The Oppal Inquiry established Indigenous and non-Indigenous women as “marginalized” and “vulnerable” subjects around sex work. Through its definition of misconduct, *Forsaken* erased police misconduct from view regarding the VPD and the RCMP. Again, this eclipsed the onus of official and unofficial policies in pushing these women from public spaces. These practices were trained on reproducing a depleted image of Indigenous women. Oppal’s recommendations also reproduced surveillance and a reconfiguration of police techniques around community services. Simultaneously, the focus on cultural competency training sought to redeploy the language of cultural sensitivity as a basis for affirming police responsibility for Indigenous communities. Rather than an absence of settler colonial recognition during this period, these practices were embedded within policing reform. *Invisible Women* situated violence around family violence, prostitution, and trafficking. These areas of focus aligned with federal funding priorities stated in Budget 2010 (2014, 10). The report’s focus on “rural and remote communities” resulted in governmental attention to these communities (2014,

20). This approach obscured more systemic causes of violence from governmental discourses by favouring a focus on individual behaviour and crime.

Finally, the RCMP's *Operational Overview* excluded cases outside the study's methodology (2014b, 9). This process regulated Indigeneity as an identity that police could determine. The report targeted the behaviour of "Aboriginal women" and shifted scrutiny toward Indigenous communities and away from cities. By focusing on the "Missing and Murdered Aboriginal Woman," these reports brought issues of policy, inequality, and "marginalization" into view but eschewed the historical, social, and contemporary patterns surrounding these dynamics. This political period is understood by scholars and activists as an overt denial of Indigenous political rights (Palmer 2015), but several dynamics emerged during this time that reflected shifts in how power was operating. For instance, the hearings and reports focused on reserve, rural, and northern communities. At the same time, a large percentage of Indigenous people resided in urban centres. The federal government used this moment to expand surveillance into northern communities. The federal approach problematized domestic violence, shelters, and the sex trade. As Rose (1996) argues, community and family are central in neoliberal practices of governance; these same responsabilizations are evident in provincial and federal downloading and recrafting of responsibility post-2011.

These official reports viewed Indigenous peoples through a narrow legal, political, and social lens, significantly disrupting humanitarian, recognition discourses, and crucial Indigenous discourses during this time. In categorizing violence against Indigenous women and girls as a matter of crime, this practice established a discursive limit on speaking about violence and policy solutions. Indeed, refusal was a practice of resistance at the BC Inquiry and the Special Committee. Coulthard notes that the Harper era deviated from logics of recognition, especially around the politics of MMIWG. However, the settler colonial politics of recognition was interwoven with facets of official truth-

telling hearings to rehabilitate policing. These hearings and committees sought to craft NWAC's and others' humanitarian findings into governmental problems that augmented police institutions' power.

Calls for a National Inquiry

Although there had been different calls to action across the postwar period, humanitarian and Indigenous representative organizations stipulated the need for a national inquiry starting in 2011 (Feinstein and Pearce 2015a). On July 12, 2011, the AFN called for a Royal Commission on Violence Against Indigenous Girls & Women (Human Rights Watch 2013, 27). Immediately following the Oppal Inquiry, the British Columbia Civil Liberties Association, Pivot Legal Society, and the British Columbia Legal Education and Action Fund released the *Blueprint for a National Inquiry: Learning from the Failures of the [BC] Missing Women Commission of Inquiry* in 2012 (Feinstein and Pearce 2015b, 20). In their report from February 13, 2013, Human Rights Watch encouraged Canada to launch a national inquiry (Human Rights Watch 2013). On March 12, 2013, NWAC and the Canadian Feminist Alliance for International Action called on the Inter-American Commission of Human Rights to investigate Canada's responses to MMIWG (NWAC and FAFIA 2013, 3–4). In July 2013, the AFN released *A National Action Plan to End Violence Against Indigenous Women and Girls*. By 2015, the Inter-American Commission on Human Rights called for a national action plan and National Inquiry into Missing Women. On the eve of the 2015 Canadian federal election, the issue of violence against Indigenous women and girls was central. These varied calls brought the National Inquiry to the fore of public debates. Even Tom Flanagan, one of Harper's former advisors was surprised by Harper's expending so much political capital to block the national inquiry (Ian Brodie et al. 2016).

Federal Election 2015

By August 24, 2014, following the Council of the Federation Summit, most provincial premiers and territorial leaders called for an independent and public national inquiry. These appeals came in the wake of two murders of Indigenous youth. On February 13, 2014, twenty-six-year-old Inuk graduate student Loretta Saunders was murdered in Halifax, NS by her tenants when she attempted to collect rent (Monchalin 2016, 197). Then, on August 17, 2014, fifteen-year-old Anishinaabe teenager Tina Fontaine (Sagkeeng First Nation) was found dead on the banks of the Red River in Winnipeg, MB after being reported missing by her caseworker (198). On the eve of the federal election, violence facing Indigenous women and girls was front and centre in the public consciousness. Although the Liberals and NDP had been requesting a public inquiry since 2011, the Conservative government decried the idea of a national inquiry. These divisions came to a head in the 2015 federal election, which saw both the NDP and the Liberals adopt calls for a national inquiry in their respective party platforms.

In the lead-up to the federal election, Conservative commentators and Prime Minister Harper critiqued a national inquiry's efficiency. Then Prime Minister Harper remarked, "I remain very skeptical of commissions of inquiry generally. My experience has been they almost always run way over time, way over budget, and often the recommendations prove to be of limited utility" (Monchalin 2016, 198). He positioned the inquiry as an unnecessary and costly endeavour. During an interview with Peter Mansbridge for CBC's *The National* on December 17, 2014, Prime Minister Harper stated that a national inquiry "[was not] really high on our radar, to be honest," adding that "[Canadian society] should view it as crime [...] [w]e should not view this as a sociological phenomenon" (Mansbridge 2014). By describing MMIWG in this way, he tried to depoliticize violence facing Indigenous women and girls.

What becomes evident across this period from 2011 to 2016 is a set of discourses resting on two facets of neoliberal policy: the first trained on the individual as the maximal unit of social organization and the second predicated on evidence-based policy and affirming Indigenous rights through investigation. Both sets of discourses affirmed Indigenous vulnerability as pressing while avoiding detailed discussions of Indigenous territorial, political, cultural, and resource rights. The theoretical discussion of these processes can be described as a duality between an antagonist antisociological discourse set against a liberal sensibility oriented in the colonial politics of recognition (Coulthard 2014). Both discourses speak on behalf of the disappeared as a framework for governance. The neoconservative discourses focus on securing and disciplining Indigenous communities as responsible for violence. The recognition-based approach trains attention on investigating mass killing as a basis for a right to govern and extol the benevolence of settler society while forestalling Indigenous political and social rights. The Liberal government's support for the *National Inquiry into Violence Against Indigenous women* may have, on the surface, aligned with discourses of nation-to-nation relationships, the revitalization of Indigenous rights, and support for political resurgence, but it still rested on a focus on memorializing the memory of the dead as a basis of action rather than a material or political mobilization of immediate rights to protect Indigenous women and girls.

One of my intentions in this dissertation has been to draw out the continuities between different governments. The Conservative party under Stephen Harper focused on enhancing security policies of the state to protect against Indigenous land defenders, deregulating the environmental protections for resource extraction and logistics (Bill C-38 and C-45), eroding Indigenous rights, and

taking a more antagonistic stance toward Indigenous legal assertions of rights before the courts.⁵⁸ The Liberal party under Justin Trudeau (2013–present) has seen a focus on economic stabilization, recognition of Indigenous rights through the Canadian constitution (1982), and an emphasis on resource development. Both governments, while reflecting different facets of neoliberalism, have been committed to eroding Indigenous title, continuing battles over the modern child welfare system, continuing the gender-based discrimination of the Indian Act (Day 2018), and forestalling major implementations of RCAP, the TRC, and MMIWG Inquiry.

There has been widespread debate over Trudeau’s policies toward Indigenous peoples. Trudeau has continued many of the same commitments as Prime Minister Harper, albeit in a different guise. The Liberal government has taken a more recognition-based approach to Indigenous rights, but this approach also obscures legal and political dispossession as ongoing processes. For instance, Trudeau has adopted the international declaration of Indigenous rights, appointed Jodi Wilson-Raybould as Minister of Justice (2015–2019) and reduced overt legal and political hostilities with Indigenous nations in Canada. Leanne Betasamosake Simpson (2016) observed that Trudeau’s Liberals have continued “Comprehensive Land Claims” and/or “Self-Government” negotiations that extinguish Indigenous title, maintained gender-based discrimination under Bill S-3 under sub-section 6(1)(a) and (b) of the Indian Act, and limited the independence of the National Inquiry into Missing and Murdered Indigenous Women. Shelagh Day contends that Trudeau’s Liberals have deployed the

⁵⁸ Audra Simpson (2016) observed that Bill C-45 unilaterally reformed the Indian Act (in contravention of the UNDRIP) and had implications for on-reserve lands and environmental regulations. Amendments to the Navigational Protection Act allowed for resource exploitation and the rolling back of freshwater protections. Idle No More (INM) was a grassroots movement that emerged in response to federal omnibus Bills C-38 and C-45. McAdam, McLean, Gordon, and Wilson started INM by leading several teach-ins to raise awareness about the potential impacts of these omnibus bills (Kino-nda-niimi Collective 2014, 21; Monchalin 2016, 229). The movement coalesced around three central pillars: (a) the repeal of Bills C-38 and C-45, (b) stabilizing the state of emergency in Attawapiskat, and (c) challenging the Indian Act (Kino-nda-niimi Collective 2014, 21).

language of consultation to block reforms to the Indian Act that would restore status to thousands of Indigenous women and their descendants following the Quebec Superior Court's *Descheneaux* in 2015. The Liberal House removed reforms the Senate attempted to pass that would have removed gender-based discrimination entirely in 2017 (2018, 178). Sheryl Lightfoot remarks that Canada's adoption of the Universal Declaration of the Rights of Indigenous Peoples (2007) has seen "over compliance" (overreporting) and selective readings of Indigenous rights to limit the adoption and recognition of Indigenous rights (2018, 171–72). Although Trudeau's policies represent a less overt operation of power and denial of Indigenous rights, policies pursued under the Liberal government continue gender-based discrimination, extinguishment of title, and the denial of self-government rights. S-3 received royal assent on December 12, 2017 and went into full force in August 15, 2019. In effect, this eliminated all current federally recognized forms of registration-based forms of discrimination in the Indian Act. This Act impacts between 270,000 to 450,000 and the ability for these persons to pass on their status to their descendants (Government of Canada 2020).

Conclusion

Several studies (Stanton 2013; Collard 2014; Bourgeois 2014; Bychutsky 2017) examined how the British Columbia Inquiry into Missing and Murdered Women elided the role of police responsibility, provincial policies, and the law in deaths of Indigenous and non-Indigenous women. However, few studies have considered how these systemic disqualifications of critical voices and the rehabilitation of police authority were expanded federally and provincially in Canada. Drawing on Kubik and Bourassa (2016), I argue that there is a need to reflect on these reports as a strategy for remaking institutions to secure against Indigenous dissent in Canada.

To this end, I have argued in this chapter that rather than holding policing and policy makers accountable, the essentialist understandings in UN advocacy affirmed the power of the state. Drawing on Brown's (1995) discussion of cooptation and the foreclosure of emancipatory projects in legalistic appeals, I argued that the logics adopted in these reports obscured the structural and systemic underpinnings of the causes of these deaths. In doing so, they allowed for the rehabilitation of police powers rather than their accountability. Contra Coulthard's (2017) observation that the Harper era of federal politics represented a departure from the politics of recognition, truth-telling practices proliferated in the wake of the CEDAW 2008 calls. These hearings, commissions, and forums sought to weave grassroots organizations and representative organizations into state power. It was not a departure: it was an intensification of these same aims of the colonial politics of recognition.

This downloading of state power is evident around rehabilitation through cultural competency training. Police and frontline cultural sensitivity and competency became an avenue that police forces used to rehabilitate their image following human rights complaints. While the official committees and commissions broke with translating "truths" extracted from witnesses into recommendations, institutions adopted these practices to avoid further scrutiny. This allowed policing institutions to appear compliant with international obligations while targeting Indigenous communities. It also intensified domestic calls for the *National Inquiry into Missing and Murdered Indigenous Women and Girls*.

Overall, I argued that from 2011 to 2015 the discourse of "Missing and Murdered Aboriginal Women and girls" viewed Indigenous communities through the language of "risk." Before this, Amnesty, NWAC, and FAFIA had figured Indigenous women as victims of human rights violations. According to the provincial and federal investigations of this period, violence facing Indigenous women was a matter of police jurisdiction. Categorizing Indigenous women in this way disconnected state policies from conditions that structure crime. Hence, policing reform became the dominant mode

of responding to violence. These investigations avoided meaningful discussions of individual and systemic bias within Canadian police departments. Their policies produced Indigenous communities as responsible for these women's deaths. Critically, these investigations denied the necessity of a national inquiry.

The discourses during this period emphasized “high-risk lifestyles,” geographic remoteness, domestic violence, and the sex trade as significant sources of violence. They focused on “Aboriginal women and girls” as “vulnerable” subjects due to their behaviour and economic conditions. Through the figure of the “missing and murdered Aboriginal woman,” these investigations depoliticized these women's lives and deaths. Policing, victim services, and community intervention were read as solutions to “excessive force,” “misconduct,” and “a lack of investigation.” By doing this, Canada distanced itself from political decisions that structure Indigenous women and girls' disappearances. Calls for a deeper systemic investigation intensified police scrutiny over Indigenous communities. Police agencies gained increased powers to share and manage information about Indigenous missing person cases. So, rather than expanding public scrutiny over police conduct, these investigations eroded privacy constraints and augmented police power.

In the following chapter, I turn to my concluding reflections. In the conclusion, I move to tie together the operation of these four figures I considered across the dissertation and their roles in governance and disappearance. I also draw out the continuities and departures of the *National Inquiry into Missing and Murdered Indigenous Women and Girls*.

Conclusion

The Four Figures of Disappearance

In this dissertation, I examined damage-centred assumptions in governmental and nongovernmental reports that brought violence against Indigenous women and girls into public scrutiny. I did this work to investigate how appeals to the state reproduced the categories and assumptions of settler colonial elimination. I outlined how state and nonstate reports reproduced the assumption that Indigenous women and girls would disappear without state support. In undertaking this analysis, I argued that these moments of state consideration rehabilitated settler colonial power.

In doing this analysis, I traced out how settler-expert discourses augmented the operation of settler colonial power and buttressed exclusions even as they advocated for Indigenous women and girls. Government officials and advocates reinforced the view that Indigenous women were damaged subjects. These assumptions eroded the political authority of Indigenous women and communities. I also considered how harm reduction and human rights were used by the state to affirm paternalistic assumptions about the capacity of Indigenous women and communities. This trajectory allowed me to analyze charitable, planning, clinical, and humanitarian spaces as implicated within processes of disappearance. Expert knowledge constituted these figures as subjects of policy and made them malleable to public governance and dispossession.

The Discourses of Damage and Desire

Indigenous assertions of presence and sovereignty surfaced at several points in my dissertation. At times, discourses of desire may be situated alongside damage-centred assumptions. Desire-based organizing is apparent in the community and student organizing around Indigenous hostels in the mid-1960s. In turn, during the 1990s similar coalitions emerged to contest and shape city responses to Indigenous women and mothers in the DTES. These political moments disrupted the discourses stating that violence against Indigenous women was the result of individual behaviour—

the political coalitions' abandonment of the BC PPU process being a prime example. At the same time, Indigenous discussions of sovereignty were evident within the provincial and national reports concerned with Indigenous rights. In the 1990s, the Manitoba Aboriginal Justice Inquiry and the Royal Commission on Aboriginal Peoples produced views of Indigenous political rights that did not easily fit with normative settler colonial understandings. Likewise, NWAC's focus on self-determination and incommensurable Indigenous conceptions of justice were predicated on Indigenous understandings of health, justice, and political jurisdiction. Likewise, the withdrawal of NWAC from the federal Harper-era Special Committee reflects a refusal to participate in processes that affirm settler colonial assumptions about Indigenous women and communities. Likewise, the departure of Indigenous and non-Indigenous groups from the BC Missing Women Commission hearings was an example of actors using their agency to refuse a process that lacked political relevance. These moments reflect the ability of Indigenous women's organizations and other groups to refuse statist narratives when they no longer accord with precepts of justice or Indigenous decolonial aims.

These processes reveal that truth-telling forums, while central vehicles of state power, also contain moments where Indigenous assertions of rights can take place. These modes of recognition also require participants for them to operate; the refusal to participate in these official proceedings demonstrates a refusal (Simpson 2014) to participate in practices that are no longer viewed as legitimate or in keeping with the interests of actors who previously called for them. These are politically salient moments because the very processes of the hearings revealed a breakdown of confession that has been so central to liberal forms of rule. These instances represent refusals to engage in circumscribed and limiting national regimes that absorb dissent in service of national order. I attempted to mark out two moments where these processes broke down and failed to provide meaningful engagement and participation for the actors involved. I also take up moments of Indigenous refusal, subversion, and contestation to settler colonial truth-telling. Central to these

disconnections were the economic, political, and institutional concerns that NWAC and other groups within BC were raising about the failures of government to intervene into the issue of violence.

Governing Through Expertise

Four figures have brought violence against Indigenous women and girls into visibility across the postwar period. Discourses of violence against Indigenous women and girls have seen multiple coding and inscription processes. Governmental practices of recording and encoding this information occurred within specialized fields of knowledge. This specialization encoded violence in technical language and abstract discussions that limited public accessibility until NWAC's Sisters in Spirit campaign. Expert discourses have presented Indigenous women and girls as a problem for settler colonial governments. These four policy figures—the transient, the vulnerable, the humanitarian victim, and the criminal—brought assumptions that erased Indigenous political claims and structural considerations. In problematizing the claims-making process, I have attempted to make visible the narrowing of possibilities and the denial of other political possibilities at various moments in the latter half of the twentieth century and first decades of the twenty-first. The “transient” figure produced some Indigenous women as incapable of survival in urban spaces. This understanding produced “transient” women as unreachable and “criminal” subjects beyond protection while producing Indigenous students as deserving of protection and support. “Vulnerability” marked out new forms of precarity in the 1980s and 1990s. However, the discourse of “vulnerability” defined Indigenous women as biomedically and developmentally “at-risk” and “risky” subjects while calling for their removal from public spaces. These classifications constituted Indigenous women and girls as a site of economic reintegration and a threat to public order. Health officials enforced the understanding that Indigenous women and girls should be removed from public space by producing them as a threat.

In a similar vein, state policy maker appropriations of humanitarian discourses affirmed physical rights to justice under the criminal justice system but depoliticized Indigenous women and

communities as individualized victims within the carceral system. NWAC's research and findings were appropriated by government institutions and practices due to its reliance on statist legal narratives. This dynamic points to a broader political realignment of discourses concerning violence against Indigenous women following Budget 2010. The statist underpinnings of human rights approaches allowed for policy makers to enact policy in the name of Indigenous women without altering the underpinnings of institutional and systemic patterns of violence. The figure of "the missing and murdered Aboriginal woman" revolved around reading policing and settler colonial law as the primary means of securing Indigenous women and communities. This shift unfolded at moments when Indigenous rights were becoming dominant in national and international discussions.

My analysis maps the operation of figures that have reproduced damaged-based assumptions about Indigenous women across Vancouver, British Columbia, and nationally. These figures (the transient, the vulnerable, the humanitarian victim, and the criminal) unintentionally reproduced power asymmetries and undermined Indigenous political claims. Each moment of contestation served to recuperate settler colonial violence during a period of overt visibility. The reversal of the language of state appeals in the 1960s, the 1990s, the early 2000s, and the 2010s display how tactics invested with power can be turned against those who wield them. By tracing these damage-centred assumptions, I marked out the subtle and indirect ways that power governs through categories within and beyond state discourses. I delineate some of these strategies and tactics below. I conclude this discussion by offering a brief reflection on the National Inquiry into Missing and Murdered Indigenous Women and Girls. I do so because, even though it was beyond the temporal purview of my study, it is highly relevant and as such could not be omitted from my analysis.

Everyday Slow Violence

Through my analysis, I made evident the operation of slow violence across municipal and national processes (Nixon 2011, 2). Doing so allowed me to step away from a more legalistic focus on

the negotiating table, courtroom, or royal commissions. This focus on rights and cultural forms of recognition has visualized some spaces as central to settler colonial governance while leaving gendered violence less evident. While Coulthard (2014) asked, “What are we to make of contexts where state violence does not constitute the regulative norm governing the process of colonial dispossession?” (15), I instead responded to a movement within geography, as outlined by de Leeuw (2016), to rescale analysis on spaces “where power relations are affective and invisible” and where disciplinary techniques shape the lives of Indigenous women and girls (20). This approach allowed me to go beyond a focus on resources, symbolic forms of recognition, and formal political rights (17). By turning to the theorizing of Foucault (1978) and Brown (1995), I was able to consider spaces that are understood to operate in politically neutral ways. On the following page, I explain how these specific sites furthered settler colonial practices.

Governing Through Community

First, I showed that community governance emerged as a prominent technology for governing Indigenous women and girls in Vancouver before the appearance of an “advanced liberal” society (Rose 1996, 330). Rose argued that community became a technique for managing populations in the neoliberal period; however, Rose pointed to minor incidents of community governance advocated by sociologists during Keynesianism (327). By drawing on Cowen’s (2005) analysis, I was able to discern the operation of antecedent neoliberal assumptions in postwar Vancouver (339). Here, I argued that friendship centres, community governance, policy targeting, and individual self-help practices were evident across federal and urban planning policies targeting Indigenous peoples entering cities. Building on earlier feminist literature from Sangster (2005), Bohaker and Iacovetta (2009), and Harris and McCallum (2012), my work sought to expand the dialogue around postwar citizenship, labour, and social policy concerning Indigenous urban migration. My analysis revealed a bifurcated understanding of citizenship between desired students and undesired transients. I expanded

upon Langford (2016a), Longstaffe (2017), and Bradford's (2018) contributions to consider how urban planners in Vancouver envisioned Indigenous citizenship through friendship centres and rehabilitation. I found that planners viewed friendship centres as a means of limiting public supports for Indigenous men and women entering Vancouver. Community governance transformed neighbourhood organizations into administrators of precarity on skid road. As Langford (2016a) points out, Indian Friendship Centres were contradictory and contested spaces. However, community governance was visible from the 1960s to 1970s as a durable tactic for administering urban assimilation. The Winnipeg model gave planners an example of how to administer precarity beyond the welfare state.

Postwar citizenship included extinguishing Indigenous rights and reducing federal costs through urban assimilation (Langford 2016a, 3–4). This violence is often obscured by a comparison of the Canadian context to the American as seen in some urban studies accounts (Strong-Boag 1991; Ward 1999). Indeed, this was an enduring assumption in the political science work of the early 2000s with Cairns (2005) and Flanagan (2008) both alluding to assumption that urban status would erode Indigenous connection to culture. Federal and provincial bureaucrats and planners imagined the urban space as one of minimal financial citizenship. By pointing to the violence unfolding in Vancouver during the 1960s, I attempted to complicate how Canadian cities were viewed as less racist than American cities. By pointing to community governance as a tool for managing urban integration in Vancouver, I questioned the “origin story” of Canada's formal adoption of neoliberalism.

Given that settler colonialism has been predicated on community governance and reducing welfare state supports to Indigenous peoples, it makes sense to talk about the shift in citizenship from Keynesianism to neoliberalism in the urban context due to the tactics that emerged under neoliberal capitalism and governance. However, I also see academic analysis focused on welfare state citizenship as capturing only on specific set of class and gendered experiences at the welfare state's

height. The welfare state provided different levels of support to distinct groups and as such there is a need to rethink how the supposed neoliberalization of Canadian society affected different populations.

My work addressed planning efforts to scale back welfare state supports for Indigenous peoples well before the 1970s and contested the taken-for-granted notion that the welfare state included Indigenous women before the onset of neoliberalism. Community governance was meant to limit social supports to Indigenous people entering the city but prevent their concentration on skid road. It also reveals a set of mentalities circulating in federal and urban policy well in advance of the 1969 White Paper. Indeed, this minimalist social contract was not only trained on Indigenous peoples but was also then taken up to manage the urban poor rather than Indigenous men and women entering Vancouver. Instead, a model of voluntary and mutual aid supports was called upon to protect Indigenous women and girls entering Vancouver.

By tracking this process, I made visible the American influences in the Community Chest and Vancouver planning department of the mid-1960s. Here, I confirmed Bradford's (2018) finding that American influences were salient in the Canadian context. Although he sees these influences as fleeting by the outset of the 1970s, I see these influences around community development as durable into the 1970s and 1980s—which Roe (2009) also takes up in his analysis of the co-optation of urban agencies—even as the schemas of urban development focused on slum clearance were waning in the 1970s (Ward 1999; Sommers and Blomely 2002). Building on Bradford's (2018) invitation to consider racism within that era's urban development policies, I pointed to processes that contributed to violence on skid road (Longstaffe 2009). This focus allowed me to contest the assumption that American ghettoization and racial zoning were not experienced to the same degree within Canada, as Strong-Boag (1991) and Ward (1999) posited. Moreover, my analysis of the four Vancouver planning reports from the 1960s affirmed Razack's (2000) contention that slum administration replaced reserve governance for policy makers (97). However, I also complicated her analysis by arguing that planners

desired the depopulation of reserve lands by diverting Indigenous arrivals away from spaces like Vancouver's skid road through community governance.

Building on studies of mobility (Perry 2005) and segregation (Carter 2006) in the 1880s, I unpacked how "transience" functioned as a category in the postwar period. Planners envisioned Indigenous students as essential to securing the assimilation of Indigenous communities. Transients were the targets of individual charity, community development, or penal reform. Transience functioned as a corrective and externalizing discourse. It conceived spaces like prisons and hostels as vital in rehabilitating and containing "transient" women. These systems sought to shape Indigenous arrivals to the city into economic agents. I found that the "transient" woman excluded Indigenous women from welfare state supports and formal protections. On the other hand, settler men on skid road were produced as deserving of direct municipal supports. The techniques called for by the Community Chest went to support the needs of "transient" white men on skid road.

I also saw urban policy makers drawing on techniques from American and Canadian cities (e.g., Chicago, Seattle, Winnipeg). Bradford's (2018) focus on the national scale around city policy offers an essential consideration of how Canada's urban policy regime differs from other states. However, Bradford seems to avoid how federal Indian policy shaped planning knowledge. These histories of urban racism and specificity shed light on how urban policy was both national in scale and determined by local patterns. Policies governing urban citizenship and this "White Paper" model of assimilation were both determined from above and below. Urban planning, welfare state social planning, and citizenship assumptions shaped how Indigenous peoples entering urban spaces were understood by social planners. A network of legal offences, federal Indian policy, and planners produced friendship centres as a response to "transience." Certainly, Bradford's (2018) analysis sheds light on Canada's federal priorities, but it leaves out the urban role in shaping projects of assimilation:

assimilation functioned from both above and below in this context of urban policymaking. Central for future research is how networks between cities shaped local policies across the Canadian–US border.

Gentrification and Biological Sorting Practices

Regarding discussions of gentrification in the DTES, I illustrated how street-level services functioned alongside disappearance. Sommers and Blomley's (2002) analysis distinguished between gentrification in the 1960s and 1990s around the use of rehabilitation to remake individuals (25–36). I examined how clinical street-level clinics and nonprofit actors became responsabilized for managing Indigenous women in the DTES (332). In turn, I considered how their organizing reproduced dominant assumptions about Indigenous women and girls as “vulnerable” and “at risk.”

Following Cowen's (2005) analysis, I suggested that public policy targeting regarding community governance occurred much earlier and in more heterogeneous ways than Rose suggested (1996, 335–36). Contra scholars who assumed abandonment by the state (Benoit and Carroll 2001) or the state of exception (Pratt 2005), planners rendered Indigenous peoples as independent and self-supporting citizens. Rather than being separate from the operation of power, service organizations were integral to models of urban rehabilitation and the management of public disorder. Instead of overtly coercive means such as “rechauvinism” (Smith 1995) or the policing of public space (Sommers and Blomley 2002) being the sole operation of displacement, street-level clinics reflected a covert means of disciplining subjects and governing disorder.

I also pointed to the Neighbourhood Safety Office's role in this process of governing. I demonstrated that although local Indigenous and non-Indigenous nonprofit organizations were essential in shaping government policy, they were also shaped by it and enacted it themselves. Nonprofit activities shaped Indigenous health discourse as an extension of government policies rather than as agents apart from government policy. I found that in advocating for these women, the NSO

reproduced assumptions about “vulnerability” (Currie 1995). Likewise, Cain’s (1994) and Parry’s (1997) studies upheld many theories about harming society and harm to the community.

Rather than view the DTES as a space of abandonment, I argue that biological sorting practices were operating across the 1990s. Biogentrification (Murray 2015) occurred in tandem with the killings of Indigenous and non-Indigenous women. Expert discourses positioned Indigenous and non-Indigenous mothers as both vital and “risky” to public spaces. This attention intensified street-level surveillance of these women by agencies and police. It also disqualified them from public protection as undesirable subjects. Instead of being discarded by society (Benoit and Carroll 2001), Indigenous and non-Indigenous women’s lives were shaped by government health policies and containment practices of the 1990s.

These conditions reveal several dynamics. First, they demonstrate that governmental funding priorities shaped street-level organizations working with “vulnerable” populations—specifically Indigenous mothers (Roe 2009). Second, new forms of knowledge around disease, addiction treatment, and medical research were viewed as valuable for medical researchers (Elliott 2007). Third, medical research required the maintenance of urban poverty rather than its dislocation (Murray 2015). Fourth, nonprofits became vital in monitoring and integrating “vulnerable” populations back into the urban economy. Nonprofits mirrored the categories and language of official public health discourses. This dynamic fixed Indigenous women as subjects deserving of protection due to their “vulnerability” and not inherent political rights.

Building off Smith (1995), Sommers and Blomley (2002), and Pratt (2005), settler governance remade the DTES by regulating the conduct of Indigenous and non-Indigenous mothers through research, rehabilitation, and regulation. In turn, the focus on nonprofit interventions fixed the horizon of social and economic advocacy. These community-level techniques focused on care for “vulnerable” Indigenous mothers. Economic supports, repatriations of territory, and governance

within Indigenous communities became separated from these discussions. Indigenous maternal health functioned as a discursive site to adjudicate the fitness of Indigenous capacity and self-government. Indeed, these practices of regulation around economic and social precarity were so productive that they were adopted through other localized centres and services in British Columbia—most notably the Foundry model of care focused on “at-risk” youth. What is revealed here is a model of social investment that responsabilizes the community for care of those individuals deemed “the most vulnerable” rather than broader questions of the systemic relations behind social inequalities.

Truth-Telling and Humanization

I argued that NWAC’s advocacy disrupted the specialization of discussions of violence concerning Indigenous women and girls. In turn, this meant that violence was visible across national and international registers in public discussion. I drew upon Foucault’s (1978) analysis of truth-telling and Brown’s (1995) consideration of legal redress and protection orders to consider how discursive structures could both maintain and transform how settler colonial power operates under human rights discourses. Following scholars like Green (2014), I argued that Amnesty and NWAC’s appeals were structurally constrained through the logic of state sovereignty and domestic state law. This analysis of the containment of Indigenous rights under state legal regimes confirmed findings by Million (2013), Bourgeois (2014), and Hargreaves (2017) around how liberal humanitarian assumptions can offer a critical space for intervention but also highly mediate claims within those spaces. Building on this trajectory of scholarship, I established how the contested discursive construct of policing came to predominate and displace systemic accounts of victimhood and vulnerability under a human rights framework. I found that this positioning rested on individualization around criminalization, future-oriented responses around forensic investigation, and the downloading of responsibility from the state to the community and the individual around educational initiatives. Tough-on-crime discourses

externalized responsibility for violence to individuals and communities. I argued that the domestic bent of humanitarian discourses affirmed statist “protection codes” (Brown 1995) and carceral systems as a means of responding to violence against Indigenous women and girls. These political codes enabled the state to claim it acted on behalf of Indigenous women while revitalizing settler colonial power.

Following this trajectory, I tracked NWAC and Amnesty’s analysis of systemic violence against Indigenous women and girls. The understanding of victimhood and vulnerability that both groups produced within a human rights framework firmly connected these rights violations to systemic patterns between the Child Welfare system, prisons, policing, and residential school systems. I found that after Budget 2010 and the Speech from the Throne, the Conservative Government deployed the image of the humanitarian victim and vulnerable woman as a means of rehabilitating state institutions and denying the need for systemic changes and a national action plan.

I sought to contribute to the scholastic work on liberal regimes of truth-telling and power relations around human rights advocacy in several ways. First, I expanded upon the writing of Million (2013) and Bourgeois (2014) by focusing on a hitherto unconsidered moment in NWAC’s early advocacy around the Sisters in Spirit Campaign. The 2001 Durban conference represents a moment that revealed the territorial and legal tensions in navigating the assertion of rights to self-determination within the international sphere. On another level, Durban revealed the dismissal of antiracist and decolonial voices by statist actors during a nascent moment when violence against Indigenous women and girls was becoming publicly visible. By pointing to the Durban Conference, I attempted to highlight the downloading of human rights responsibilities from both the state and the UN onto Indigenous representative organizations without any structural or material supports for this role. Regarding the Conservative Government’s focus on the victims of crime, I outlined how human rights approaches that included more substantive rights were watered down within the domestic

context of Canadian law enforcement and investigation. In turn, this meant that the “risks” and “vulnerable” categories extended not just to those in survival sex work but to all Indigenous women as humanized at-risk subjects. Third, in the Harper era, rather than these discourses representing a break with all of Amnesty and NWAC’s findings, policy makers harnessed the language of risk and vulnerability to extend policy powers and rationalize the removal of funding from Indigenous organizations to the prison system. Instead of protecting Indigenous women and girls, this emphasis on policing augmented the incarceration of Indigenous women and girls.

Reversals and Disruptions in Governing

Lastly, I responded to a problem in how scholars take up the Harper era concerning recognition and misrecognition. I asserted the need to examine state practices of governing at a distance in nonprofit groups and clinical spaces beyond the state as part of settler colonial rule. These case studies expanded the existing area of scholarly focus beyond legal, cultural, or symbolic formal recognition processes. Foucault described government under liberalism as facilitating “the right disposition of things, arranged so as to lead to a convenient end” (2003a, 234). I outlined practices operating through street-level, clinical, and administrative policies around policing as mechanisms that facilitate the preconditions for disappearance. In doing this, I inverted Coulthard’s formulation by asking, “What are we to make of contexts where state violence [...] constitutes the regulative norm governing the process of colonial dispossession”? While Coulthard’s analysis emphasizes the legalistic state process around recognition (2014, 15), my work built upon Coulthard’s concerns about embodied violence to situate the processes that have structured embodied violence in Vancouver’s DTES (Coulthard 2014; Gardener and Clancy 2017). I argue that governmental practices operated through deadly encounters with individual citizens and police. This everyday physical and structural violence occurred through policies that normalized violence as permissible.

Truth-telling practices at the federal and provincial levels never ceased during the Harper era. Rather than a departure from the colonial politics of recognition, this period represents their culmination. Coulthard has argued that Harper “was not interested in the more symbolic politics of recognizing differences and historical injustices” (Coulthard 2017). My response was twofold. First, I noted that unlike recognition, knowledge production and subjectification always ascribe and mark individuals with an identity. The Harper era functioned through special hearings and committees that had to be fought for by grassroots and national organizations. Looking at the recommendations and proposals of provincial and federal reports between 2010 to 2015, I found that practices oriented around cultural competency training led to reforming policing practices. Rather than addressing systemic factors and reversing past policies, this focus on cultural sensitivity rationalized policing as the predominant response to MMIWG. Second, I linked this departure from recognition to a much longer trajectory of federal and provincial hearings problematizing Indigenous communities as “damaged.”

The federal policy was not a complete abandonment of “recognition” (Coulthard 2014). Instead, this moment was an intensification of recognition by other means. These humanitarian appeals by Indigenous and non-Indigenous organizations resulted in the expansion of UN-based recognition. Suggesting that the federal Conservatives were not interested in Indigenous rights elides the profound rehabilitation of the police services as a response to violence against Indigenous women and girls. It also obscures the multiple federal hearings and committees during this period. In part, “recognition” had been internationalized since the early 2000s. In another way, cultural affirmation functioned at the institutional level rather than within federal rhetoric. These commissions and hearings from 2011 to 2014 were only marginally about securing grassroots affirmation. These hearings were concerned with rehabilitating the nonprofit and policing bodies. The “recognition” framework obscures these dynamics by looking solely at how Indigenous political claims were

recognized or not recognized by the state. Their efficacy is in how “well” these reports allowed different grassroots organizations to internalize their understandings of violence.

The overt nature of power during this period manifested in the emergence of Indigenous political contestation. This antagonism led to calls for an independent and public national inquiry into missing and murdered Indigenous women and girls. Downtown Eastside and Indigenous representative organizations withdrew their standing from the BC Commission of Inquiry over lack of procedural transparency and institutional impediments. Likewise, NWAC and many Indigenous families left the Special Committee on Violence Against Indigenous Women. The findings of the 2011 Standing Committee on the Status of Women, the 2012 BC Inquiry, and the 2014 Special Committee were so divergent from the evidence they heard that, as a result, participating organizations broke out of these hearings to advocate for an independent national inquiry. I contend that this breakdown in practices of recognition disrupted governmental discourses.

Closing Reflections

Overall, in this dissertation, I have argued that expert discourse has maintained settler colonial assumptions about disappearance. The efforts of Indigenous women and their families, communities, and governments brought violence into visibility. However, experts continued to mediate these discourses. These approaches emphasized individualized responses to Indigenous women and girls’ violent deaths due to assumptions that devalued Indigenous life as a threat to Canadian society. The street-level rehabilitation programs of the 1960s in Vancouver’s skid road focused on integrating and removing Indigenous women and girls from urban spaces. Likewise, the city’s response to “vulnerable” populations in the 1990s maintained these same assumptions. Planners and health officials upheld the language of “risk” and “threat” that produced Indigenous women and girls as dangers to public order.

Likewise, the humanitarian perspectives from the early 2000s and the federal disavowals in the 2010s created competing discourses that unfolded at the international and national levels. However, these frameworks emphasized victimhood, which reaffirmed discursive assumptions about the risks Indigenous women posed to society. Earlier discourses by NWAC built on the foundation of Indigenous assertions of sovereignty from the 1980s and 1990s. These discourses contested the police-centred nature of responding to violence by pointing to the conceptual differences between Canadian law and Indigenous conceptions of justice. NWAC situated the targeting of Indigenous women by the justice system and the lack of protection against violence as ongoing systemic and institutional patterns. However, these concerns became contained within liberal categories of reform that furthered these specific institutions' operation. The Harper era constructed Indigenous communities as responsible for crime and requiring police intervention.

At almost every turn, practices that had been called forth to protect Indigenous women were appropriated to secure the health and wellbeing of settler citizens. In the 1960s, the practices around Indian friendship centres were applied to support unemployed white men in Vancouver. Likewise, in the 1990s, the model of care emerging in Vancouver's East End was expanded across a range of service centres to secure "vulnerable" youth throughout the province. And, in a different way, the policing reforms that were called upon by Indigenous and human rights groups as necessary to ensure the accountability of police as they investigated Indigenous women's disappearances were translated into expanded police powers. The assumption that Indigenous women were predisposed to disappear affirmed expert knowledge that further investments in the protection of Indigenous women were not desirable. These three moments shed light on the questions of deservedness that are at the crux of damage-centred narratives as furthering the operation of power within settler colonialism. NWAC's narratives challenged this assumption and the belief that Indigenous women were undeserving of greater social protection. However, even more concerning is that settler colonial society, at different

moments, has operated in an extractive fashion by taking techniques that could have protected Indigenous women and used them to secure populations it has deemed more deserving of care. Damage-centred assumptions were not only destructive, pathologizing, and exclusionary—they were generative and extractive. Technologies of protection and discourses of public order across these different eras have affirmed the protection of settler colonial publics in the name of incarcerating and removing those deemed most vulnerable and most dangerous to public order from given spaces.

Overall, I have argued that expert discourses have maintained damage-centred assumptions about Indigenous women and communities across the postwar period. My contribution to gentrification studies is to point to the presence of “rehabilitative” modes of governing urban space in the 1960s and 1990s as predicated on sorting between those produced as deserving and underserving of support. I also traced these same productive forces in shaping and reforming institutions and national and local state practices across the early 2000s. The specialized languages evoked by these discourses have erased Indigenous political rights as related to territory, sovereignty, and culture, and removed embodied rights from discussions of the violence.

Settler-expert discourses reproduced a binary relationship. As a result, these practices have furthered settler colonial ambitions of assimilating Indigenous peoples and continued cultural and territorial dispossession. Techniques for regulating and remaking Indigenous women’s behaviour maintained binary exclusions. These exclusions furthered disappearance through the regulation of resources and supports. Disappearance continues to exist because it operates within claims to care for and support Indigenous women as individual citizens. These caring discourses contribute to disappearance because they erode Indigenous claims to agency, autonomy, and capacity. Central within these denials are territory, sovereignty, and knowledge. These discourses have also reproduced the unconscious understanding that Indigenous women are a threat to urban life. These caring

discourses distance themselves from governmental processes of dispossession. Disappearance operates through the depoliticizing assumptions within fields of care rather than in opposition to it.

Postscript on the National Inquiry into MMIWG

The National Inquiry

After being elected with a majority, Prime Minister Justin Trudeau's Liberals launched the National Inquiry into Missing and Murdered Indigenous Women and Girls on August 3, 2016. The pre-Inquiry design consultations included, among its numerous action items, the need to "implement existing recommendations from previous inquiries and commissions, including the Truth and Reconciliation Commission's Calls to Action, as well as the studies and reports produced by Indigenous organizations." In the summary of these pre-Inquiry meetings, the government said:

We heard that the Inquiry should take a broad approach to its analysis of the issues. It should look at the economic, cultural, political and social causes of violence against women, girls and trans and two-spirit people. It should also look at the causes of unequal and unjust treatment of Indigenous women, girls and trans and two-spirit people and recommend solutions to the causes of violence. (Government of Canada 2016b)

This consultation-based approach focused on increased research and investigation. Its commitment to action displays a more conciliatory and recognition-based approach to rights on the part of Trudeau's Liberals. This departs from the Harper-era model and could be seen as a return to a more culturally affirming formation of settler colonial recognition. However, both formations of settler colonial justice maintain the paternalizing understanding that Canadian law and carceral systems must enforce and practice surveillance over Indigenous women.

Findings of the National Inquiry into MMIWG

The four figures have shaped the policies and systemic inequalities that have elided violence in Canadian public discourses. The National Inquiry into Missing and Murdered Indigenous Women and Girls is both a response to this history of erasure and brings in questions of rights, representation, and power to foreground. Damage-centred assumptions and the politics of desire comprise the central question about this Inquiry's ability to trouble the figuring of Indigenous women in Canada and systemic inequalities while advancing decolonial politics. The question at play within in the National Inquiry was can state run processes generate meaningful systemic and legal change to support Indigenous women and girls. The legal tensions between settler colonial law, human rights-based approaches to law, and Canadian Constitutional law are central to understanding the operation of power in the Inquiry. Within the Inquiry, what was at play was a debate surrounding the humanization of Indigenous women and girls through an understanding of self-determination and autonomy that acknowledged histories of embodied, psychological, and physical violence and trauma but did not merely reproduce the state as caretakers for these women and girls. The four figures comprised both the background conditions for and the tensions inherent within the Inquiry. Critically, human rights framings were central, but the third generation of human rights—focused on Indigenous rights to self-determination—brought forward a different politics than what Amnesty and NWAC had been able to do in the early 2000s. Finally, the logic of the inevitability of Indigenous women going missing and being murdered was contested. Even the understanding that the Canadian state had any right to define Indigenous belonging and identity was challenged. However, international and settler colonial law constrained Indigenous self-determination in contesting settler sovereignty and jurisdiction.

After the initial launch of the Inquiry and naming of the Commissioners on August 3, 2016, the National Inquiry into Missing and Murdered Indigenous Women and Girls finally began its work in September 2016. However, federal processes and decision-making structures limited the operation of the Inquiry; there was also concern that the Prime Minister's office placed restrictions on the

Inquiry.⁵⁹ These factors led to significant delays in starting the hearings and uneven communications with families and communities. After some initial skepticism, the Commissioners formally requested an extension to the Inquiry. On Tuesday, May 1, 2018, Crown-Indigenous Relations Minister Carolyn Bennett confirmed that the Inquiry hearings would be extended until December 2018, with the final report deadline from being moved November 1, 2018 to April 30, 2019. There were also staff terminations and a series of resignations, which alluded to broader tensions within the Inquiry.⁶⁰ At the centre of these tensions was a conflict between Constitutional law, human rights, and Indigenous law and community-directed processes. This tension centred on Indigenous rights within or beyond Canadian law, conflicts over consensus models of participation versus hierarchy in the process, and disagreements over process and relationship-building with communities. Several former staff members have discussed a divisive work culture and an excessive focus on settler colonial law from the highest levels of the Inquiry.

The National Inquiry released two reports, as directed by its terms of reference. It released its interim report: *Our Women and Girls are Sacred*, on November 5, 2017, and its final report, *Reclaiming Power and Place*, on June 3, 2019. The interim report reviewed and summarized the

⁵⁹ A coauthored open letter released on May 16, 2017, by Indigenous academics, grassroots organizers, advocates, and countless others called into question the relationship between the Prime Minister's Office and the National Inquiry (NB Media Co-op 2017). Indeed, the interim report of the Inquiry, *Our Women and Girls are Sacred*, also addressed these concerns in its recommendations (Government of Canada 2017c, 9).

⁶⁰ Nine employees were fired or resigned from the Inquiry between 2017–2018. On February 3, 2017, Michael Hutchinson was fired from his posting as Director of Communications. By July 2017, both the Director of Operations Chantale Courcy and the Manager of Community Relations Tanya Kappo resigned. Then on July 10, 2017, Commissioner Marilyn Potrias resigned from the Inquiry. Following this, Executive Director Michèle Moreau resigned. Another wave of leaves and resignations followed suit with Communications Advisor Caroline Nepton Hotte leaving on August 30, 2017, Executive Assistant Farren Saulis resigning on October 1, 2017, and Commission Lawyer Susan Vella and Director of Research Aimée Craft both leaving on October 7, 2017. Chantelle Bellrichard and Tamara Baluja (2017), with the CBC, have compiled a near complete list of departures.

findings of previous commissions and inquiries. The final report offered a more fulsome reflection on violence experienced by Indigenous women, girls, and 2SLGBTQ+ persons.

Reclaiming Power and Place: Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls

The final report of the National Inquiry offered a comprehensive discussion of the multiple forms of structural, institutional, and daily violence facing Indigenous women in Canada. It challenged prior findings and assumptions from previous reports regarding the state's complicity. The Inquiry released its final report, *Reclaiming Power and Place*, at a closing ceremony at the Canadian Museum of History in Gatineau, QC on June 3, 2019. The final report was 1,200 pages long and included 231 Calls for Justice. The Inquiry broke with longstanding silence around the discussion of genocide in Canada. The Commissioners remarked that what they heard “amounts to a race-based genocide of Indigenous Peoples, including First Nations, Inuit and Métis, which especially targets women, girls, and 2SLGBTQQIA people” (Government of Canada 2019c, 1). By its closing, the Inquiry held fifteen community hearings and ran nine Knowledge Keeper, expert, and institutional hearings across Canada. In the end, 2,386 people participated in the truth-gathering processes by providing testimony, creative pieces, or shared their experiences (1,484 family members and survivors and eighty-three experts, Knowledge-Keepers, and officials; 819 individuals also shared artistic expressions) (2019c, 1). The Inquiry generated over 2,000 hours of recorded testimony from the participants who appeared publicly.⁶¹

⁶¹ The direct testimony of Indigenous women, experts, grassroots organizers, and leaders can be found through the Canada Public Affairs Channel (CPAC) under the Inquiry page (<https://www.cpac.ca/en/programs/inquiries-on-cpac/episodes/65900189/>) and highlights of this testimony can be found on the inquiry website [Key Moment Videos | MMIWG \(mmiwg-ffada.ca\)](https://www.mmiwg-ffada.ca/). The testimony and discussions offered before the Inquiry contain discussions of topics that are potentially triggering and (re)traumatizing. The CPAC has also offered highlighted specialized edited

The Inquiry had based much of its work on a families-first approach, which meant that family members and survivors could participate in the Inquiry (2019c, 6). The final report clarified that chosen families and “families of the heart” (nonbiological families) were able to speak and present testimony (2019c, 6). The Inquiry understood Indigenous women and girls as sacred, contrasting with earlier commissions (2019c, 5). The Inquiry operated from a trauma-informed perspective and worked with experts and Knowledge-Keepers during the truth-gathering process to identify and translate academic research into findings for the process (2019c, 7). The Inquiry produced a detailed record of the myriad forms of violence constituting a genocide against Indigenous women and girls. This report broke the long-imposed division between discussions of racialized and sexualized violence and Indigenous self-determination. Moreover, the Inquiry issued two supplementary reports: one on genocide and one on the Quebec context. The Genocide report outlines the legal history concerning the concept of genocide and the relationship between genocide and systemic discrimination. The Quebec report outlined the unique manifestations of violence unfolding within Quebec: specifically, around police and institutional patterns of discrimination.

Reclaiming Power and Place outlined the power relations normalizing and structuring violence in Canada in a way that departed from prior reports. Canada was understood as a settler colonial country, whereby its laws, institutions (health care, police, justice), and cultural structures

testimony clips to be watched from key moments in the Inquiry. These offer a specific and targeted set of personal stories from Indigenous and Two-Spirit women before the Inquiry about their experiences. I recommend the several expert panels held by the Inquiry that involved Indigenous academics, Elders, and experts. Consult appropriate supports, medicines, healing, and resources before engaging in a sustained engagement with the Inquiry testimony and hearings. I highly recommended the Winnipeg October 1–5, 2018: Institutional & Expert Panel/Knowledge-Keeper hearings on family and child welfare to understand the overlapping impacts systems can have. Specifically, Cindy Blackstock’s Testimony (Day 3, October 3, 2018, public transcripts Parts II–III Volume XII, and Exhibits 25–28) on child welfare practices before the Inquiry and Mary Ellen Turpel-Lafond’s testimony (Day 4, October 4, 2018, public transcript Parts II-III Volume XIII, and Exhibits 35–49) testimony as deeply informative about the ways that institutions interact to produce unsafe conditions for Indigenous women and girls.

have attempted to eliminate Indigenous peoples from their “lands” (2019c, 4). As the commission points out, racism, sexism, homophobia, and transphobia have been embedded into daily life and have normalized violence (2019c, 4). The Inquiry found that Canada had not only committed cultural genocide against Indigenous peoples in Canada but had and is committing ongoing genocide against Indigenous women through the targeted destruction and failure to prevent the deaths of Indigenous women and girls. Specifically, the Inquiry found that violence in Canadian society “amount[ed] to a race-based genocide of Indigenous Peoples, including First Nations, Inuit, and Métis, which especially targets women, girls, and 2SLGBTQQIA people” (Government of Canada “Executive Summary” 2019c, 1–2). The inquiry further identified that

genocide ha[d] 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. (2019c, 2)

These legal, institutional, and structural patterns of gender-based discrimination contributed to the disappearance of Indigenous women, girls, and 2SLGBTQQIA people for centuries. Indeed, the 2015 final report of the Truth and Reconciliation Commission of Canada (TRC) had pointed to cultural genocide as a systemic pattern in Canada’s residential school system. This finding of genocide against Indigenous peoples in the National Inquiry departed from the much more historical language of violence in the Royal Commission on Aboriginal Peoples and the focus on cultural genocide found in the TRC.

The Inquiry drew upon Polish-Jewish legal scholar Raphael Lemkin’s (1944) initial understanding of genocide (2019c, 2) for its definition. Essentially, for Lemkin (1944) and the Inquiry,

The objectives of a plan of genocide would include actions aimed at the ‘disintegration of the political and social institutions, of culture, language, national feelings, religion, and the economic existence of national groups, and the destruction of the personal

security, liberty, health, dignity, and even the lives of the individuals belonging to such groups.’ (Quoted in Government of Canada 2019c, 2)

The Commissioners defined genocide as “the sum of the social practices, assumptions, and actions detailed within this report; as many witnesses expressed, this country is at war, and Indigenous women, girls, and 2SLGBTQQIA people are under siege” (2019c, 3). The Inquiry’s principal finding was that “racism, sexism, homophobia, and transphobia” had become “embedded in everyday life,” meaning the justice system, health care system, and “policies, laws, and structures” of Canadian society were permeated with these assumptions, contributing to “endemic violence” (2019c, 4). The Inquiry built upon the body of reports considered within this dissertation and affirmed that genocidal violence due to state inaction was the prominent cause of violence facing Indigenous women, girls, and 2SLGBTQQIA people.

The Inquiry brought self-determination, institutions, and Indigenous women’s knowledge to prominence through the final report. First, it used a self-determination framework to discuss Indigenous rights and solutions to violence (2019c, 11). It identified Canada as a settler colonial country that consciously and unconsciously enacts the logic of elimination as a structural condition under its laws and policies (2019c, 19). Second, it found that Canadian institutions (justice system, health care system, and child welfare) cause Indigenous women, girls, and 2SLGBTQQIA to internalize violence and be labelled as responsible for violence. Third, it departed from prior reports by focusing on Indigenous women’s leadership and knowledge. The Commissioners noted that the lack of respect for the agency and expertise of Indigenous women represented both the cause of and solution to violence against Indigenous women, girls, and 2SLGBTQQIA (2019c, 22). In outlining its solutions, it also pointed to the attempted destruction of Indigenous cultures through residential schools and the child welfare system within a broader context of devaluing Indigenous women and Indigenous cultures (2019c, 3). The residential and day school system, the Sixties Scoop, and child

apprehensions within the current child welfare systems all led to Indigenous women being disconnected from their communities and cultures (2019c, 23). The report offered a framework for cultural safety, agency, and restoration of the roles and protections of Indigenous women through the settler legal system and Indigenous cultural education. Human rights were meant to act as a bridging concept between rights frameworks (2019d, 218).

The 231 Calls for Justice were diverse and targeted specific reforms designed to help remove systemic discrimination (2019a, 167). The recommendations were organized into four pathways based on the four major thematic areas called upon by the terms of reference: (a) historical, multigenerational, and intergenerational trauma; (b) social and economic marginalization; (c) maintaining the status quo and institutional lack of will; and (d) ignoring the agency and expertise of Indigenous women, girls, and 2SLGBTQQIA people (167). Calls for Justice called for adopting all human rights and Indigenous rights instruments to fulfill their directions (168). The measures in the Calls for Justice were meant to be enacted by governments, institutions, and the public (168). The recommendations advanced two interlocking principles centred around addressing the “denial of rights” and “substantive equality” to remove discrimination that prevented access to basic needs and rights for Indigenous women (169–70). Centrally, the Calls for Justice advocated adopting self-government rights under Articles 3 and 4 of the UNDRIP (171). The report also clarified the need to acknowledge specific distinctions between localities, cultures, and communities (172). The Commissioners also called upon all levels of government in Canada to enact a National Action Plan to address violence against Indigenous women, girls, and 2SLGBTQQIA people (176). These Calls echoed prior reports by reasserting the need for Canada and all governments to fully participate in implementing all human rights instruments in Canada (176). The recommendations called for eliminating “jurisdictional gaps” that deny Indigenous women and girls access to services (177).

The recommendations moved in sequence to call for the protection of culture, health and wellness, security, and justice from institutional and systemic violence against Indigenous women, girls, and 2SLGBTQQIA people (Government of Canada 2019a, 169). Noteworthy here is that self-determination, leadership, membership, and access to governance and deliberation processes were interwoven with material supports to make access and participation possible for each recommendation. The recommendations called for the delegation of policing to Indigenous communities with a new legislative suite outside the federal First Nations Policing Program (182). Specifically, all governments were directed to respect Indigenous self-determination over child welfare. This measure emphasized design and delivery by Indigenous communities (194). Notably, extractive industries were positioned to address the lack of safety for Indigenous women due to their operation in impact benefit agreements, policies, and investment in social infrastructure to support colocated communities (196). Notably, the Inquiry's calls also emphasized multiple fields of law, health, social services, and any front-facing service dealing with Indigenous peoples to engage in cultural competency training (211). The Calls also included specific Métis and Inuit provisions. Central within this understanding of heterogeneity was the call to "disaggregate data concerning violence against Métis women, girls, and 2SLGBTQQIA people, including barriers they face in accessing their rights to safety, informed by Métis knowledge and experiences" (2019a, 211). The Inquiry stipulated the need to start targeting systemic barriers and end the homogenization of Indigenous peoples by policy makers and different levels of government to consider the different contexts and experiences of settler colonialism. These reports provided a basis of action, informed by complex understandings of agency, self-determination, healing and wellness, and culturally informed practices to implement the recommendations.

Following the official report's release, the findings of genocide were challenged by politicians and the Canadian media. There has been a dramatic rejection of the use of the word genocide around

political discourse and media reporting following the inquiry. Pamela Palmater (2019) notes that the example of the Holocaust has reduced all state-sponsored genocide to this model, but under international law and the *UN Convention on the Prevention and Punishment of the Crime of Genocide*, the definitions and elements that make up the crime can take different forms. Jesse Went (2019) states that the *Globe and Mail* and *Toronto Star* ran unsigned editorials denying that genocide occurred. Went explains that the recommendations in the MMIWG Inquiry mirror elements of both RCAP and the TRC. As with those investigations, the media response has been to reassert the status quo rather than challenge the mass killing of Indigenous women and girls.

The National Inquiry diverged from prior reports in several regards. First, it broke with the understanding that Indigenous women were damaged victims of settler colonial violence. This positioning offered a nuanced understanding of agency and power relations that recognized Indigenous women and girls as sacred. Second, the report focused on economic exploitation and lack of accountability for male violence around resource extraction. Additionally, the Inquiry found that “man camps” around resource extraction projects in Canada had been linked to violence against Indigenous women, girls, and 2SLGBTQIA (2019c, 36). A long-held exclusion from public discussion around territorial exploitation and gendered violence was understood as interwoven with genocidal violence. The relations of settler colonial structures that targeted Indigenous women and girls as a facet of controlling territory were made visible.

This Inquiry stands in contrast to the work of RCAP, the TRC, the Manitoba Aboriginal Justice Inquiry, and the BC Missing Women Commission of Inquiry. The National Inquiry did not reveal new cases. Instead, it demonstrated the overarching system (settler colonialism) and legal, institutional, and relational structures causing violence against Indigenous women and girls (Government of Canada 2019c, 11). The Inquiry confirmed the findings of the early 2000s reports by Amnesty and NWAC that highlighted how violence by nonstate actors was fundamentally

unaddressed by state policy. It confirmed both NWAC and the House of Commons findings that there is ongoing targeting of Indigenous culture, families, and community connections through the child welfare system (2019c, 24–25). In the wake of the BC Missing Women Commission report and the RCMP Operational Overview (2014, 2015), the Inquiry contested the discourse that policing reforms had addressed structural racism.

The National Inquiry also deviated from prior investigations with its intricate focus on the loss of self-determination, autonomy, and personal integrity of Indigenous women, girls and 2SLGBTQQIA people. In advancing self-determination as an actual restoration of political power and rights to autonomy and agency independent from the Canadian state, the Inquiry returned to political logics that NWAC had tried to invoke in their initial early 2000s reports. In some ways, the National Inquiry mirrors the ONWA's 1989 report on family violence caused by colonial relations and a lack of self-determination. The Inquiry brought to the surface the continued underfunding of Indigenous services at every level (2019c, 27). The Commissioners also showed that the Canadian healthcare system has individually and systemically discriminated against Indigenous peoples (2019c, 29). The Inquiry brought to the foreground decades of experiences and knowledge. It also emphasized the inaccessibility of services for Indigenous 2SLGBTQQIA people and the chronic underservice of Inuit and northern communities, which exacerbates chronic conditions (2019c, 31). Finally, the Inquiry advocated for decolonization from a self-determination perspective (2019c, 57). This move diverged from prior reports that had focused on federal responsibilities. Through this view, the Inquiry brought forward the agency, knowledge, and expertise of Indigenous women and communities as central in building and reforming services for communities.

The initial academic response reveals some considerations for understanding how the Inquiry contests and operates as part of settler colonial relations. Colin Luoma (2021) has situated the work of the National Inquiry within the transnational justice movement. Umut Özsu (2020) has evaluated the

role of the genocide definition in the supplementary report on genocide to the MMIWG Inquiry. Finally, Sherry Pictou (2020) contends that the final report cannot be enacted as a tool for decolonization without Indigenous women's active knowledge and experience. These three studies signal the different formations of containment emerging around the final report of the Inquiry.

Luoma (2021) has pointed to the comprehensive understanding of violence offered by the National Inquiry, expanding the concepts used within human rights frameworks and departing from transnational justice models (30). He views the Inquiry as an example of transnational justice; specifically, that the reconceptualization of cultural harm through the lens of a human rights-based approach has pushed models of state-run transnational justice proceedings to broaden their conceptions of violence (32). He argues that this broad reading of the violations of cultural rights offers the possibility for truth-telling processes and transformative justice practices to expand and rethink how they conceptualize cultural violence (2021, 31). He claims that transitional justice scholarship has been focused on physical harm and has difficulty thinking through the systemic attacks on cultural rights. Luoma argues that the impact of the National Inquiry has reshaped international transnational justice approaches. Although he offers a hopeful reading of the "lessons learned," he does not address the underlying structural dynamics of settler colonialism operating through truth-telling practices. My concern is that the containment of Indigenous rights to culture, in his work, obscures how the state mediates Indigenous rights through culture to delimit Indigenous rights. The Inquiry builds on South African, Australian, and prior Canadian inquiries and truth-telling practices, which could be read as liberal governance attempting to find a solution to governing a population that maintains settler colonialism without addressing the structural conditions. In effect, Luoma's (2021) "cultural" reading of the Inquiry as transnational justice lapses back into liberal debates over accommodation and recognition and does not prevent the logic of elimination. It is critical for transformative justice scholars to consider how the UNDRIP's rights to self-determination

can be eroded and undermined through a narrow view of cultural rights as the leading edge of violation. Taking culture as the basis of violence fails to apprehend the structural and economic conditions.

Around the definition and uptake of the charge of genocide in the Canadian context, Özsü offers some timely legal analysis around forms of containment within the conservative nature of the UN Convention on Genocide. As he points out,

The legal definition of “genocide” may well be flawed and insufficient. In addition to the problems listed above, attempting to distinguish between the “objective” and “subjective” dimensions of any social phenomenon, let alone one as complex as genocide, trades upon a strained commitment to conceptual compartmentalization, one that arguably rests on a philosophy of mind and action that is several centuries out of date. (71)

Özsü points to the challenges of applying the universal definition of genocide to contemporary settler colonial experiences of genocidal violence. His concern is that the term “may be unable to do justice to the specificities of different modes of group violence” (69). However, the Inquiry’s analysis allows for discussions of mass violence and different forms of violence. Regarding applying the definition, the issue arises in specific intent (69). The Inquiry overcame this tension by examining genocide as a “manifest pattern of conduct” that is “slower, more insidious, structural, systemic, and often spans multiple administrations and political leadership,” but this lacks specific intent (69). The other facet considered is the failure and omission to act as genocidal conduct (67). As he points out, this leaves the Inquiry open to responses that focus on criminalization and domestic law as sufficient to engage in crimes against the individual. Lemkin’s definition was expansive in the nature and scale of activities included in genocide.

Moreover, the UN Definition does not include references to attempts to destroy culture (cultural genocide). It also makes no specific reference to the transfer of adults (66). For instance, the words like “intent” or “destroy” are not defined within the legislation (66). The history of this definition points out that the legal categories used to examine genocide were produced through

international systems of power that replicated specific understandings and were not designed to deal with settler colonial dispossession. Özsü's analysis reflects the expansion of traditional legal definitions of genocide and legal containment operating around this international legislation. Still, the National Inquiry has opened this space of analysis. The examination of genocide can make cultural and biological elimination visible. However, unlike discussion of the UNDRIP that links culture, territory, self-determination, and reproduction, these legal processes around the definition can also elide territorial dispossession. A fragmentary approach focused on culture and individual rights risks reproducing the erasure of self-determination and territorial rights.

Lastly, Sherry Pictou (2020) lays out how the calls to justice could be read through the context of the federal Liberal government policy concerning the *Recognition and Implementation of Rights Framework* (2018) (371–72). Her concern is that the new rights framework reproduces neoliberal, patriarchal, and colonial commitments under a new policy guise of negotiation (383). Her main concern is that granting weight and authority to fictitious persons like corporations under human rights law can reenact formations of terra/aqua nullius as it maintains a hierarchy of rights that leaves untouched asymmetries between corporations and Indigenous communities (384). For her, human rights and Canada's Gender-Based Analysis Plus frameworks leave the economic dynamics of neoliberalism unaddressed (383). Instead of drawing out relations of dispossession, these formations risk naturalizing these economic systems. Pictou intuits that without a means of bridging the tensions between Indigenous, human rights, and Constitutional rights these conceptual divisions would reproduce patriarchal social relations or termination. In this way, the unilateral federal development of a response to the final report would uphold patriarchal, colonial, and neoliberal social relations (388).

Within responses to the National Inquiry, there is a risk of reenacting the same logics of containment that have been present in other moments of Indigenous women's organizing to reproduce the settler colonial legal order. First, the issue of cultural containment is concerning because it can

isolate violence from its material and systemic basis to focus on recognition-based solutions. Second, Canada positions itself as a “leader” in international humanitarian endeavours focused on truth and reconciliation when the federal National Action Plan obscures those very breakthroughs. Third, the definition of genocide can function as a form of legal containment focusing on biological and cultural rights violations while leaving the connection to territory untouched. As Pictou (2020) points out, the federal crafting of policy and a response to the Inquiry’s final report can mirror these erasures of consent, coercion, and dispossession, reproducing a logic of territorial conquest. These responses have broken with primarily damaged reproductions of Indigenous womanhood. In these moments of governance, the state positions itself as a caretaker of humanitarian subjects. State empowerment narratives download and externalize responses to healing, support, and governance. Like prior moments of neoliberalism, this offloading of federal jurisdiction mirrors the political shifts in downloading self-government agreements and offloading federal responsibilities to nonprofits and representative organizations.

The National Action Plan

In response to the federal National Action Plan from June 3, 2021, there were concerns raised over the measures to address systemic discrimination and the legacy/ memorialization efforts. The National Action plan was accompanied by \$2.2 billion in funding around “Indigenous language, culture, infrastructure, health and policing” (Larsen 2021). With the release of the National Action Plan for MMIWG, the Union of British Columbia Indian Chiefs (UBCIC) have expressed their concern, as have other groups. Chief Judy Wilson, secretary-treasurer of the UBCIC, said that “Canada as a whole must take full accountability for their role in the ongoing genocide of our women and children and Two-Spirited people, and give the crisis that is MMIWG the urgent attention it deserves” (Larsen 2021). Chief Wilson’s concern is that the plan lacks immediate actions and only

defers responses to systemic violence. These concerns led UBCIC to call for the development of an Indigenous women-led action plan. Likewise, community advocate Lorelei Williams, from the Coalition on Murdered and Missing Indigenous Women and Girls in BC, noted a lack of immediate and concrete actions in the plan and the lack of involvement from grassroots Indigenous groups like the BC Coalition. Robert Pickton killed William's cousin Tanya Holyk. William's aunt Belinda Williams went missing 40 years ago (Larsen 2021).

The response by government to the National Action Plan was also met with intense scrutiny by NWAC. NWAC withdrew from the federal process for the Action Plan and described the process as “flawed” and “toxic” (Ka’nehsí:io Deer 2021). President of NWAC, Lorraine Whitman, stated that Indigenous women “are no safer now than we were two years ago” (Ka’nehsí:io Deer 2021). She also explained that NWAC was “shut out of the major decision-making” (Ka’nehsí:io Deer 2021). Whitman also remarked that “it has been two years since the commissioners of that inquiry made public their findings that the violence that targets us First Nations, Inuit and Métis sisters is a genocide” (Ka’nehsí:io Deer 2021).

In the same vein, NWAC Executive Officer Lynne Groulx stated, “It’s too broad, with no dollars attached and no clear timelines—disappointing for those who waited two years for a response” (Macyshon 2021). Groulx also asked, “How could the government mobilize the kinds of resources they mobilized during the COVID pandemic, but they couldn’t do that for Indigenous people when it was time to do it?” (Macyshon 2021). NWAC went so far as to release its own National Action Plan with sixty-five actions building on the original Calls for Justice. The NDP criticized the Liberal government for their lack of progress in addressing the National Inquiry into MMIWG (NDP 2021). The National Action Plan, which was meant to address the Inquiry, received negative attention and increased criticism from Indigenous and non-Indigenous groups.

In reflecting on the National Inquiry and the response to the action plan, it is essential to remember that this work has come in waves across decades of organizing by Indigenous women, families, communities, and governments. It is possible to view these movements as different strategic attempts to transform how violence is discussed. Prior discourses around murders and disappearances in the Downtown Eastside and nationally have used the discourses concerning “transience,” “harm reduction,” “human rights,” and “policing” to shape organizing and action. However, these discourses have also constrained the agency of Indigenous women, girls, and communities. The discourses of self-determination bounded by international human rights and state jurisdiction pose similar challenges to advancing meaningful forms of decolonization and self-determination. The state and its institutions have resisted these transformations through technologies of governing that have devalued Indigenous women and girls as political subjects. The National Inquiry’s findings of fact have challenged this narrow understanding.

Moreover, these discourses reproduce state power through different jurisdictions and structural reforms. This dynamic can be seen around rights-based projects. As Gina Starblanket argues,

Rights mechanisms have provided varying degrees of protection and support for Indigenous peoples in certain contexts, particularly for Indigenous women seeking justice against systemic racism and sexism. Yet, over time many have found that the solutions put forward by the state have been unable to deliver adequate levels of transformation, in that the proposed remedies haven’t substantially altered the underlying Indigenous-state relationship. (2017, 22)

The struggle for a National Inquiry by countless Indigenous women’s groups and organizations and their allies transformed public knowledge and conversations within Canada. The ruling of genocide by the Inquiry, while not unprecedented to those who have reviewed the history, would have been unthinkable in prior historical and political periods. In securing 231 Calls for Justice and transforming the discourses about systemic, institutional, and genocidal violence within Canada, the organizing of Indigenous women has yielded space to build further movements.

Closing Reflections to the Postscript

There is a danger in viewing the National Inquiry as an end in and of itself. As such, I have marked out some sites of containment operating in its aftermath. Nevertheless, the Inquiry was always only one strategy in advancing the rights of Indigenous women, girls, and 2SLGBTQ+ persons. In an interview early in the advocacy around the National Inquiry, Pamela Palmater said that the “inquiry itself is not the solution [...] but the action that comes out of the inquiry. We only got this inquiry because of the actions of Indigenous women and families for decades” (Palmater 2017). In an interview with CBC’s *The National*, Marilyn Poitras, the Commissioner who resigned, stated her concern “that this commission is going down a tried road we’ve been studied we’ve been researched we’ve gone and looked at Indians [*sic*] and half-breeds [*sic*] and Indigenous people for a long time to see what’s the problem is. You tell us your sad story, and we’ll figure out what to do with you” (The National 2017). As Poitras pointed out, the central tension in the Inquiry was “because this model that we’re using has legal counsel driving it with an old traditional commission model of setting up hearings” (The National 2017). As I have demonstrated across this dissertation, the settler colonial state and its experts are skilled at redirecting dissent and critiques against power and using those same critiques to rationalize the operation of settler colonialism. However, the political agency in the wake of the National Inquiry is complex. The Inquiry was never the sole trajectory of organizing. Although the National Inquiry broke away from simplistic understandings of Indigenous women and girls as damaged subjects, it reproduced the settler state’s power as a legal entity with governance over Indigenous issues. Even with the contested National Action Plan released, the transformation and visibility of violence against Indigenous women and girls as genocide has defied past patterns of erasure and obfuscation while replicating the legal power of the Canadian state to selectively address areas of reform and devolution.

The National Inquiry reveals several different patterns for managing Indigenous concerns under neoliberal governance. On the surface, the Inquiry reveals a return to a more “recognition-based” approach to Indigenous rights following theories of recognition as a settler colonial mode of governing (Coulthard 2014). However, the implementation of the Calls for Justice and the response by the federal government represents governance not through increased recognition, but a lack of response, and almost radical reassertion of the status quo. From the perspective of NWAC and some other Indigenous organizations, the Trudeau Liberals’ action plan does not represent an acknowledgment or recognition of, or a greater respect for, Indigenous rights to self-determination, the experiences of Indigenous women, and Indigenous-led solutions to systemic discrimination. The Inquiry and the finding of genocide represent a significant moment of recognition of Indigenous rights. Nevertheless, the Inquiry’s conclusions represent a rupture to the national myths of a peaceful and tolerant Canadian society.

There are several levels at play here. First, the assertion that Canada has committed genocide against Indigenous peoples disrupts Canada’s grand narratives and have made it more difficult to continue with economized discussions of integration. Second, the Inquiry reveals the tenuous nature of reading of third-generation human rights law around Indigenous sovereignty through Canadian law. Finally, the Calls for Justice represent a vital set of practices for reforming the settler state that can be seen as part of the generational, decades-long struggle by Indigenous women and NWAC to transform state narratives from denial to acknowledgment. These political struggles can be viewed through debates between different generations of Indigenous scholars around gradual transformation and gains around political rights or the rejection of normative Canadian politics.

The Inquiry and its Calls for Justice challenged the long-held view that Indigenous women are a nonnormative population needing correction and regulation by experts, politicians, and Indigenous governments. Following Brown’s (1995) point from Chapter Four, the formal recognition from a

multimillion-dollar inquiry allows for evidence that can support institutional, legal, and political contestations of power. However, these integrations of critiques by the liberal system may render their political and transformative power less effective over time. As part of a lineage of Indigenous organizing and national struggles to secure gendered rights, each Call for Justice provides strategic openings for further contestation for rights. The finding of genocide rendered the ruling Liberal party under Justice Trudeau silent. The Trudeau's Liberals allowed the National Inquiry into Missing and Murdered Indigenous Women and Girls to take place and limited the scope of what was possible during the Inquiry. These hearings and discourses have opened a critical space for Indigenous organizing post-inquiry.

On the other hand, I argue that this Inquiry needs to be understood as another dimension of neoliberal governance around Indigenous women's claims to rights. The Inquiry was heavily regulated and shaped by the Prime Minister's Office and its Mandate regarding what it could address. In terms of international politics, I have argued that the Inquiry can be read as a means of sorting out how claims of genocide can be managed by liberal institutions through a cultural lens. The MMIWG Inquiry may have generated new legal insights for how to smooth out future claims of state violence for other settler colonial governments experiencing similar revelations of mass killing. In turn, the response from the federal political Liberals has mainly been indifferent to the official implementation of the Calls for Justice. The reforms proposed by the Inquiry held significant weight in terms of softening the violent edges of assimilation and territorial dispossession. I view the National Inquiry as a truth-telling regime under liberal frameworks that drew upon the pain of Indigenous peoples to maintain the role of the settler colonial state and various other groups as "caretakers" of Indigenous life.

The Calls for Justice under the Inquiry demonstrate three things about national truth-telling practices. First, they are mediated by power relations. Second, although they exposed deep-seated and

often hidden truths about history and daily life for Indigenous peoples, collecting these narratives is often a retraumatizing, draining, and dehumanizing set of practices that can harm those who participate and perform their trauma for the settler state. Importantly, these narratives are questioned by politicians, the media, and social actors within society. Third, the Inquiry itself reveals that politics are always contingent and open-ended. The previous Conservative government under Stephen Harper was unwilling to engage with the possibility of a national inquiry. However, the uncertainty generated by the Inquiry may have interfered with international investment, soft power internationally, and the smooth governance of Canadian society. Disappearance, development, and rehabilitation are all dimensions of the same subordination of Indigenous peoples, worldviews, and economies that, in some ways, transcend political party, regional boundaries, and ideology in the Canadian context. These relations strike at the central question in Canada: who holds the land?

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Appendix A: Recruitment Letter and Informed Consent Form

Informed Consent Form

Study Title: Governing Disappearance: Political Logics of Rights, Reconciliation, and Resurgence in the National Inquiry into Missing and Murdered Indigenous Women and Girls

Researcher - James FitzGerald

Purpose of the research

My name is James FitzGerald. I am a PhD candidate at York University. I would like to request your participation in an interview for 45-60 minutes as part of my dissertation research, which deals with the debates leading up to Canada's National Inquiry into Missing and Murdered Indigenous Women and Girls. A sample of potential questions can be found at the end of this document.

I am interested in the key events and ideas that shaped the launch of the national inquiry. There are three expected results. First, the dissertation will collect on-the-ground historical and contemporary knowledge from organisers, community organisations and/or service providers about issues relating to violence against Indigenous women and girls. Second, the project will identify and assess the different ways that organizations and groups address gender-based violence in their communities, including views on the need for a national inquiry. Third, this research strives to contribute to social change by locating limitations of governmental (legal, policy, and programming) approaches, including possibly the national inquiry itself, in responding to violence against Indigenous women and girls and identifying alternatives. My findings will appear in a dissertation that, upon completion, will be publicly available in digital format.

Risks and discomforts

Due to the sensitive and disturbing nature of the subject matter being discussed, it is possible that interview participants might experience emotional or mental discomforts. Participants can request to skip questions, avoid sensitive topics, take breaks during the interview, or stop the interview at any time. Participants are encouraged to request breaks while answering questions. Participants will be asked at the beginning and end of interviews if they still consent to these terms.

Possible Benefits

This research holds several benefits. This research attempts to generate new and existing but often more muted knowledge on a matter of major public concern. By doing so, this dissertation attempts to produce greater academic and policy understanding about the issues surrounding the formation of the national inquiry. The research attempts to engage grassroots voices, which have not been widely heard in public discussion. The research seeks to benefit society by advancing academic and public debates via a grounded perspective, which in turn might inform the creation more just and fair policies, laws and practices. This dissertation attempts to facilitate greater academic and public understanding of different viewpoints to highlight how certain policies impact the lives of Indigenous peoples in Canada.

Voluntary Participation

Your participation in the study is entirely voluntary, and you may choose to stop participating at any time. Your decision not to participate will not influence the relationship you may have with the researcher or the nature of your relationship with York University either now, or in the future.

Withdrawal from the study

You can stop participating in the study at any time, for any reason, if you so decide. Your decision to stop participating, or to refuse to answer questions, will not affect your relationship with the researcher, York University, or any other group associated with this project. In the event, you withdraw from the study, all related data collected will be immediately destroyed wherever possible. Should a participant withdraw from the study, all associated data collected from the participant will be destroyed immediately wherever possible.

Confidentiality

Confidentiality will be provided to the fullest extent possible by law. You have the right to remain anonymous for this interview. Participant names will be separated from identifying information, and all care possible will be made to ensure that identifying statements are removed. The researcher will ask your permission below to take notes (see below).

All data relating to interviews will be coded and separated from identifying information. The master list of interviews will also be coded to ensure that anonymous interviewees have their anonymity

protected. Data and research instruments will be safely stored in a locked filing cabinet or on a password protected section of my home computer. I will secure interview notes on the encrypted Ontario Research and Innovation Optical Network (ORION) cloud for up-to-five-years once the dissertation is completed. Only I will have access to my research stored on the ORION server. Hard copy shredding and digital deletion will destroy interview documents after the five-year period. Only I will have access to the locked filing cabinet and the password protected folder on my computer. I will store all data in the secure manner outlined above until all written work resulting from this project has been published.

Questions about the research?

If you have any questions about the research in general or their role in the study please contact James FitzGerald at jfitz021@yorku.ca, 647-687-4296 or my dissertation supervisor Dr. Karen B. Murray, Department of Politics at York University who can be reached via email: murrayk@yorku.ca, Phone: 416-736-2100 Ext: 30087, and mail: South Ross Building Office 629- 4700 Keele Street, Toronto, Ontario, Canada M3J 1P3.

This research has been reviewed and approved by the Aboriginal Research Ethics Review Advisory Group and the Human Participants Review Sub-Committee, York University's Ethics Review Board and conforms to the standards of the Canadian Tri-Council Research Ethics guidelines. If you have any questions about this process, or about your rights as a participant in the study, you may contact the Senior Manager and Policy Advisor for the Office of Research Ethics, 5th Floor, York Research Tower, York University, telephone 416-736-5914 or email ore@yorku.ca

Legal Rights and Signatures

I _____ consent to participate in *the interview* conducted by James FitzGerald. I have understood the nature of this project and wish to participate. I am not waiving any of my legal rights by signing this form. My signature below indicates my consent.

Signature _____

Date _____

Participant

Signature _____

Date _____

Principal Investigator: James FitzGerald

Additional consent:

Do you consent to have notes taken during the interview? Even if you agree, you can always change your mind at any time should you choose.

Yes

No

Sample Possible Questions:

1. What is your experience working with Indigenous women, girls and/or communities?
2. What projects or programs have you been involved with supporting Indigenous women, girls, and/or communities?
3. What do you think the major turning points have been around issues impacting Indigenous women and girls?
4. How does your organization think about responses to violence against Indigenous women?
5. Has your organization been following the work of the Truth and Reconciliation Commission of Canada? Is reconciliation playing any role in the work that you or your organization are doing?

6. Are you aware of any community, grassroots, and/or national groups that are emerging to work with Indigenous women and/or girls?

7. Is there anything I could do to make my research more relevant or meaningful to the work you or your organization is doing?

8. Do you or your organisation have any unpublished pamphlets, reports, or records that you would be willing to share?

9. Would you be able to suggest people who would have knowledge useful for my study?

10. Would I be able to reciprocate in some manner, such as by sharing bibliographies on this subject matter?

Appendix B: Ethics Approval York University



OFFICE
OF RESEARCH
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Certificate #:	2017 - 003
Initial Approval:	01/04/17-01/04/18
Amendments:	
Renewals:	Amendment approved: 07/06/17
	2nd Amendment approved: 09/05/17
	3rd Amendment approved: 09/13/17
Current Approval Period:	01/04/17-01/04/18

ETHICS AMENDMENT APPROVAL

To: James FitzGerald – Graduate Student

Department of Political Science

Faculty of Liberal Arts & Professional Studies jfitz021@yorku.ca

From: Alison M. Collins-Mrakas, Sr. Manager and Policy Advisor, Research Ethics

(on behalf of Veronica Jamnik, Chair, Human Participants Review Committee)

Date: Wednesday, September 13, 2017

Title: **Governing Disappearance: The Political Logics of Rights, Reconciliation, and Resurgence in the National Inquiry into Missing and Murdered Indigenous Women and Girls**

Risk Level: Minimal Risk More than Minimal Risk

Level of Review: Delegated Review Full Committee Review

With respect to your research project entitled, **“Governing Disappearance: The Political Logics of Rights, Reconciliation, and Resurgence in the National Inquiry into Missing and Murdered Indigenous Women and Girls”**, the committee notes that, as there are no substantive changes to either the methodology employed or the risks to participants in and/or any other aspect of the research project, a renewal of approval re the proposed amendment(s) to the above project is granted.

Any further changes to the approved protocol must be reviewed and approved through the amendment process by submission of an amendment application to the HPRC prior to its implementation.

Ongoing research – research that extends beyond one year – must be renewed prior to the expiry date.

Any adverse or unanticipated events in the research should be reported to the Office of Research ethics (ore@yorku.ca) as soon as possible.

For further information on researcher responsibilities as it pertains to this approved research ethics protocol, please refer to the attached document, **“RESEARCH ETHICS: PROCEDURES to ENSURE ONGOING COMPLIANCE”**.

Should you have any questions, please feel free to contact me at: 416-736-5914 or via email at: acollins@yorku.ca.

Yours sincerely,

Alison M. Collins-
Mrakas M.Sc., LLM
Sr. Manager and
Policy Advisor,
Office of Research
Ethics



Appendix C: Ethics Approval University of British Columbia

The University of British Columbia Office
of Research Services **Behavioural**
Research Ethics Board

Suite 102, 6190 Agronomy Road, Vancouver, B.C.
V6T 1Z3

CERTIFICATE OF APPROVAL - MINIMAL RISK

PRINCIPAL INVESTIGATOR: Karen Murray	INSTITUTION / DEPARTMENT: Others/Other University/Hospital	UBC BREB NUMBER: H17-02272
INSTITUTION(S) WHERE RESEARCH WILL BE CARRIED OUT:		
Institution		Site
Vancouver Coastal Health (VCHRI/VCHA)		Vancouver Community
Other locations where the research will be conducted: [REDACTED]		
CO-INVESTIGATOR(S): James FitzGerald		
SPONSORING AGENCIES: Ontario Ministry of Education - "Memorial Moments: Policy Frames and Spaces of Action for Aboriginal Women" Social Sciences and Humanities Research Council of Canada (SSHRC) - "Memorial Moments: Policy Frames and Spaces of Action for Aboriginal Women"		
PROJECT TITLE: Governing Disappearance: The Political Logics of Rights, Reconciliation, and Resurgence in the National Inquiry into Missing and Murdered Indigenous Women and Girls		

CERTIFICATE EXPIRY DATE: September 26, 2018

DOCUMENTS INCLUDED IN THIS APPROVAL:	DATE APPROVED: September 26, 2017
Document Name	Version Date

<u>Protocol:</u>		
FitzGerald Dissertation Proposal	5	July 25, 2016
<u>Consent Forms:</u>		
Informed Consent Form Sept 6	3	September 6, 2017
<u>Letter of Initial Contact:</u>		
FitzGerald Email Script	N/A	July 3, 2017
<u>Other Documents:</u>		
York University REB Ethics Certificate	2	July 6, 2017
York Ethics Review Of Informed Consent August 2017	N/A	September 4, 2017
Ethics Review Sept 13	3	September 13, 2017
TCP2 Certificate	N/A	January 6, 2016
Jan 2017 REB Ethics Certificate	1	August 4, 2017
<u>Other:</u>		
N/A		
The application for ethical review and the document(s) listed above have been reviewed and the procedures were found to be acceptable on ethical grounds for research involving human subjects.		
<i>This study has been approved either by the full Behavioural REB or by an authorized delegated reviewer</i>		