Paved with Comfortable Intentions: Moving beyond Liberal Multiculturalism and Civil Rights Frames on the Road to Transformative Reconciliation

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A few months before Donald J. Trump was elected president of the United States in 2016, Barack Obama held up a gilded mirror to celebrate Canada. Addressing Parliament in a spirit of bilateral friendship, the now former U.S. president had this to say:

> <ext>It's our enduring commitment to a set of values—a spirit, alluded to by Justin, that says no matter who we are, where we come from, what our last names are, what faith we practice, here we can make of our lives what we will. It was the grit of pioneers and prospectors who pushed West across a forbidding frontier. The dreams of generations—immigrants, refugees—that we've welcomed to these shores. The hope of run-away slaves who went north on an underground railroad. "Deep in our history of struggle," said Dr. Martin Luther King, Jr., "Canada was the north star. . . . The freedom road links us together."[ii]</ext>

<no.indent>To this he added: "More than any other system of government, democracy allows our most precious rights to find their fullest expression, enabling us, through the hard, painstaking work of citizenship, to continually make our countries better. To solve new challenges. To right past wrongs. And, Prime Minister, what a powerful message of reconciliation it was—here and around the world—when your government pledged a new relationship with Canada's First Nations."[iii]

Broken down into its key components, Obama's speech embodied many of the triumphalist beliefs of settler Canadians in their approach to how best to seek reconciliation with Indigenous peoples. He told us, first, that Canada is fundamentally a settler society, formed by settler determination and hard work against a wilderness beset with obstacles. Settlers are the founders and hosts, welcoming newcomers to a land of prosperity and tolerance.

Second, Canada is an acknowledged leader in civil rights and race relations, a beacon of hope for many, including those African Americans who sought refuge here. Third, the fact that Canada is a democracy, which can be imputed as the best form of government, means it has the institutional ability to solve any problem, including past wrongs against Indigenous peoples. Distorting Audre Lorde, Obama told his appreciative audience that there is nothing wrong with the master's house that the master's tools cannot fix. In retrospect, Canada now seems even better when compared with the malignant nationalism that has triumphed after Obama's departure.

This chapter is divided into four sections. The first engages with framing theory and outlines the differences between what I see as liberal and transformative reconciliation, and their related terms: soft and hard Indigenous rights. I argue that the Truth and Reconciliation Commission's (TRC) views of reconciliation weave soft and hard, liberal and transformative forms of reconciliation together.

However, as the second section of this chapter posits, through a critical reading of the 2016 Environics survey on settler perceptions of Indigenous peoples, most settler respondents understand reconciliation primarily in terms of liberal equality; at least this is how they responded to the survey's understanding of reconciliation. Both the U.S. civil rights movement and Canadian multiculturalism help frame how reconciliation might be conceptualized—as providing economic and other forms of equality to Indigenous peoples within the beliefs, institutional structures, and

ideological boundaries of the settler state. This has also been noted in Australia, where equality, instead of land and Indigenous autonomy, is advanced. There is a growing literature that critiques the equation of economic equality on settler terms with reconciliation.[iv]

The third and fourth sections detail some of the problems of state-controlled narratives of multicultural and civil rights—in particular their wilful forgetting of the long lineages of communities of colour in what is now Canada and their feigned ignorance of anti-Black racism. By advancing a liberal frame that does not threaten the dominance of Stephen Harper's traditional "old stock" settler, these policies confine expressions of difference and collective rights to areas that do not threaten settler society. The same frames have been used to suppress Indigenous peoples and their *sui generis* rights to self-determination, and may continue to do so in the future.

Settler Comfort and the Liberal Frame

<no.indent>Defining "settler" is not straightforward. While a mental image of smiling Euro-Canadians may leap to mind, there is sometimes a question mark about racialized people (in my case, mixed-race Indians from Trinidad by way of Regina), since we function within a white-dominated system that privileges white settler comfort and marks out European identities as normal and unproblematic, while representing others as "ethnic" or "multicultural."[v] Further, given the European origins of the settler colonial system in Canada, racialized peoples are commonly seen in settler colonial studies as, in the words of Lorenzo Veracini, "*appellants* facing a political order that is already constituted," rather than as settlers who are "*founders* of political orders and carry their sovereignty with them."[vi]

However, given that many racialized people, like me, see their primary identity as "Canadian," a self-identity as "settler" may be valid. One might define "settler" in its broadest

sense as everyone who is not Indigenous, while also making distinctions where appropriate between European settlers and settlers of racialized origin, based on the inherent racial hierarchies on which the settler state was constructed and still depends. "Settler," in my view, is preferable to the more supposedly neutral terms used by the Environics survey (discussed later), such as "Canadians," "the public," and the "mainstream." Terms such as these obfuscate the coloniality of settler–Indigenous relationships and whitewash settler dominance at the expense of Indigenous peoples.[vii]

While racialized people are often more attuned to Canada's racist ways, in general most settlers have traditionally ascribed to what Sherene Razack terms a "fantasy" view of national history, insofar as we tend to disavow notions of conquest, invasion, and genocide, promoting instead myths of peaceful settlement.[viii] Constance Backhouse has similarly identified Canada's tendency to define itself as "not a racist country, or at least is much less so than our southern neighbour, the United States." Her work laments the continued existence of a "'mythology of racelessness' and 'stupefying innocence.'"[ix] At the same time it is clear, as Augie Fleras observes, that "discrimination and racism are not simply relics from the past, but are so deeply ingrained and structurally embedded that any chance of disappearing in the foreseeable future is nil to none."[x]

Certainly we have long maintained what Paulette Regan calls a "myth of innocence" over how and why Indigenous knowledge, cultures, languages, laws, and governance traditions have been virtually erased from mainstream history and society.[xi] We are now slowly changing our view of history and, with it, our primarily negative perceptions of Indigenous peoples. But there is considerable avoidance and ignorance still. For example, as Erica Jurgens argues in Chapter 5, this "great forgetting" has erased evidence of early nation-to-nation relationships between Indigenous

people and settlers, which would disrupt the settler narrative of the English and French as the true founding nations of Canada.

Newcomers to Canada (recent immigrants and refugees) often confront racism as well. Racism has historically marginalized racialized people inside Canada, while also helping to erect unequal barriers to immigration. Work by settler colonial theorists such as Lorenzo Veracini outlines a triangular model of how settler states operate, with three groups occupying the same geographic space but with very different endowments of political power and resources. At the top of the triangle are European settlers, with Indigenous peoples and later migrants (often people of colour) at the bottom. As he puts it, "Settlers are *founders* of political orders and carry their sovereignty with them (on the contrary, migrants can be seen as *appellants* facing a political order that is already constituted)."[xii]

The focus for non-European peoples, whether their families have been in Canada for centuries or since last week, is to assimilate into the European settler mainstream, and to do so quickly and quietly. A national poll of almost 4,000 Canadians, released in late 2016 by CBC and Angus Reid, revealed that 68 percent of respondents felt that "minorities should be doing more to fit in with mainstream society instead of keeping their own customs and languages." Angus Reid's executive director observed of the findings: "there are real limits on what Canadians . . . are prepared to put up with in terms of accommodation and the sense of the mosaic versus the melting pot."[xiii] The wording is instructive: difference is something to be "accommodated," to be put up with, but only in a shallow sense and only, it seems, within limits. Further, the term "mainstream" is undefined, but for most readers there would be little doubt that mainstream=settler values and ways of doing things.

In this chapter I assess how settlers have tried to make "reconciliation" comfortable by framing it as something familiar and non-threatening, in much the same way they have sought to use multiculturalism as a means of promoting assimilation. A frame is a way of organizing and interpreting reality through an ensemble of preconceived ideas. Framing theory suggests that when actors are seeking to implement new policies or ideas, they will package these, as Loren Cass notes, "in a way that resonates with existing norms and with the interests of the target audience."[xiv]

Canadian settlers, like the members of most societies, operate according to what we might call an "unconscious ideology," a common-sense understanding made up of unquestioned assumptions that underpin how we view the world. The conception that Canada is tolerant, kind, apologetic, and more civilized than the United States is rarely subject to sustained problematization. Indeed, people are uncomfortable when their established views of reality are articulated and criticized, and that discomfort can show itself as defensive behaviour, denial, and anger.[xv]

Obama paid deference to what we might call a liberal frame: the belief in a society and governance system based on individual rights and equality, guaranteed by Western settler institutions and derived from European social contract theory and European forms of law and philosophy. This frame has been at the core of Canada's settler governance traditions, as Anishinaabe theorist Dale Turner observes, and has strongly influenced multicultural policies and its relationship with Indigenous peoples.[xvi]

I argue here that most settlers are comfortable with Western liberal principles of equality. The most popular ideas of reconciliation are framed as closing gaps, making Indigenous peoples equal with settlers, working to create a shared vision of a harmonious future. While Environics president Michael Adam claims that "the door to reconciliation is truly open," it would be more

prudent to suggest that the door is at best half open.[xvii] This is because we are not recognizing the unsettling and discomforting effects of what I call "transformative reconciliation," which is actually what this process should be about.

Liberal reconciliation frames are designed to settle the settler within, without, in fact, requiring the settler to acknowledge themselves as a settler or to reflect on a relational and inherited coloniality with Indigenous peoples. This type of reconciliation ensures a high level of what Robin DiAngelo calls "racial comfort," at least for white settlers, who can feel the frisson of reconciling without acknowledging their own privilege and continued colonization of Indigenous lands through their participation in the settler state.

It is tempting for political leaders to frame reconciliation in this way to avoid what DiAngelo calls "race-based stress," which can lead to "white fragility," a defensive reaction where white people feel threatened, even by thoroughly liberal-based demands for an end to discrimination. As DiAngelo observes: "Whites often confuse comfort with safety." For those who do not understand their own privilege and fear losing what they have in some respects, this becomes unsettling.[xviii]

However, to actually achieve any substantive effects, reconciliation may *need* to be unsettling. It will result in new political arrangements, where Indigenous peoples self-determine their own futures either inside or outside Canada, or some combination of both.

As I will outline, liberal notions of equality are insufficient for bringing about meaningful and transformative reconciliation, although they are useful in the short term and can address some of the urgent and obvious problems in Indigenous communities that result from ongoing colonization. In what I call "liberal reconciliation," the focus is similar to the existing frame around

civil rights and multiculturalism; it is about respect, a level playing field, and equal access to the opportunities afforded by the Western settler state.

This form of reconciliation can be positive if it helps build Indigenous capacity for self-determination but also contains inherently assimilatory ideals: *to be comfortable like us, they should become like us*.

Transformative reconciliation, by contrast, is about fundamentally problematizing the settler state as a colonial creation, a vector of cultural genocide, and one that continues inexorably to suppress Indigenous collective aspirations for self-determination and sovereignty. In this type of reconciliation, we will see the rollback of settler state control over Indigenous individuals and communities, commensurate with the restoration of Indigenous lands, cultures, laws, languages, and governance traditions. Transformative reconciliation will centre Indigenous rights to self-determination, highlighted in articles 3 and 31 of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). We might understand Indigenous self-determination as "the right to political autonomy, the freedom to determine political status and to freely pursue economic, social and cultural development." This should be seen, Damien Short argues, as "central to a 'just' response to colonial dispossession and the resultant political and social subordination of indigenous peoples."[xix] Further, the idea of creating a shared future together may not be what all Indigenous peoples want, and "is challenged by the existence of indigenous nations that have never shared a comprehensive vision with the colonisers nor wish to."[xx]

We need to understand as settlers that Indigenous views of reconciliation may be incommensurable with the status quo of the settler state.

Sheryl Lightfoot's work on soft and hard Indigenous rights in the international context can help illustrate what settler Canadians have tended to support, versus what they have not. While the dividing line between soft and hard is somewhat blurred, the terms are useful for my argument.

Soft rights are collective rights to language, culture, spiritual beliefs and practices, educational systems, and other forms of identity. These are perceived as extensions of current human rights norms and practices, and while they may impose some obligations, these obligations can be met largely within the existing structures of the settler state. Even with a transfer of some level of symbolic recognition, and funds, the state retains its power. Lightfoot puts it: "While recognition and protection of soft rights involves some change to thinking about the inclusion of collective rights in the international human rights consensus and the complementarity of collective rights to individual rights, the changes required by states and the UN system to secure these rights are not as fundamental as the changes brought forward by hard rights and thus the majority of states accepted soft rights much more readily."[xxi]

Lightfoot's soft rights, similar to what I call liberal reconciliation, are not incidental to the reconciliation process and should be seen as an important aspect of it. To rework Adams's comment, this is still part of opening the reconciliation door, and seeking soft rights and economic equality is crucial to the well-being of Indigenous peoples as individuals and communities.

Chief Robert Joseph, when addressing the Liberal Party convention in 2016, outlined the scope of Indigenous inequality, noting how poverty affects half of First Nations children. He identified a suicide rate five to seven times higher than for non-Indigenous peoples, with a life expectancy considerably lower, while reminding his audience that some 130,000 First Nations people need new houses. True reconciliation, he argued, cannot take place unless these matters are dealt with in a satisfactory manner.[xxii]

Lightfoot's framework might identify these as soft rights because the legitimacy and capacity of the settler state providing them is not in jeopardy. Indeed, the settler state may *increase* its legitimacy if it is publicly seen to be responding effectively to these gross injustices.

Mick Dodson noted this problem two decades ago, observing that settler policies towards Indigenous peoples "constructed on the basis of perceived need and comparative disadvantage" gave a false impression of the history and reality of the relationship. He cautioned against basing delivery of rights on a foundation of compassion. Rather: "As long as indigenous peoples are dependent on the perception of need and the compassion of the other, we remain in a position of dependence. Whether the response is benevolent or withholding, our position as powerless recipients is subtly reinforced."[xxiii]

Hard rights, by contrast, exemplified by "self-determination and land rights for Indigenous nations, with or without statehood" are less commensurable with the current structures of the settler state, and remove settlers' ability to exercise their compassion in either providing or denying it. Instead, the focus is on the exercise of Indigenous rights. Potentially, "state territorial sovereignty" is under question when issues of hard rights are raised.[xxiv]

Audra Simpson has cogently addressed some of the distinctions between liberal and transformative views in her work on Mohawk sovereignty. Indigenous peoples, she argues, need to be correctly understood as "nationals with sovereign authority over their lives and over their membership and living within their own space, which has been 'held for them' in the form of reservations."[xxv]

A focus on culture and soft rights is self-serving for the state, occluding Indigenous sovereignty and hiding the fact that this sovereignty still exists.[xxvi] Indigenous political traditions, Simpson argues, are "not the 'culture' that multiculturalism sought to protect and preserve."[xxvii]

Instead, Simpson's view promotes Indigenous national self-determination efforts as changing our understanding of territory and political power, "as a sovereignty within multiple sovereignties."[xxviii]

The TRC in their *Reconciliation* volume advocated forms of both soft and hard rights, although, as I outline later, they pull back from recommendations that could imperil Canada's claims to Westphalian, or state, absolute sovereignty.

Certainly, most TRC recommendations go well beyond the sort of liberal rights that we might see embodied in civil rights or multicultural ideals.[xxix] At one level, the TRC asserts, equality and inclusivity inform the process, with a focus on "closing the gaps in social, health, and economic outcomes that exist between Aboriginal and non-Aboriginal Canadians."[xxx] Reconciliation includes "constructive action on addressing the ongoing legacies of colonialism that have had destructive impacts on Aboriginal peoples' education, cultures and languages, health, child welfare, administration of justice, and economic opportunities and prosperity."[xxxi] While this focus on gap closing might be seen on the surface to reproduce the problems Dodson identified in the Australian context, the TRC has largely framed soft rights arguments through a hard rights frame. This is so, given that the denial of these soft rights has been used to weaken Indigenous self-determination efforts in the past and present. Further, achieving these equality rights may build capacity for Indigenous peoples to collectively self-determine their own futures.

The *Reconciliation* volume also endorsed more overt forms of hard rights, with an emphasis on Indigenous law, land, sovereignty, and self-determination.[xxxii] This is to include revitalizing Indigenous legal traditions, and "cultural revitalization and integrating Indigenous knowledge systems, oral histories, laws, protocols, and connections to the land into the reconciliation process are essential."[xxxiii] UNDRIP is presented as "the framework for

reconciliation at all levels and across all sectors of Canadian society," and Indigenous peoples are fully acknowledged as "the original peoples of this country and as self-determining peoples, have Treaty, constitutional, and human rights that must be recognized and respected."[xxxiv] Central to this is decolonization, "from the debilitating impacts and ongoing legacy of denial by States of Indigenous peoples' inherent sovereignty, laws, and title to the lands, territories, and resources."[xxxv] Treaties will prove central here, as "a sacred obligation that commits both parties to maintaining respectful relationships and sharing lands and resources equitably."[xxxvi]

Recommending a new royal proclamation will, for the TRC, confirm on the settler side the rights and obligations of the treaty relationships. This would include "an official disavowal of the Doctrine of Discovery," full implementation of UNDRIP, and full reconciliation of "Aboriginal and Crown constitutional and legal orders to ensure that Aboriginal peoples are full partners in Confederation, including the recognition and integration of Indigenous laws and legal traditions in negotiation and implementation processes involving Treaties, land claims, and other constructive agreements."[xxxvii] Indigenous laws and protocols will confirm the resurgence of Indigenous communities as self-determining. They will also rectify the power imbalance, creating a more partnership-oriented ethos.

This partnership, however, will be determined by Indigenous peoples and on their own terms. As the TRC outlines: "Without Indigenous law and protocol establishing the common ground on which the parties meet—reconciliation will always be incomplete. At the same time, we recognize that Indigenous forms of reconciliation will not be available to the Canadian state until First Nations, Inuit, and Métis peoples decide to offer them, leaving significant power in the hands of Indigenous peoples."[xxxviii]

This counters the prevailing view that settlers are empowered to demarcate the parameters of reconciliation. The TRC argues that any moving on will depend on Indigenous decisions. While a liberal reconciliation model would allow the settler state to respond to Indigenous inequality through the apportionment of soft rights within the existing framework of the state, a transformative model would return decision-making power to Indigenous peoples. They would decide whether progress was being made on reconciliation.

However, the TRC did not devote much of its word count to problematizing how best self-determination could be defined, and neither did it engage with any potential ramifications of any process that could have a negative impact on existing Canadian Westphalian sovereignty. For example, their vision of reconciliation is one "that fully embraces Aboriginal peoples' right to self-determination within, and in partnership with, a viable Canadian sovereignty."[xxxix]

As such, the TRC's version of Indigenous self-determination appears to fall short of achieving Simpson's "sovereignty within multiple sovereignties."[xl] Reconciliation might not result in a more complex model of sovereignty, where Indigenous nations use their own passports and sign treaties and other agreements with other countries. For example, Sid Hill, the Tadodaho (traditional leader) of the Onondaga of the Six Nations Confederacy, has used a Haudenasaunee passport to travel outside of Canada and recently articulated: "We are a sovereign nation recognized by the United States under the 1794 Treaty of Canandaigua signed by George Washington."[xli]

Similarly, the Chiefs of Ontario understand the treaties as "living, international agreements, which remain valid today and continue to affirm our sovereign relationships." Speaking for the fourteen Indigenous nations whose traditional territory is within the province of Ontario, the Chiefs are clear: "We are and always have been original Nations that have never relinquished our title,

rights, language, culture, and governance by way of Treaty to the British Crown or the successor state of Canada."[xlii]

The TRC's mandate has arguably restricted its ability to promote a robust sense of hard rights. Article 4(c) of its mandate suggests that the TRC was to "build upon the work of past and existing processes, archival records, resources and documentation, including the work and records of the Royal Commission on Aboriginal Peoples [RCAP] of 1996."[xliii] Since RCAP had already made extensive recommendations, the TRC was not obliged to reiterate them, although it could have done so. Suggesting specific changes to the nature of sovereignty could have strayed well beyond its commonly accepted parameters as expressed in its mandate. Further, while recommending that UNDRIP frame the reconciliation process was bold, Article 46(1) ensures that UNDRIP neither authorizes nor encourages "any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States."[xliv] The UNDRIP, while path breaking in many respects, has had to dilute its hard rights provisions in order to gain agreement by signatory states. As I will outline in the third and fourth sections, civil rights equality and multiculturalism frameworks have been privileged in settler understandings of reconciliation. Both ensure a sense of forward movement and progress along the road to reconciliation but are also designed to make that process comfortable for settler Canadians by confining it to relatively safe areas that will not upset status quo institutions, values, and identities of the settler state.

"Safe" does not mean "easy," but it does mean that problems can be solved primarily by changing attitudes and policies and adding funding to deal with long-term government neglect.

The Environics Survey

<no.indent>In June 2016 the Ottawa-based public policy firm Environics released a survey based on telephone discussions with 2,001 non-Indigenous respondents during a three-week period in early 2016.[xlv] The survey sought to gauge settler knowledge and impressions of Indigenous peoples and issues, in particular the Indian Residential Schools (IRS) and the work and recommendations of the TRC. The survey featured three, primary, different types of questions, some asking for a basic choice between two or three responses, such as Question 5: "Over the past few years, has your impression of Aboriginal Peoples gotten better, gotten worse, or stayed the same?" A second type asked respondents to choose from a range of finite options, such as Question 3: "Do you think each of the following is very important, somewhat important, not very important, or not at all important in defining Canada . . . Aboriginal history and culture . . . Bilingualism . . . Multiculturalism . . . Land and geography . . . The health care system. . . ." A third type was open-ended questions, such as Question 2: "What do you think makes Canada unique?"[xlvi] Respondents were triaged into streams after answering certain questions a certain way. For example, if they answered that they had generally positive impressions of Indigenous peoples, they would be asked why in an open-ended way, for example, Question 6A: "Why do you say your impression has gotten better?"[xlvii]

The results buttress my arguments in this chapter: a large proportion of settler respondents view reconciliation through a liberal frame, mediated through civil rights and multicultural tropes. They were not offered the option to choose a transformative model of reconciliation, so it is not clear from the survey whether they would have approved or rejected this view of reconciliation. Overall, the survey revealed the following four salient points:

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1. Lack of knowledge about the IRS system, the work of the TRC, and its recommendations.

2. Support for the proposition that reconciliation is primarily about equality.

3. Mixed perceptions of Indigenous distinctiveness; weak acceptance of Indigenous unique status coupled with support for settling land claims.

4. Lack of willingness to see settler privilege as part of a colonial and interdependent relationship with Indigenous peoples.

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First, respondents demonstrated a low level of knowledge about Indigenous peoples, histories, and contemporary issues. While 66 percent of respondents claimed some knowledge of the IRS system, when broken down by thematic area (organized by unprompted responses), the results were not encouraging. If we factor in what percentage of the total sample of respondents claim to know anything, we get far lower statistics, indicated by round brackets.

When asked, 42 percent of the "knowledgeable" 66 percent (28 percent of the total sample) could "recall something" about "abuse and molestation of students," 29 percent (19 percent) about "general mistreatment . . . and discrimination," 31 percent (21 percent) about the impact of being separated, 18 percent (12 percent) on cultural impact of language and culture loss, and a mere 4 percent (2.6 percent) could "recall something" on cultural genocide.[xlviii]

While Environics praises this level of knowledge, let us be clear about their findings: 72 percent of total respondents claim to know nothing about Survivor abuse, and 88 percent know nothing about language and culture loss. Given this, it is perhaps not surprising that self-reported impressions of Indigenous peoples over the past few years have not changed for 61 percent of respondents,[xlix] or that 79 percent of respondents want to learn more about Indigenous cultures, which seems fully consistent with a liberal paradigm.[l]

Environics featured a question related to cultural genocide, but it was rather convoluted, measuring people's disagreement with the statement "Canada's residential schools policy was not an intentional effort to destroy Aboriginal culture and connection to the land." The 42 percent who agree with this statement are interpreted as "reject[ing] the idea of cultural genocide," although that term does not feature in the question itself. Given that only 2.6 percent of respondents connected the term "cultural genocide" with the IRS system, it is not clear how respondents could give an informed opinion.[li]

Second, when asked what "reconciliation" meant to them (a question where respondents provide their own unprompted definitions), respondents answered that it was primarily about social and economic equality. Perceptions of reconciliation bear similarities with how multiculturalism was framed from the 1980s and after, as what Fleras dubs "equity multiculturalism" of the 1980s and 1990s, with its focus on a "level playing field," as well as the "civic multiculturalism" from the mid-1990s and after, with a focus on "living together."[lii]

Indeed, "equality remains a dominant theme," Environics argued, which they broke down into support for "mutual respect and living together in harmony," with respondents viewing reconciliation as "fair policies" and a "level playing field" (at 18 percent). Similarly, reconciliation could be seen as Indigenous peoples and the federal government cooperating and "working together" (11 percent), with both sides listening, communicating, and in dialogue (7 percent).[liii] Expanding the centrality of equality and harmony, Environics revealed: "Some think of reconciliation as getting along better (14%), finding common ground and coming together (14%), both sides listening to each other (12%). . . . Fewer Canadians also spoke about actions to repair the damage caused by Indian residential schools: compensation (5%), help or counsel to care for

the affected (4%), improving support from government (1%) and recognizing Aboriginal rights (1%)."[liv]

Economic and social inequality are recognized as serious problems, with 59 percent identifying a "large gap in the standard of living."[lv] The gap is crucial for most respondents, with 72 percent agreeing that "reconciliation will be impossible as long as Aboriginal peoples remain socio-economically disadvantaged."[lvi] Key priorities comprised ending discrimination, increasing funding for on-reserve housing and schools and for safe drinking water, reviving Indigenous languages, and a mandatory curriculum about Indigenous culture and history.[lvii]

Environics observes that anti-Indigenous racism is a particularly acute problem. While other groups (such as Canadian Muslims) are also targeted, for Indigenous peoples, "it appears to be more deeply rooted and resistant to change."[lviii] When discussing challenges, respondents prioritized "struggles Aboriginal peoples face in being accepted into the Canadian social fabric." This included "stigma" for being Indigenous, which resulted in "inequality and discrimination" and "isolation and related social issues," alongside "threats to Aboriginal culture and traditions or to their self-identity."[lix] Note that Environics failed to problematize the "social fabric" as being created by settlers, and, within a liberal model, the question seems to privilege the removal of barriers to Indigenous integration within the settler state.

In terms of how widespread anti-Indigenous attitudes are: "Two-thirds strongly (24%) or somewhat (41%) agree with the statement 'Most Canadians are prejudiced against Aboriginal peoples, whether or not they are conscious of it.'"[lx]

The third point revealed by the survey was that respondents had problems seeing Indigenous peoples as possessing a unique legal and historical status predating Canada and also guaranteed by the Constitution; they similarly encountered problems seeing Indigenous peoples as

a unique definitional element in understanding Canadian identity. For example, when asked in general terms about what makes Canada unique, 43 percent of respondents proffered "multiculturalism and diversity," with "land and geography" a distant second (17 percent), followed by "freedom and democratic system" at 14 percent, and the "'nice,' 'friendly,' 'humble' nature of the populace" at 11 percent. Indigenous peoples came in at 2 percent.[lxi]

Added to their poor contributions to Canadian uniqueness, the distinct, constitutionally recognized rights of Indigenous peoples failed to mark them out as unique. Respondents were split on this issue. Fifty-two percent of respondents did agree that Indigenous peoples "have unique rights as the first inhabitants of the continent," while, by contrast, a significant minority at 41 percent countered that "they are just like other cultural or ethnic groups in Canada's multicultural society." Worryingly although predictably, the prairie provinces, which contain a large proportion of Indigenous peoples, had the lowest support for uniqueness recognition.[lxii]

The survey did not ask questions about Indigenous governance traditions, Indigenous law, colonialism, settler identities, race, white privilege, UNDRIP, self-determination, sovereignty, or nation-to-nation relationships. Most of these terms were scrupulously avoided; treaty rights were barely explored. Most questions were confined to areas that would fall into the liberal reconciliation and soft rights category.

However, when asked about hard rights issues, respondents were generally positive, which suggests some hope for the future, if the Trudeau government is able to reframe the status of Indigenous peoples and how reconciliation could look. For example, some 66 percent "endorse providing Aboriginal communities full control over the natural resources on their traditional territories," while 60 percent were in favour of "settling all outstanding land claims with First Nations, Métis and Inuit people regardless of what this might cost."[lxiii] This may seem a bit

dissonant with this less positive view, endorsed by 45 percent, that "Aboriginal communities do not need control over their land and resources to be successful."[lxiv] However, this means that for respondents, settling land claims was not a precondition to however they defined Indigenous "success." Interestingly: "The importance given to challenges associated with land claims/treaty rights has dropped significantly since 2008 (when 18% identified it as the most important issue); this decline is most noticeable in Ontario and among high income earners."[lxv]

Indigenous representation within the existing settler political system was roundly popular for respondents. Seventy-six percent were in favour of there being "an Aboriginal representative at every meeting of the country's First Ministers," while 73 percent favoured "requiring at least one Aboriginal Minister in the federal cabinet." A smaller majority of 63 percent were in favour of creating "a new parliamentary committee composed of Aboriginal MPs from all parties to review all laws from an Aboriginal perspective." Support for "the creation of an Aboriginal political party" was far lower at 49 percent.[lxvi] Notably, none of these suggestions went much further than what Quebec already has, and, indeed, guaranteed Indigenous seats (as in New Zealand for Maori), supreme court membership, and other such issues are not broached by the survey.

The fourth point is a general lack of willingness amongst respondents to accept responsibility for the continuing negative effects of settler colonialism on Indigenous peoples. When Environics asked about the three biggest obstacles to social and economic equality, equal proportions of respondents (26 percent) blamed the policies of the governments and "Aboriginal peoples themselves." Only 18 percent cited the "attitudes of the Canadian public" as the primary cause.[lxvii] Following this attitude, a large proportion of respondents felt that Indigenous peoples "have a sense of entitlement in terms of receiving special consideration and financial benefits from

governments that are not available to other Canadians." Support for this contention was 66 percent overall, with particularly strong majorities in the prairie provinces and amongst older respondents.[lxviii]

A large proportion of respondents also felt that Indigenous peoples were being given privileged access to various social services, despite obvious and well-publicized evidence to the contrary. To whit: "Canadians are most likely to believe that Aboriginal peoples are treated as well as or better than others when it comes to the health care system (62%) and the workplace (63%), in comparison to the education system (49%) and the criminal justice system (48%)."[lxix]

The troubling nature of the findings continues with regards to how settlers view their own privilege and positionality. While many respondents acknowledged the problems of structural racism and prejudice, only 33 percent agreed with the statement "Mainstream Canadian society today benefits from ongoing discrimination against Aboriginal peoples," versus 71 percent who disagreed.[lxx]

Interestingly, while Environics stratified respondents by age, region, and gender, they provided little information about socio-economic status. Class and perceptions of Indigenous peoples were poorly correlated; the word "class" was not used in the report at all.[lxxi] When socio-economic status was briefly alluded to, poorer, younger people seemed to be more in favour of Indigenous hard rights than richer people. Those "with lower household incomes" tend to more readily recognize the unique rights of Indigenous peoples. One of the most pro-Indigenous groups, the "Young Idealists," has "lower than average household incomes." By contrast, those most resistant to hard rights tended to be the "Dismissive Naysayers," with "higher than average incomes," and "Informed Critics," who are the "most affluent of the five groups."[lxxii]

The overall thrust of the survey is that Canadians recognize that discrimination and social and economic inequality are serious problems. They are prepared to concede certain soft rights to Indigenous peoples, and are supportive of concluding land claims and allowing Indigenous "control" over traditional lands. The survey, however, did not address many aspects of transformative reconciliation, which makes it difficult to say whether respondents would or would not favour moving forward with harder forms of rights.

This is a common problem with surveys. For example, Angus Reid in its 2015 and 2018 surveys also does not cover transformative reconciliation, instead focusing on the more liberal aspects. The 2018 survey, "Truths of Reconciliation," labelled Indigenous peoples and "Indigenous Canadians," and 53 percent agreed with the following statements: "Overall, Indigenous Canadians would be better off . . . integrating more into broader Canadian society, even if that means losing more of their own culture and traditions"; "In modern Canada, Indigenous people should have no special status that other Canadians don't have"; and "Canada spends too much time apologizing for residential schools—it's time to move on." In these cases the questions assume Indigenous rights stem from prior occupancy rather than any *sui generis* rights per se, and there is no mention of treaties or the Constitution. The questions also assume that settlers should have the power to determine whether further integration is an acceptable idea, as well as when and how Canada should "move on."[lxxiii] Reconciliation Canada's 2017 report, based on a survey they commissioned, similarly suggests that respondents were in favour of liberal forms of reconciliation.[lxxiv]

Because issues of sovereignty, self-determination, and law were not raised in the Environics survey, it is difficult to gauge settler support for hard rights that might actually change the way Canadians and Indigenous sovereignties are perceived and operate. Support for Indigenous

control also seems to contradict a feeling of Indigenous entitlement and the widespread ignorance of the IRS system and the work of the TRC.

The Liberal Multicultural Frame

Thomas Axworthy has observed that Justin Trudeau's development of a "true partnership with Canada's indigenous peoples" could be "as defining for Trudeau as French-English reconciliation was for his father."[lxxv] Were this to be the case, the balance would need to be shifted, since, as I will argue here, both biculturalism and multiculturalism developed at the expense of Indigenous peoples, and this exploitative relationship continues still.

Christine Inglis has described our system as a "programmatic-political" form of multiculturalism, given that the state has developed "specific types of programs and policy initiatives designed to respond to and manage ethnic diversity." This is an expansion beyond the mere acknowledgement of ethnic diversity, known as "demographic-descriptive" multiculturalism.[lxxvi]

The state has long viewed multiculturalism as attractive because of its ability to maintain the dominance of white settlers, who continue to set default Canadian values, creating the boundaries for what is to be tolerated or discouraged. Himani Bannerji observed some time ago that multiculturalism "establishes anglo-Canadian culture as the ethnic core culture while 'tolerating' and hierarchically arranging others around it as 'multiculture.'"[lxxvii] That multiculturalism is about integration into the settler state is taken for granted by many settlers.

In a 2015 Environics survey, respondents were both very pro-immigration (57 percent) and pro-multiculturalism. However, this had less to do with a celebration of difference than the view that immigration was good for the economy while also being effective in its capacity to submerge

competing cultures into dominant white settler society. To the proposition "Ethnic groups should try as much as possible to blend into Canadian society and not form a separate community," 75 percent of respondents concurred, a level unchanged from previous iterations of the survey between 2004 and 2010.[lxxviii] This should come as no surprise, since from a policy perspective, Citizenship and Immigration Canada defines a central goal of multiculturalism as promoting "the long-term integration of ethnic and religious communities, including the adoption of Canadian values."[lxxix] These, needless to say, are not defined but assumed.

Settler state governments have long played the game of conflating Indigenous hard territorial and political rights with softer linguistic and cultural rights for ethnic communities. Under Pierre Trudeau, liberalism informed *both* the assimilatory 1969 White Paper and the 1971 Multiculturalism Act. White Paper liberalism, after all, sought to turn Indigenous peoples into Indigenous individual citizens, who would relinquish their "special status" as a "race apart in Canada" to become instead "Canadians of full status," as Trudeau announced in August 1969.[lxxx] He found it inconceivable "that in a given society one section of the society [should] have a treaty with the other section of the society," given that everyone "must be all equal under the laws."[lxxxi]

Ironically, Trudeau's liberalism overtly favoured French Canadian nationalism—they were the only ones deserving of any special collective status in his national vision. In other words, there was to be more recognition and reward for the subsidiary colonizing power in Canada, while Indigenous peoples were to be unilaterally stripped of their legal rights.

Canadian multiculturalism since that time has involved the thin recognition of some community cultural traits, as part of the escalator towards the integration of non-Europeans into the settler state and its values. Yes, some level of cultural expression is tolerated, but only until, as Fleras notes, such cultural differences "get in the way of full citizenship and equal participation."

In practice, in order for such diversity to be respected, it is best "stripped of history or context, and consistent with Canada's self-proclaimed prerogative for defining the outer limits of acceptable differences."[lxxxii] The framing of multiculturalism as a tolerance and even celebration of diverse otherness, often non-European identities, has paradoxically helped the erasure of the non-European communities who also helped found the country. As Bannerji notes, the way multiculturalism is framed presents people of colour as curiosities, either new to the country or as somehow other to whatever mainstream Canada is supposed to be, even, as is often the case, when their families have been here for generations.

Conversely, Bannerji observes, hegemonic whiteness in the ways settler identities are understood allows "all white people, no matter when they immigrate to Canada or as carriers of which European ethnicity, [to] become invisible and hold a dual membership in Canada, while others remain immigrants generations later."[lxxxiii]

For example, much of Black history in what is now Canada has been erased, sometimes through attempted or actual physical destruction like the slave cemetery in St. Armand, Quebec, and Africville in Nova Scotia.[lxxxiv] Early Black presence as slaves and those fleeing slavery goes back to the foundation of the American colonies,[lxxxv] and even though Black loyalists predate the formation of the country, Rinaldo Walcott observes: "The most recent migrations have taken precedence in the popular imagination and therefore authorities tend to locate blackness as new to the nation."[lxxxvi] In what he calls a "double move," the Official Languages Act positions English and French Canadians outside the multicultural framework, identifying them and their cultures as foundational, essentially whitewashing the nation by acknowledging non-white peoples only as "the contaminants within, but in proscribed ways."[lxxxvii]

Canada's thin multiculturalism frame also informs the thin recognition of Indigenous cultures, languages, laws, governance systems, and spiritual practices. There is a tendency to frame Indigenous rights as somehow analogous to cultural claims by ethnic communities, and, as Environics demonstrates, respondents have a tendency to conflate reconciliation with equality. Pierre Trudeau's injunction, "No citizen or group of citizens is other than Canadian, and all should be treated fairly,"[lxxxviii] translates into temporary government measures to ensure fairness—to ensure that those who are below the expectations set by the settler state can rise to it. Policies designed to foster equality are by definition temporary, because once equality is reached, the policies can end, and if the policies do not achieve equality, they need to end on the basis that they are not achieving their desired effect.

As Fleras notes, liberal multiculturalism will "ensure that individuals are treated as equals when their differences prove disadvantaging—as long as the concessions are needs based and temporary."[lxxxix] Applying the same logic of temporary assistance to Indigenous peoples, Will Kymlicka has argued for distinct rights for Indigenous peoples on the basis of their vulnerability. As such, "the rights accorded to Aboriginal groups are justified only 'if there actually is a disadvantage with respect to cultural membership, and if the rights actually serve to rectify the disadvantage.'"[xc] Further, Kymlicka constrains Aboriginal rights through his own sense of "justice": "One could imagine a point where the amount of land reserved for indigenous peoples would not be necessary to provide reasonably external protections, but rather would simply provide unequal opportunities to them. Justice would then require that the holdings of indigenous peoples be subject to the same redistributive taxation as the wealth of other advantaged groups, so as to assist the less well off in society."[xci]

Kymlicka and others like him will therefore decide when Indigenous peoples are approaching the barrier of justice and when they have crossed the line. Like an infusion pump monitoring an IV drip, they will deliver a sufficient quantity of government-mandated sugar water to promote equality, then presumably taper it off and discontinue the flow entirely when equality is reached.

This is problematic for any notion of reconciliation because it puts the ball squarely in the court of the settler state. They can decide when Indigenous peoples have had enough of a helping hand to attain equality within the institutional and ideational framework of the settler state, and how much is enough.

<H1>Equality and the Civil Rights Framework</H1>

<no.indent>Walking with tens of thousands of other people in the pouring rain was for many people one of the highlights of the 2013 Vancouver National Event. Organized by Reconciliation Canada, the march was opened by a moving tribute to IRS Survivors by Martin Luther King Jr.'s daughter Bernice King, who addressed the sodden crowd on the fiftieth anniversary of her father's "I have a dream" speech. She had a message for the crowd: "the way forward . . . is going to be through choosing non-violence." A choir sung civil rights-era spirituals. King urged the crowd to avoid hate, to seek positive transformation. She spoke with passion, but much of her speech, while rousing, said very little about the distinct situation of Indigenous peoples in a settler state.[xcii]

Like the liberal discourse of multiculturalism, Bernice King spoke volubly about a liberal form of equality, and hence a liberal understanding of reconciliation. Civil rights is, after all, largely about privileges or rights that are legally enforceable. According to the Cornell Law School, examples would include "freedom of speech, press, and assembly; the right to vote;

freedom from involuntary servitude; and the right to equality in public places." Under this rubric, violations of civil rights occur when the rights of "an individual are denied or interfered with because of their membership in a particular group or class."[xciii]

Back in 1963 Martin Luther King put it that "we've come to our nation's capital to cash a check." That cheque was the Declaration of Independence, and King sought equality, or, as he described it, the fulfilment of the "promise that all men, yes, black men as well as white men, would be guaranteed the 'unalienable Rights' of 'Life, Liberty and the pursuit of Happiness.'" King's speech was resoundingly successful in part because of its continued faith in the American ideal, which King contrasted with the reality of American practice: "we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation." He then continued with probably the most salient passage: "I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character."[xciv]

King pitched his speech not only to African Americans but also to white liberals, and so he both tragedized and legitimated the American political experiment simultaneously. The philosophy behind the American social contract, King argued, was legitimate, but the execution of its terms was discriminatory. King pushed for a larger share of the existing pie but held back from reinterpreting the concept of a pie, the mode of its production, or the composition of its filling.

This is starkly different from theorists like Charles Mills, who in *The Racial Contract* argues that there never was any promissory note for Black people. The contractarian basis of the American republic was inequality—white parasitism was foundational to the republic, for without slave labour, the social system could not have functioned effectively.[xcv]

Bernice King's speech, while seeming to talk past the Indigenous–settler context, may have made white Americans uncomfortable, exposing their fragility, given that civil rights equality is a long way from being achieved, and white Americans display discomfort when the pendulum seems to swing in a direction favourable to African Americans. Take, for example, the widespread negative reaction to so-called reverse discrimination. In a June 2016 survey, the Brookings Institution revealed that the majority of white Americans believe that "discrimination against whites . . . is as big a problem as discrimination against blacks and other minorities." This problematic view was embraced by wholly 66 percent of white members of the working class.[xcvi] The study demonstrates a major dissonance between white and Black people over the extent of anti-Black racism. For example, 88 percent of African Americans "say the country needs to continue making changes for blacks to have equal rights with whites," a figure that is only 53 percent for whites.[xcvii]

The civil rights equality frame is a problem in Canada at two levels. First, as already outlined, it provides only a limited soft rights liberal view of reconciliation, well short of affirming the hard rights of Indigenous peoples. Second, the frame locates civil rights issues as an *American* problem that has no analogue in Canada.

Promoting civil rights seems relatively unproblematic if it is framed as correcting what white Americans have done to Black Americans. While white settlers deny a history of Black people in what is now Canada, so too is there a marked tendency to ignore and deny the reality of anti-Black racism. Desmond Cole notes that Toronto's naïveté about the city's widespread racism towards Black people is "because we want to tell ourselves that it's not happening here, and we especially want to tell ourselves that we are not the United States of America."[xcviii] Yet, racism has

always been present. It is, as Backhouse describes, "a deeply embedded, archly defining characteristic of Canadian history."[xcix]

Indeed, Anthony Morgan describes "today's black Canadian experience" as constituted by "extreme marginalization and disadvantage; restricted access to housing; racial profiling in policing, security, education and child welfare; criminalization; over-representation in the criminal justice system; high levels of unemployment; and disproportionate and extreme poverty."[c] Doug Saunders too has noted widespread discrimination against Black Canadians, in terms of "employment, in housing and especially in the policing and justice systems." Black Lives Matter's spread and success in major Canadian cities is thus a domestic phenomenon, the result of the lived experiences of racism and violence by Black people.[ci] The settler state record of civil rights is hardly ideal. For example, Black inmates in federal prisons increased by 69 percent from 2005 to 2015, while the percentage of Black children and youth in Toronto's child welfare system is now 41 percent, even though they comprise only 8 percent of Toronto's youth population. Coupled with the epidemic of police carding, defined "as random police checks that disproportionately target black people," and the shooting by police of Jermaine Carby and Andrew Loku, it is clear that something is seriously wrong.[cii]

Black Lives Matter has been working in solidarity with Idle No More, and in April 2016 they occupied the Indigenous Affairs offices in downtown Toronto. Idle No More youth organizer Erica Lee asserted that both groups were united by the recognition that Toronto and other cities were constructed on stolen Indigenous land. Both groups, she argued, came together in "understanding why indigenous youth are being pushed to kill ourselves in a colonial context, and to recognize that police violence is impacting black lives, indigenous lives and racialized lives in this country." The two groups, in occupying Indigenous and Northern Affairs Canada (INAC)

offices, join together. As Lee puts it: "we're taking back this land and we're taking back our lives."[ciii]

Overall, we are faced with four settler perceptions that may hinder the reconciliation process. The first is the perception that reconciliation is or should be about equality or a "level playing field," and should not be about "uniqueness," or rewarding an unfair sense of "entitlement," especially when white settlers feel they have little responsibility for the current crises of Indigenous peoples. Tied to this is a second point: the belief that the way settler Canada has dealt with "diversity" through its multiculturalism policies constitutes a laudable framework for understanding what types of (temporally and financially limited) duties the settler state has vis-à-vis Indigenous peoples. This ignores the white settler-dominated approach to integration and "Canadian values," the erasure of non-Europeans as founding communities, and the general climate that sees non-Europeans as visibly other. Black, Asian, Indian, and other communities helped found Canada alongside Dutch, Greeks, Spanish, and Italians. Their contributions should be better recognized.

The third issue concerns the belief that the U.S. civil rights movement is a model for reconciliation. Again, equality becomes important, and settlers dream of ways that the "promissory note" can at last be cashed. Like King assured his audience, they want to feel that the state is not bankrupt, that the underlying liberal principles of Canada remain legitimate and praiseworthy. This is at one level to confuse soft and hard rights, liberal reconciliation within the framework of the settler state with Indigenous self-determination, and, as I stressed earlier, it also ignores the longevity and continuation of anti-Black racism in this country.

Finally, there is simply no evidence that a significant proportion of settler Canadians view their state as a settler state or themselves as settlers, or even as white people. Only a tiny proportion of

respondents felt any personal or collective responsibility for cultural genocide, let alone UN-defined genocide. Faith in the beneficence of a liberal universal ideology remains unaltered by the increase in knowledge about the IRS system and the work of the TRC.

Mainstream media has proven deficient in reframing the situation. Rather than overtly challenging Euro-Canadians to see themselves as privileged settlers and take responsibility for the current status of Indigenous peoples, the media has tended to focus attention on Indigenous peoples as the problem, while eliding the larger settler colonial context behind the historical trauma that many Indigenous peoples face as a result of ongoing colonization.

In their work on media bias and the TRC, Rosemary Nagy and Emily Gillespie note that the media has in most cases focused on the promotion of reductive frames, on individual Survivor experiences of physical and sexual abuse, trauma, and healing. The system is blamed primarily on "mistakes," suggesting that had it operated properly, most of the abuses would not have occurred. Reductively framing stories about Indigenous peoples suggests that the IRS system was an historical artifact, a product of mentalities and policies confined to an earlier, long since passed, period of Canadian history, with no current manifestations.[civ] Genocide and cultural genocide are not discussed, and the crimes of the system have generally been blamed on individuals: stern-faced nuns, predatory priests, greedy bureaucrats, and callous police officers.

As DiAngelo's work outlines, white audiences are generally more accepting of a reductive treatment, in that "whites are usually more receptive to validating white racism if that racism is constructed as residing in individual white people other than themselves."[cv] An expansive view, by contrast, stresses the interconnections and continued legacies of all relationships between Indigenous peoples and settlers. This includes territorial dispossession; the imposition of colonial educational, justice, governance, and other systems; Indian Residential Schools, the Sixties Scoop;

Indigenous imprisonment; other forms of structural racism; and, more generally within Canadian settler society, Nagy and Gillespie say, "deeply ingrained colonial attitudes and patterns of behaviour."[cvi]

By contrast, when media is freed from settler control, Indigenous peoples have agency to reinterpret the frames through which current events are understood. Brad Clark's comparative analysis of Aboriginal Peoples Television Network (APTN) versus mainstream settler channels highlights how settlers have chosen a "'problem people' frame," seeing negative issues arising as the fault of Indigenous peoples. By contrast, APTN respects Indigenous peoples, and uses instead a "'social conditions as context' frame" to engage with the fuller picture behind news events, including colonization and cultural genocide.[cvii]

<H1>Conclusions</H1>

<no.indent>What can we conclude from all of this? The Environics survey represented a mix of responses, but leaned most heavily in the direction of a liberal reconciliation agenda, marked primarily by efforts to reduce discrimination and inequality. This focus can be seen as positive and productive if settlers understand that these soft rights goals are part of a process of supporting Indigenous capacity building to better enable Indigenous self-determination. Hard rights are about restoring the nation-to-nation, government-to-government dynamic that was originally present.

Those of us who are settler Canadians need to engage in more critical reflection about ourselves as settlers, and learn far more about Indigenous peoples, languages, and cultures but also governance traditions, law, and treaties. It must become clear at some point (soon) in the reconciliation process that the state may be required to roll back its sovereignty to facilitate the

Indigenous resurgence to take hold, for Indigenous *sui generis* rights to self-determination to go forward.

Critical Race Studies may help us to partially conceptualize where we are currently located as settlers in the reconciliation process. Derald Wing Sue has outlined a series of five phases on the road to a racially healthy society. This might function as the basis for evaluating some, and only some, phases of an Indigenous–settler reconciliation process in Canada.[cviii]

Most white Americans operate within what Wing Sue calls the "Conformity Phase," marked by strong ethnocentrism, a lack of awareness of whiteness in racial terms, and limited contact with and understanding of other ethnic groups. This leads to the prevalence of stereotyping, "and a strong belief in the universality of values and norms governing behavior." This phase is marked by forms of "denial and compartmentalization."[cix]

A large proportion of respondents to the Environics surveys appears to fall into the category, with a smaller proportion falling into the next category, that of "Dissonance." As Wing Sue explains, this stage occurs when "the White person is forced to deal with the inconsistencies that have been compartmentalized or encounters information or experiences at odds with denial." This is the first stage in white people actually acknowledging their own cultural values and racial identity as not being common sense and universal but grounded in a particular set of hierarchical assumptions.[cx]

For the more self-aware, the "Resistance and Immersion Phase" follows, epitomized by white people seeing "racism everywhere." At this stage, whiteness is acknowledged. This is a phase of serious critical reflection, remorse, anger at white society, guilt over one's own now-acknowledged privilege, and a sense that society as the person knows it is based on lies and obfuscation. What follows are "Introspection" and "Integrative Awareness" phases.[cxi]

Surveys and other gauges of settler public opinion suggest that most Canadian settlers (including settlers of racialized origin) are located at these initial two phases, and while they are acquiescent to the need for the government to work towards reducing inequality, and even settling land claims, they are not self-reflective in terms of their own responsibilities and positionalities. Regarding newcomers, the CBC/Angus Reid poll demonstrates that assimilation into the settler mainstream continues to be uncritically defined as the end goal of immigration policy.

Wing Sue is clear that many people will never progress higher than the first one or two phases. Indeed, white American society has not progressed far beyond the conformity phase, as the Brookings survey illustrates. Additionally, applying five phases from an American civil rights context to an Indigenous–settler reconciliation context may transplant very different standards for measuring progress towards reconciliation. As I have noted elsewhere, critical race theory based on a framework of civil rights has little to say about colonialism; this makes it incomplete.[cxii]

As such, we need to move well beyond Wing Sue's phases in the sense that seeking to eradicate oppression and create a non-racist identity are insufficient final goals for reconciliation—they are potentially only the ground floor. At least two or three more phases are thus needed to gauge progress on reconciliation according to what the TRC has recommended. This would imply not only recognizing white settler privilege and seeking to end it in favour of equality but to change the actual system, not just of its *racially oppressive* structures, which prevent equality of conditions and opportunity, but of its *colonizing* structures as well, which impose settler colonial institutions, systems, languages, and values over those of Indigenous nations. This would include a hard rights focus, with an emphasis on Indigenous law, land, sovereignty, and self-determination.[cxiii] However, as discussed earlier, the TRC mandate has precluded recommendations that could complicate or render uncomfortable the exercise of Canadian sovereignty, hence the focus on, as

Peter McClaren notes, "Aboriginal peoples' right to self-determination within, and in partnership with, a viable Canadian sovereignty."[cxiv]

On a positive note, the Trudeau government is providing some measure of hope that the country can progress further along the road to transformative reconciliation than it did under Harper. Despite the government's obvious neoliberal and resource-extractive agenda, and the continuation of many policies from the Harper era, the government's pledge to harmonize Canadian law with UNDRIP holds promise. Trudeau's "unfinished business of confederation," taken to its logical conclusion, could mean partial deconfederation in terms of the rolling back of the Westphalian absolute sovereignty enjoyed by the Canadian state. By this, I mean the full settler recognition of the bounced cheques symbolized by Crown breaches of the treaties, both the written and extensive oral agreements between Crown representatives and Indigenous representatives.

However, the contours of Indigenous self-determination and the exercise of hard rights will be different for each Indigenous nation. There will be no one universal solution, and this is precisely the point. It does not fall to settler academics or government officials to define what should be done and how. The better path is to encourage the relationship to develop, and to better understand what Indigenous peoples require in their nation-to-nation relationships. So far, the reconciliation process for the proportion of Canadians who know anything about it has involved miniscule sacrifices. This may change, and Canada has the potential to demonstrate new forms of complex sovereignty, sovereignties within sovereignties, Indigenous nations with control over their own laws, peoples, and lands.

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[ii] "President Barack Obama's Speech."

[iii] Ibid.

[iv] On Australia, see: Short, *Reconciliation and Colonial Power,* 5–6. Australia's "Reconciliation Barometer" is a prime example of liberal reconciliation, as it is focused on measuring outcomes such as "Equality and Equity," "Unity," and "Historical Acceptance." See: Reconciliation Australia, "2018 Australian Reconciliation Barometer" https://www.reconciliation.org.au/wp-content/uploads/2019/02/final_full_arb-full-report-2018.pdf. In the Canadian context, see: Manuel and Derrickson *Reconciliation Manifesto.* Manuel and Derrickson advocates the return of Indigenous lands as a central aspect of reconciliation.

[v] See, for example: Thobani, *Exalted Subjects;* Lawrence and Dua, "Decolonizing Antiracism."

[vi] Veracini, *Settler Colonialism,* 3.

[vii] Environics, *Canadian Public Opinion,* 3.

[viii] Razack, "Introduction," 2.

[ix] Backhouse, *Colour-Coded,* 14.

[x] Fleras, *Politics of Multiculturalism,* 61.

[xi] Regan, *Unsettling the Settler Within,* 106.

[xii] Veracini, *Settler Colonialism,* 3.

[xiii] Proctor, "CBC-Angus Reid Institute."

[xiv] Cass, "Norm Entrapment and Preference Change," 41.

[xv] Weber, *International Relations Theory,* 4–5.

[xvi] Turner, *This Is Not a Peace Pipe,* 13.

[xvii] Adams, "Door to Reconciliation."

[xviii] DiAngelo, "White Fragility," 54, 60–61.

[xix] Short, *Reconciliation and Colonial Power,* 20.

[xx] Ibid., 21–22.

[xxi] Lightfoot, *Global Indigenous Politics,* 29–30.

[xxii] Kusch, "Liberal Convention Opens."

[xxiii] Dodson, "Towards the Exercise," 68.

[xxiv] Lightfoot, *Global Indigenous Politics*, 29–30.

[xxv] Simpson, *Mohawk Interruptus,* 16.

[xxvi] Ibid., 20.

[xxvii] Ibid., 159.

[xxviii] Ibid., 187.

[xxix] TRC, *Final Report*, vol. 6, *Reconciliation*, *passim*.

[xxx] Ibid., 16.

[xxxi] Ibid., 16.

[xxxii] Ibid., 4.

[xxxiii] Ibid., 11–12, 16.

[xxxiv] Ibid., 16.

[xxxv] Ibid., 32.

[xxxvi] Ibid., 34–35.

[xxxvii] Ibid., 37–38.

[xxxviii] Ibid., 78–79.

[xxxix] Ibid., 21.

[xl] Simpson, *Mohawk Interruptus*, 187.

[xli] Hill, "My Six Nation Haudenosaunee," 30.

[xlii] Chiefs of Ontario, "Understanding First Nation Sovereignty."

[xliii] TRC, "Our Mandate."

[xliv] UN General Assembly, *United Nations Declaration*, 18.

[xlv] Environics, *Canadian Public Opinion on Aboriginal Peoples*, 2.

[xlvi] Ibid., 3–4, 33, 84–85.

[xlvii] Ibid., 36.

[xlviii] Ibid., 29–30.

[xlix] Ibid., 12.

[l] Ibid., 17.

[li] Ibid., 31.

[lii] Fleras, *Politics of Multiculturalism*, 69.

[liii] Environics, *Canadian Public Opinion on Aboriginal Peoples*, 34.

[liv] Ibid., 33.

[lv] Ibid., 22.

[lvi] Ibid., 39.

[lvii] Ibid., 6, 36.

[lviii] Ibid., 1.

[lix] Ibid., 19.

[lx] Ibid., 26.

[lxi] Ibid., 9.

[lxii] Ibid., 14.

[lxiii] Ibid., 36.

[lxiv] Ibid., 38.

[lxv] Ibid., 19.

[lxvi] Ibid., 43.

[lxvii] Ibid., 21–22.

[lxviii] Ibid., 23.

[lxix] Ibid., 27.

lxx Ibid., 28.

lxxi Ibid., 2.

lxxii Ibid., 14, 47, 50.

lxxiii Angus Reid, "Canadians on Indigenous Issues: Focus on ReservesFinal Survey Questionnaire –Post Pre-Test Feedback (19 March 2018)," http://angusreid.org/wp-content/uploads/2018/06/Canadians-on-Indigenous-Issues-Final.-March-20.pdf; Angus Reid, "Truths of Reconciliation: Canadians Are Deeply Divided on How Best to Address Indigenous Issues," 7 June 2018, http://angusreid.org/indigenous-canada/. For an older survey with similar types of questions and terminology see: Angus Reid, "Truth and Reconciliation: Canadians See Value in Process, Skeptical about Government Action," 9 July 2015. http://angusreid.org/aboriginal-truth-and-reconciliation/.

lxxiv Reconciliation Canada, "CANADIAN RECONCILIATION LANDSCAPE."

lxxv Axworthy, "In the North."

lxxvi Inglis, "Multiculturalism."

lxxvii Bannerji, *Dark Side of the Nation,* 78.

lxxviii Environics, *Canadian Public Opinion About Immigration,* 7.

lxxix Citizenship and Immigration Canada, "Annual Report on the Operation of the Canadian Multiculturalism Act—2013–2014," Citizenship and Immigration Canada, http://www.cic.gc.ca/english/resources/publications/multi-report2014/3.asp (accessed 15 July 2016).

lxxx Trudeau, "Justice in Our Time," 631.

lxxxi Ibid., 632.

lxxxii Fleras, *Politics of Multiculturalism*, 82–83.

lxxxiii Bannerji, *Dark Side of the Nation*, 112.

lxxxiv Walcott, *Black Like Who?,* 136.

lxxxv Ibid., 137.

lxxxvi Ibid., 150.

lxxxvii Ibid., 137.

lxxxviii Trudeau, "Justice in Our Time," 632.

lxxxix Fleras, *Politics of Multiculturalism*, 82.

xc Quoted in Turner, *This Is Not a Peace Pipe*, 64.

xci Quoted in ibid., 65–66.

xcii "Bernice King's Speech at the Walk for Reconciliation," Reconciliation Canada, 27 September 2013, http://reconciliationcanada.ca/staging/bernice-kings-speech-at-the-walk-for-reconciliation/ (accessed 15 July, 2016).

xciii Cornell Law School, "Civil Rights."

xciv King, "I Have a Dream."

xcv Mills, *Racial Contract.*

xcvi Jones et al., *How Immigration and Concerns,* 2.

[xcvii] Pew Research Center, "On Views of Race and Inequality, Blacks and Whites are Worlds Apart," Pew Research Center, 27 June 2016, http://www.pewsocialtrends.org/2016/06/27/on-views-of-race-and-inequality-blacks-and-whites-are-worlds-apart/ (accessed 15 July 2016).

[xcviii] "Occupied Canada."

[xcix] Backhouse, *Colour-Coded*, 17.

[c] Morgan, "Suffocating Experience."

[ci] Saunders, "Why Black Canadians."

[cii] Kassam, "Canada Is Hailed."

[ciii] "Occupied Canada."

[civ] Nagy and Gillespie, "Representing Reconciliation," 11–13.

[cv] DiAngelo, "White Fragility," 61.

[cvi] Nagy and Gillespie, "Representing Reconciliation," 11–12.

[cvii] Clark, "Framing Canada's Aboriginal Peoples," 43, 49–51.

[cviii] Wing Sue, *Multicultural Social Work Practice,* 111–12.

[cix] Ibid., 122.

[cx] Ibid., 123–24.

[cxi] Ibid., 124–26.

[cxii] McClaren, "White Terror"; Nylund, "Critical Multiculturalism."

[cxiii] McClaren, "White Terror," 4.

[cxiv] Ibid., 21.