

# Truth, Reconciliation, and “Double Settler Denial”: Gendering the Canada-South Africa Analogy

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**Abstract** Appeals to the South African Truth and Reconciliation Commission (TRC) haunt most post-1990s institutional attempts to address historical injustice. Comparing Canada and South Africa, Nagy (2012) notes that “loose analogizing” has hampered the application of important lessons from the South African to the Canadian TRC—namely, the discovery that “narrow approaches to truth collude with superficial views of reconciliation that deny continuities of violence.” Taking up her important specification of the Canada-South Africa analogy, we expand Nagy’s recent findings by *gendering* the continuum of settler colonial violence in both locations and by outlining the implications of these TRCs for Indigenous and Black women in particular. In both the Canadian attempt to grapple with the legacy of residential schools and the South African effort to deal with a history of apartheid, institutional approaches to truth have been both narrow *and androcentric*. The simultaneous historical bounding *and social consolidation* of Indigenous experiences of abuse and injustice has thus produced a “double settler denial.”

**Keywords** Transitional justice · Truth and reconciliation · Gender and human rights · Indigenous peoples · South Africa · Canada · Settler colonialism · Apartheid · Residential schools · Gender-based violence

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Indigenous and Black<sup>1</sup> women encounter some of the most long-standing, pervasive, complex, and underexamined human rights issues in South Africa and Canada, while human rights are the scaffold on which transitional justice mechanisms<sup>2</sup> are constructed. These women have been, for centuries now, racialized, sexualized, marginalized, and then targeted as such; these phenomena are the root cause of the challenges Indigenous and Black women have faced, and continue to face, in realizing their rights. With Truth and Reconciliation Commissions (TRCs) having now been carefully spun out in both locations, one might expect these gendered human rights issues to have received treatment within processes meant to address the systems and effects of apartheid and residential schooling. That expectation, unfortunately, stands largely unmet. Because gender is a constitutive element of the settler-colonial project, it was a constitutive element of apartheid and residential schooling in South Africa and in Canada. Accordingly, inattention to gender in these Commissions is cause for both surprise and concern and has serious implications for the efficacy of transitional justice mechanisms in addressing settler colonialism.

Throughout the course of the Truth and Reconciliation Commission of Canada (TRC-C), the South African TRC (SA-TRC) was a common but vague and indiscriminately deployed referent. In order to draw more precise lessons, in 2012, Rosemary Nagy undertook a comparative analysis<sup>3</sup> of these TRCs, “specifying the analogy” by focusing on their approaches to truth and the relationship between these approaches and what she terms “settler denial.” “By settler denial,” Nagy writes, “I mean the refusal or inability of whites in South Africa and non-aboriginals in Canada to acknowledge the existence of and their connection to systemic violence” (2012, p. 350). In the context of TRCs, settler denial consists of not acknowledging one’s part in ongoing violence; the concomitant pursuit of a “narrow” or “isolationist” truth that isolates acute violence (e.g., torture and sexual abuse) from structural violence (apartheid, assimilation, and settler colonialism itself); and a desire to enact reconciliation as closure on the past, thereby maintaining the status quo. To this important finding, we add that settler denialism, narrow approaches to truth, and non-transformational reconciliation, acting synergistically, also serve to desect intersections, prioritizing race over gender as a category in analyzing even the acute (never mind the structural) violence of apartheid in South Africa, residential schooling in Canada, and settler colonialism generally. Similarly, while Nagy asserts that “apartheid and colonial violence are not just memories from the past but also part of ongoing, lived relationships” (2012, p. 350), we would add that in both South Africa and Canada, Black and Indigenous women and girls, and men and boys, live these ongoing

<sup>1</sup> In South Africa, racial categorizations included White, Black, Coloured, and Indian. Using the term “Black” is not intended to discount the experiences of “Coloured” or “Indian” persons, who were also profoundly impacted by apartheid.

<sup>2</sup> “Transitional justice” refers to a suite of programs employed to forge social repair mostly in a post-conflict setting and can include initiatives such as truth commissions, official apologies, and reparations.

<sup>3</sup> This paper is a response to and elaboration on the article here referenced; for a detailed explanation of the original author’s logic of comparison—i.e., her focus on South Africa and Canada despite their distinct histories and statuses, as well as the differing scale, scope, and intent of their respective TRCs—please see Nagy (2012).

relationships as *gendered* persons. This simultaneous historical bounding and social consolidation of Indigenous experiences of abuse and injustice has thus produced what we term a “double settler denial.”

Colonial projects of dispossession in South Africa and Canada employed racializing and gendering logics to consolidate, respectively, White and settler rule—with Black and Indigenous women experiencing particular forms of violence at the intersections (Crenshaw 1989, 1991). Thus, we note that while the TRCs approached Black and Indigenous “victims” as genderless persons, they were simultaneously acknowledged as raced persons—as colonized bodies, they were always *already* raced. This simultaneous privileging of race and invisibilizing of gender perpetuated the earlier, settler-foundational conflation of indigeneity with race (Kehaulani Kauanui 2008; Palmater 2014), which allows a refiguring of the Black and Indigenous experiences as one of ethnic minorities suffering racial oppression, rather than peoples undergoing colonization (Wazyatawin 2009) (while emptying the category of “settler” itself and thereby locating the terminus of the settler-colonial project). As well as obfuscating a central pillar of colonialism (Simpson 2008), the Commissions’ race-over-gender approach veiled the specific forms of violence that Black and Indigenous women experience(d).

We begin by examining the relevant histories of settler colonialism in South Africa and Canada and asking how the colonial techniques of apartheid and residential schooling were both gendered and gendering. We then move to discussing the Truth and Reconciliation Commissions in both locations, attending specifically to gender in their mandates, methodologies, and outcomes. Finally, we extract gender lessons from positive and negative correlations between the SA-TRC and TRC-C and consider the implications of these Commissions (and the potential for reconciliation) for Black and Indigenous women.

## South Africa

### Gender Under Apartheid

Apartheid in South Africa was not only a system of racial oppression but also of patriarchal domination, establishing a hierarchy in which Black women were inferior to and dependent on Black men (Goldblatt and Meintjes, cited in Borer 2009). The African National Congress (ANC) itself asserted that “[a]lthough the policies of apartheid are detrimental to the whole Black population, it is the women who are most affected” (ANC 1980, par. 7). Black women’s traditional, valued roles in agricultural production were steadily eroded under colonialism, while apartheid sought to exclude them entirely from waged labor (ANC 1980). Instead of economic actors in their own right, they were seen as either superfluous to or a free support of the male migrant labor system—under which Black men, separated from their families, worked in major cities for much of the year. Perversely, the rationale behind the poor pay accorded Black men for such work was the ability of their wives to maintain rural households alone, despite agricultural decline and stagnation in these land-hungry areas. Black women were thus

isolated in the Bantustans,<sup>4</sup> where they were obliged to take on work in both the house and the field. Moreover, the migrant labor system essentially meant the destruction of family life, producing tremendous emotional stress for mothers and wives (Andrews 2001). Child mortality skyrocketed, while surviving generations grew up fatherless. Ironically, Black women were simultaneously deemed non-productive, and as such were forcibly removed from agricultural areas slated for White consolidation, as well as from White urban areas designated as “prescribed.” Life in the resettlement camps, situated in undeveloped regions, was even harsher for Black women, who constituted the overwhelming majority of persons deemed unnecessary to the labor system (ANC 1980; Bernstein 1985). They were also disproportionately affected by marriage, birth, and “immorality” laws that sought to curb their reproduction rates (Bernstein 1985).

“Pass laws” prohibited Black women from entering major South African cities without specific permissions and from staying in urban areas longer than 72 h regardless. This prevented them not only from visiting their husbands but also from organizing outside of their townships. Individuals found to be “idle,” “unqualified,” or “undesirable” (often a proxy for merely “unemployed” and again overwhelmingly Black women) could be arbitrarily ejected from either the cities or the squatter camps that sprang up around them (ANC 1980). Further, Black women could legally neither own nor rent an urban dwelling, meaning that desertion, divorce, or widowhood meant automatic homelessness and forcible relocation (ANC 1980; Bernstein 1985). The socioeconomic marginalization of women under apartheid also coupled perniciously with and perverted pre-colonial norms and values, as noted in the ANC’s *Women’s Charter* of 1954, “women are treated as minors [...] because of ancient and revered traditions and customs which had their origin in the antiquity of the people and no doubt served purposes of great value in bygone times” (Federation of South African Women 1954, pars. 9–12).

The racializing-gendering function of apartheid can also be seen in the infeasibility of a cross-racial South African women’s movement. As Hassim neatly asks, “what kind of women’s movement was possible within the dual constraints of a population of women differentiated by race, class, ideology, and other factors on the one hand and the dominance of nationalist ideological frameworks on the other?” (2006). Here, as in feminist politics in many colonial settings, an intersectional approach was conspicuously lacking and much needed (see McClintock 1997). Aside from the obvious barriers of the ideology of apartheid, simple logistics (in particular, pass laws and the tremendous distance between townships) offered significant barriers to cooperation (Hassim 2006). Yet, there has always been a strong Black women’s movement in South Africa. The Women’s League was a robust force within the ANC; however, women’s activism was treated as a microcosm of, and collapsed into anti-apartheid struggles, as “the dominant position [...] was that the emancipation of women was secondary to and contingent upon national liberation” (Hassim 2006). This lays bare one aspect of colonialism’s inherent gendering, as the deprioritizing of gender equality and the

<sup>4</sup> Bantustans were rural areas set aside for Blacks under apartheid’s “solution” of physical segregation—the South African equivalent of Canada’s own “reserves,” in terms of how these colonial states addressed the territorial aspect of their shared “Native problem.”

subsummation of women’s concerns is a feature of countless resistance movements in settler-colonial states (including Canada, see Grey 2014).

This hierarchizing of struggle along gender lines has a particular impact on the problem of sexual violence. While sexual violence rates were high during apartheid, the issue was not recognized as serious; instead, it was thought to be a distraction and so only came to popular attention during the regime change (Armstrong 1994). Posel (2005) further argues that the apartheid-era government did not take racialized sexual violence seriously because the phenomenon reinforced stereotypes about Black sexualities and Black violence and was thus unworthy of comment or action.

### Gender in the South African TRC

A truth commission has both backward-facing and future-facing roles. In describing the former, Sanders cites the South African TRC’s own words, to foster and repair “national memory [...] public memory [...] social memory” (2002). This was meant to be accomplished through documentation of the lives of Black South Africans—an idea which initially arose as a form of resistance under the Black Consciousness Movement (McEwan 2003). Giving Black women a voice was particularly important since apartheid had purposefully silenced them,<sup>5</sup> yet the SA-TRC ultimately failed to address the experiences of Black women under apartheid, overlooking the ways in which apartheid was a *gendered* system. Focusing on individually perpetrated political violence leads directly to a forceful gender critique of testimony-gathering, since the Commission’s definition of human rights abuses excluded the kinds of violations most commonly experienced by women. Moreover, in its initial planning, the SA-TRC adopted a blindly gender-neutral position (Borer 2009), a methodology singled out by Kleinman (2007) as most often ahistorical and disingenuous, and which merely serves to solidify the status quo of gender oppression.

The planning of a truth commission profoundly influences its success, and a key precursor to a gender-sensitive TRC is gender mapping of the preceding conflict (Hayner 2011; Rimmer 2010). In the case of the South African TRC, this would have consisted of identifying patterns of gender abuses and gendered human rights violations under apartheid, along with specific strategies to engage women in the Commission’s work. In contrast, the actual methodology and structure was ever changing, and this “improvization” impacted the potential to adequately address gender and facilitated ongoing ignorance of the apartheid-era experiences of Black women (Gready 2011).

Yet, over half of those who testified at the hearings were women. Because most testified about family members’ victimization, the SA-TRC characterized these women as “secondary victims” until commissioners finally “acknowledged the difficulty of distinguishing between, or weighting, the physical and psychological pain suffered by the direct victim and the psychological pain of those to whom this person was precious” (Ross 2003; SA-TRC 1998). This latent granting of victim status was not necessarily progressive, though, as it still posited apartheid-era abuses as something that happened primarily to men and only indirectly to women.

<sup>5</sup> A historical failure to accomplish this kind of articulation is the very reason Spivak (1999) questions the meaningful existence of a post-colonial archive.

There were many reasons why Black women testified about their loved ones, rather than themselves, but it was not because they had personally escaped rights violations. These reasons included avoiding acknowledgement of their suffering, fear of their children reading or hearing about the abuses, and not qualifying to testify to begin with, under the Commission's definition of "human rights abuses." Specifically, "women often fail to see that their experience of sexual violence has a political dimension and coming forward to talk about [it] is extremely difficult" (Ross 2003). Thus, a deeply gendered public/private divide in South African society contributed to a lack of testimony from women (Goldblatt and Meintjes 1997).

Media reports on the hearings demonstrate the quality of gender discourse, as well as the popular view of women's role in the Commission's work. For example, during the South African Broadcast Corporation's televised coverage, one reporter introduced a segment by saying, "we note the anguish of widows, of mothers, and of the victims themselves" (SABC 2011). Moreover, even the language in the TRC's final report was problematic, as it referred to the submission of certain findings which "unashamedly focused on women" (SA-TRC 1998).

Responding to criticisms of its framing of human rights violations, the Commission agreed to offer three women's hearings. Had this been fully incorporated within the TRC's aims and goals, they might have contributed to a deeper understanding of women's political experiences under apartheid; as a last-minute addition, they appeared tokenistic. Furthermore, the women's hearings were allocated a separate chapter in the final report, relegating gender to an afterthought and homogenizing the "woman's experience." Media coverage of the women's hearings was almost non-existent (McEwan 2003). This in addition to a general absence of testimony from victims of sexual violence at these hearings—perhaps, as we noted, because there was no conceptualization of systematic sexual violence as a political act eligible for official testimony (Goldblatt and Meintjes 1997). Notably, no men applied for amnesty for crimes of sexual violence (Borer 2009). Overall, then, the women's hearings obfuscated continuities of violence against Black women in South Africa.

The South African Truth and Reconciliation Commission's final report admitted some of its failings regarding gender, its relative neglect of the effects of the quotidian workings of apartheid, which had a gender as well as a racial bias. Statistics substantiate the fact that women were subject to more restrictions and suffered more in economic terms than did men during the apartheid years. The most direct measure of disadvantage is poverty, and there is a clear link between the distribution of poverty and apartheid policies, as Black women living in former Bantustans remain the poorest of all South Africans. This type of structural abuse affected a far larger number of people, and usually with greater longer-term consequences, than the types of violations on which the Commission focused (SA-TRC 1998). Yet despite its admission of failure re: gender, not one of the SA-TRC's 100 recommendations for societal reconciliation focused on improving women's rights in South Africa (Borer 2009).

### **Settler Denial and Double Settler Denial in South Africa Today**

Nagy (2012) takes care to not overstate the effects of White denialism, and indeed, settler denial and double settler denial have a different character in South Africa than in Canada. The most obvious point of departure is demographic; in South

Africa, settlers constitute an ever-shrinking, “besieged minority” (Nagy 2012). The term settler is also problematic in a country that has undergone formal decolonization, thanks to a passive assumption that the end of apartheid signified the end of colonialism. Yet, the system of apartheid, built over many decades, does not disappear overnight; instead, elements of its architecture have been institutionalized to the extent that they still operate through public and private political, economic, and social programs. Concomitant settler legacies (including denialism) have thus become structural, moving beyond the intentionality and consciousness of actual White settlers.<sup>6</sup> In elaborating post-apartheid settler denial, it helps to look to sociologist Melissa Steyn’s concepts of “white talk” (2005) and an “ignorance contract” (2012). Steyn describes the discursive contours of white talk as a focus on “crime and violence, corruption, dropping standards, affirmative action, and Africans’ ingratitude” (2005). Similarly, she asserts that apartheid-era South Africa was in the grips of an “ignorance contract,” as Whites “[used] ignorance to function as social regulation” (Steyn 2012). In other words, the maintenance of apartheid was predicated on the dominant population’s willful enactment of obliviousness—a condition that satisfies Nagy’s definition of settler denial.

One form contemporary settler denial takes is “White flight.” In 2009, the South African Institute of Race Relations announced that White emigration was occurring “at a pace consistent with the advent of widespread disease, mass natural disasters, or large-scale civil conflict” (Johnson 2009). According to Richman, “Should I stay or should I go [is] the defining question for today’s South Africans” (cited in Marchetti-Mercer 2012). Griffiths and Prozesky (2010) invoke Charles Taylor’s (2004) concept of the “social imaginary” to explain the overarching rationale behind this phenomenon, stressing the role of people’s imagining of their social surroundings and their place within society. They argue that the apartheid system maintained a particular collective social imaginary for White South Africans that, when apartheid ended, was no longer supported by external conditions. Because the very nature of a social imaginary is self-protective, so that social conditions must remain latent and unexamined, those who cannot cope with the inherent dissonance of the new South Africa emigrate. The fact that such dissonance exists, and is strong enough to spur outmigration, is evidence of a profound settler denial.

There is a marked contrast between the public and private statuses of Black women in South Africa today. McEwan argues for a “reconsideration of citizenship” in order to address this dichotomy (2003), since the post-apartheid *Constitution*’s many provisions for gender equality lack legal force. On the surface, women have been reasonably successful in the post-apartheid public sphere, for example, in the establishment of a National Commission on Gender Equality, and in gender-progressive court decisions (Borer 2009). Yet, between 2012 and 2015, South Africa dropped from 4th of 87 countries to 90th of 148 nations ranked on the Organisation for Economic Co-operation and Development’s social institutions and gender index, with a strong rural (i.e., former Bantustan) shortfall in social provisioning noted by the South African Commission for Gender Equality (Oliphant 2015). The gendered dynamics at play within the public sphere also belie the impression of progress, as evidenced by the 2009 rape accusations

<sup>6</sup> Thanks to Matt James for this particular articulation.

against now-President Jacob Zuma. While it can be argued that the accusation itself is symbolically positive and indicative of progress, both Zuma's characterization of consent (claiming the victim had "asked for it") and the virulent speech of crowds of his supporters establish that "speaking out" about sexual violence is no safer now than during the SA-TRC. As recently as 2015, Zuma was investigated by South Africa's Commission for Gender Equality over remarks he made about women (Mail & Guardian 2015).

Post-apartheid sexual violence receives much attention, both domestically and internationally, for its frequency and particularly shocking nature; infant, child, gang (jackrolling), and "corrective" rape (of lesbians) are all documented. Two years ago, Sky News UK (2013) released the results of an admittedly "unscientific" survey, in which it found that 74 % of interviewees in a Johannesburg township had raped women. Moffett has described South Africa as being in the midst of a "gender civil war," and Black women as in many ways living "permanently on red alert" (2008 and 2010). Similarly, Mengel et al. (2010) refer to a state of collective, chronic anxiety for women. As of 2008, the country had the highest rate of gender violence, and in particular sexual violence,<sup>7</sup> of all nations not currently at war (Moffett 2008)—an inconsistency (or outright irony) Gqola refers to as "the South African contradiction" (2007, p. 114). The UN additionally found that women have difficulty accessing the South African justice system, so that only 6 % of reported rapes result in convictions, while Black women are routinely portrayed as helpless and passive in media coverage of crime (Gouws 2014; Oliphant 2015). Further, sexual violence impacts already high levels of social and economic inequalities in the country; according to the Department of Women, such violence "constrains the participation of women and girls in development and hampers the consolidation of democracy" (cited in Oliphant 2015, p. 14).

In the South African context, it is impossible to divorce gendered physical and emotional abuses from HIV/AIDS; they are points along a continuum of sexual violence that includes "rape, domestic violence, sexual harassment, [...] virginity testing, and sexual assaults" (Britton 2006, p. 149). HIV has become feminized in Southern Africa, as women are both physiologically and socially more vulnerable to contracting the virus, in part because traditional caregiving roles see them looking after infected family members. Urdang refers to this situation as women being "disproportionately *infected* [as well as] disproportionately *affected*" (2006, p. 166). South Africa's response to the HIV/AIDS crisis was, according to UNAIDS Envoy Stephen Lewis, "more worthy of a lunatic fringe than of a concerned and compassionate state" (cited in Russell 2009, p. 201). Former President Thabo Mbeki famously doubted the link between HIV and AIDS and also called into question the effectiveness of anti-retroviral drugs, while current President Jacob Zuma has claimed that showering after unprotected sex prevents infection (Russell 2009).

Delving further into the discourse of the gender violence crisis in South Africa, Moffett (2010) has explored patterns of language as revelatory. She points to both the pervasiveness of the passive voice ("I was raped," "she was raped") and the language

<sup>7</sup> We use the Centre for the Study of Violence and Reconciliation's definition: "sexual violence is a continuum that stretches from sexual harassment through to rape-murder" (cited in Sigsworth 2009, p. 12).



of prevention, which focuses on steps women should take to avoid being raped. These patterns overlook the perpetrator’s agency and make rape “squarely a woman’s problem” (Moffett 2010, p. 233). Thus, the double settler denial inherent in the discourse of sexual violence can be seen as a gendered take on Steyn’s (2005) white talk, with shared themes including women as victims (harkening back to rape being framed by the SA-TRC as a private problem that “belonged” to women). While the Commission’s final report acknowledged and contained a “specific set of findings” in relation to women and sexual violence, no “finding” focused on men as perpetrators (Borer 2009; Ross 2003).

A strong case can be made that endemic gender violence in South Africa is a legacy of violence as “a way of life” under apartheid, and sexual violence in particular has become normalized (Moffett 2006; Sigsworth 2009). While Sigsworth (2009) argues that tying the normalization of sexual violence to apartheid is dangerous because it erases the responsibility of the contemporary perpetrator, we assert the need to both recognize individual responsibility and behavioral precursors and find it equally problematic to underemphasize historical context.

We further argue that had more of an effort been made to address sexual violence at the Truth and Reconciliation Commission, debate around sexual violence in South Africa today might not be as cloaked in shame, normalcy, and denial. Further, there is arguably a correlation between the lack of recognition of women’s experiences under apartheid and contemporary gender rights lacunae in the country. Thus, we argue that a double settler denial operates in today’s South Africa, a non-recognition of the gendered logic of apartheid, and of the continuities of gender violence seeded during that regime.

## Canada

### The Indian Residential School System

Residential schooling as a tool of assimilation goes back to seventeenth century “praying towns,” in which colonists first realized that conversion would be easier among the younger generation and in particular culturally dislocated Indigenous children. The first schools arose along the St. Lawrence in the 1600s, conceived of and run by Jesuit priests (Smith 2004, 2005). The Canadian project began with the opening of the first Indian residential school (IRS) in 1879 and formally ended with the closure of the last in 1986.

In the late nineteenth century—the crucible of Indigenous residential schooling—Canada was shoring up both a national identity and a territorial claim. Recognition of Indigenous women as a particular obstacle to this dual consolidation was widespread in settler-colonial states, who saw a potential solution in IRSs. For example, Isaac Baird wrote in 1883 “[t]he girls will need the training more than the boys and they will wield a greater influence in the future. If we get the girls, we get the race” (cited in Presbyterian Historical Society 1979, p. G:1:111). In Canada’s Indian residential schools, Christian charity and Victorian ideas of racial and gender differences provided moral justification for what was essentially the establishment of economic and social hegemony, and stood as the

ethical-ideological foundation of an assimilation project that targeted Indigenous women and girls in particular. These individuals were seen as, for both biological and cultural reasons, the practical guarantors of the original inhabitants' right to the land—or more specifically, as the agents of the intergenerational transmission of a powerful claim of settler illegitimacy.

The day-to-day operation of Indian residential schools reflected the social relations of the wider society, so that gender was a powerful, yet formally unacknowledged influence. Exposure to mainstream gender values and roles, even without their conscious uptake, often permanently affected Indigenous girls—who, during most of their formative years, were cut off from the mothers, aunts, and grandmothers who would have taught them their traditional roles and rightful places in their home communities. The schools themselves could not have yielded up surrogates even had that been the point; even the most well-intentioned women on staff were “[o]verworked, ill, and ethnocentric” (Devens 1992, p. 232). Moreover, the schools practiced an obsessive segregation of the sexes which, coupled with an equally fanatical emphasis on sin, inculcated a damaging confusion about sexuality (Miller 1996; TRC Canada 2012b). In terms of curriculum, in the vocational split between “naturally” male and female realms (and according to the equally “natural” subordination of non-White labor), Indigenous girls' experience reflected the intersectional “double burden” of gender and race. Their industrial education excluded the trades boys learned in favor of kitchen and laundry skills (Lomawaima 1994; Miller 1996; Smith 2005). Lomawaima, working on the near-identical phenomenon in the USA, describes this as “training in dispossession under the guise of domesticity” (1994, p. 86).

Indigenous youth were feared to be hyper-sexual, more so than other non-Whites at the time, and Indigenous girls particularly had an “assumed lasciviousness” that warranted increased surveillance and promoted “vicious insults about Native morality” and “invidious treatment” in the schools (Miller 1996, p. 249). Where Miller sees in this a settler misunderstanding of Indigenous women's sexual autonomy and a suspicion that pagans had fewer checks on promiscuity,<sup>8</sup> Million sees “a prevalent knowledge of Native children as ‘sexual’ and ‘available bodies’” (2000, p. 97). The latter reading is reinforced by Chrisjohn et al.'s (1997) elaboration of rape, forced adoption, and coercive abortions performed on students, as well as by the myriad lawsuits, survivor testimonies, and investigative findings that document widespread, egregious sexual violence in IRSs.<sup>9</sup> Million (2000) expands Foucault's (1995) analysis of sex as power to include a key contemporary feminist insight—that sexual coercion is an expression of asymmetries of power between the genders—and then adds that these

<sup>8</sup> Racist mythologizing disproportionately affected female students, who “had a greater obligation [...] to be modest in dress, chaste in behavior, and free of pregnancy [as] part of ‘the misfortune of being a woman’” (Miller 1996, p. 235). For example, because the onset of menses established the arrival of fertility, school staff tracked girls' periods, had them begin bathing clothed, and flattened their growing breasts with cloth bindings. The first experience of menses was often terrifying, with untutored girls certain they were dying and enduring humiliation at the hands of amused staff (Ing 2011; Miller 1996).

<sup>9</sup> Stories have emerged of ranking girls by their physical attractiveness, where one was either favored positively (“You know, I didn't have it as bad as others”) or negatively (“I'm really, I'm so glad I wasn't pretty like my sister because of the things that happened to her”) (interviewees quoted in Stout and Peters (2011), pp. 18 and 19).

skewed power relations also obtain between children and adults, and between raced individuals. All three overlapped in the schools, with Indigenous girls bearing the brunt of the horrifying violence that converged at the intersections.

Ironically, alongside the physical violation of Indigenous girls inside the schools lay a simultaneous concern for their vulnerability outside of them. An attendant watchfulness for their sexual exploitation was the proximate outcome. Several cases record the “sheltering” of pregnant and abused girls at the schools, and the housing of “at-risk” young women beyond the tenure of their education, if not for physical then for paternalistic “moral protection.” Ironically, these instances were used to derail the 1904 campaign to close the schools subsequent to Samuel Blake’s investigative commission, which uncovered shocking abuse and neglect. The schools also fought the lowering of school-release age to 16, during the Great Depression, on the basis that girls’ early discharge “invite[s] the disaster that all too frequently befalls them” (Miller 1996, p. 231). Girls who arrived at or became pregnant at the schools were coerced into relinquishing their children, while their families were deliberately misled about both the pregnancies and their outcomes (Carlson et al. 2013).

### Gendered Fallout of the Schools

There is a troubling dearth of research on the gendered firsthand and intergenerational effects of residential schooling. Three generations of survivors are currently alive, and in many families, multiple generations attended an IRS (Ing 2011). Some intergenerational effects can and do travel along gender lines—and predictably so—because of Indigenous women’s roles in their communities (especially in traditionally matriarchal, matrilineal, and matrilocal cultures). In their function as leaders, teachers, and mentors, they pass knowledge, norms, experiences, and skills to the upcoming generations, while they also perform the quotidian functions of members of female caring networks (Stout and Peters 2011). In each and all of these roles, their personal experiences carry considerable weight; accordingly, the harms they have survived levy profound effects.

Systemic and structural discrimination puts Indigenous women at a greater risk for the many profound impacts all residential schools survivors navigate as a result of primary and secondary trauma (Smith 2003, 2004, 2005). Simultaneously, these structures also disproportionately curb women’s healing strategies, coping responses, and overall resiliency.<sup>10</sup> Even among those who never attended an IRS, but whose parents and/or grandparents did, a history of abuse is more common among women (Elias et al. 2012). Some survivors describe a continuum of mediating responses, including submissiveness during sex, inability to enjoy physical intimacy, and self-destructive promiscuity (TRC Canada 2012b). According to Smith (2005), personal and interpersonal violence in survivors’ families and communities in the USA began with the first generation returning home from the

<sup>10</sup> Direct harms stemming from IRS attendance include substance abuse; feelings of hopelessness, suicidal behavior, low self-esteem, dependency, and isolation; child apprehension; incarceration; class issues, e.g., financial instability and lack of access to education; loss of cultural fluency and sense of Indigenous identity; prostitution; gambling; homelessness; compromised interpersonal relationships; sexual abuse; and violence (Ing 2011; Smith 2003, 2004, 2005; Stout and Peters 2011).

schools. Men sometimes indicate that their infliction of domestic abuse stems from the behavior of schools' male role models and the unhealthy gender relations institutionalized in those spaces. At the very least, these men never learned to relate positively to little girls and then young women, while they themselves were still little boys and then young men. Indigenous girls and young women leaving scarred homes, as children or teens, only end up experiencing similarly profound, if not heightened precariousness (Ing 2011; Stout and Peters 2011).

The effects of IRSs on Indigenous mothering have been especially profound. Many of those who attended residential schools grew up not knowing how to demonstrate warmth with or receive affection from their children, while children who inherited that affective fracture were baffled, and often shamed by their mother's unemotional behavior (Ing 2011). Respect for women, women's self-respect, and the honoring of women in Indigenous communities and nations were all directly affected, in no small part through church and state-authored alienation of the ceremonies that taught and celebrated healthy gender relations (Devens 1992; Jacobs 2008; Jacobs and Williams 2008). The dual outcome was that residentially-educated young women were both less able to maintain traditional ways and felt less responsible to do so, almost guaranteeing a compounding of the former effect by the latter. This helped to create what Weaver calls a "personal silent spring," a phenomenon of no longer being "acutely conscious" of the absence of what once was (1996, p. 1).

Smith (2005) asserts that the goal of Indigenous residential schooling was to seed patriarchy and displace women, while Million (2000) claims that whatever the aim, this was certainly the outcome. Not coincidentally, in their organizing around *Bill C-31*,<sup>11</sup> Indigenous women focused on residential schools as "a symbolic catalyst for representing the state's intervention into Indian families and communities and the changed relations of power that were the result" (Million 2000, p. 98). Thus, the fallout of IRSs does not merely impact survivors, nor even just survivors and their descendants—it has profoundly altered the structure of Indigenous communities in a way that embroils current members in gendered conflict throughout social, political, and economic spheres. These effects are inseparable from the context of colonialism itself, which produces and reproduces gender oppression across ostensibly distinct policy eras and down through generations. As Million points out "raced, sexualized and gendered narratives [...] created and informed residential school space," and subsequently, "Canadian national and aboriginal [...] societies entered into relationships inextricably formed by these old social narratives" (2000, p. 94).

### **The Canadian Truth and Reconciliation Commission**

Containing no mention of "gender," "girl(s)," "mother(s)," "female," or "women," the Truth and Reconciliation Commission of Canada's mandate universalized and flattened the Indigenous experience of residential schooling. This generality may have been intended to imbue the Commission with flexibility—in which case the focus shifts to

<sup>11</sup> *A Bill to Amend the Indian Act* (Bill C-31) (1985) brought Canada's *Indian Act* into line with gender equality under the *Canadian Charter of Rights and Freedoms*, principally through changes to status and membership criteria.

examining actual processes and outcomes to discover how (or indeed if) that flexibility contributed to highlighting the links between residential schooling, its contemporary fallout, and the persistence of the systems of which it formed a seamless part, and further, to expose the ways in which these phenomena, effects, and structures were and are experienced differently by Indigenous men and boys, and Indigenous women and girls. Such a methodology is the only one capable of revealing the continuities of explicitly gendered violence that colonialism entails.

Yet like the mandate, the TRC-C’s (2012a) 40-page interim report also made no mention of gender. An accompanying 124-page report, *They Came for the Children*, referenced women only in discussing staff at the schools, gender not at all, and girls appeared only as a gendered pronoun (i.e., as a narrative identifier for individual Indigenous children or groups of children whose gender was not directly relevant to the stories being told and describing an institutional atmosphere that was merely factually sex-segregated). It failed to include the experiences of Indigenous women and girls *as women and girls*, either at residential schools or as intergenerational survivors, bar two brief mentions of institutional gender segregation as a simple fact. Disturbingly, the discussion of IRS staff was gendered—meaning that settler but not Indigenous experiences merited an intersectional analysis.

Revealingly, the report takes Beverly Jacobs’ response to the government apology—a response which forcefully addressed the gendered nature of harms, not least of which because she spoke as a representative of the Native Women’s Association of Canada (NWAC)—and edits it down to the following excerpt, “Now we have our language still, we have our ceremonies, we have our elders, and we have to revitalize those ceremonies and the respect for our people not only within Canadian society but even within our own peoples” (TRC Canada 2012a, p. 83).

The newly-minted summary of the Commission’s final report, weighing in at 536 pages, accomplishes somewhat more—but gains here are hesitant, infrequent, and unintegrated. Mentions of the displacement of women from Indigenous governance, gender-pejorative colonial status laws, and stereotyping of Indigenous women go without analysis and/or are historicized. Elsewhere in the report, only teenage pregnancy is identified as a gendered intergenerational impact of residential schooling. Statements about contemporary gender “oppression” and “violence” are exceedingly brief, and the connection between these harms and the schools earns a single vague reference, as out of the unspecified “harmful background factors” in the lives of Indigenous women, an unqualified “many” are “part of the legacy of residential schools” (TRC Canada 2015, p. 180). Bizarrely, the summary document talks about the Prairie Women’s Health Centre of Excellence’s digital storytelling project, *NitâpweWININÂN: Ongoing Effects of Residential Schools on Aboriginal Women* strictly in terms of its methodology, bypassing the actual “ongoing effects.” Similarly, the fiber arts project *Schools of Shame, Child Prisoners, and Crimes Against Humanity* is described as “tell[ing] a complex story of trauma, loss, isolation, recovery, healing, and hope through women’s eyes,” without the actual story meriting either mention or analysis (TRC Canada 2015, p. 282). Overall, the inclusion of gender here qualifies as “cabineting,” treating Indigenous women as a special interest group, if not actually tokenizing them within the TRC (Kashyap 2009; Nesiah 2006).

Important shortcomings vis-a-vis gender also arise in the TRC-C's recommendations and public events. Abruptly and without either context or explanation, the Commission "call[ed] upon the federal, provincial, and territorial and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) as the framework for reconciliation" (TRC Canada 2015, p. 244). This endorsement comes absent consideration of the UNDRIP's framing of gender violence as an outcome of the inherent vulnerability of Indigenous females, instead of as a function of their political exclusion and social marginalization, or its failure to include (or even identify) gender-specific rights or gendered obstacles to the realization of Indigenous human rights (Kuokkanen 2015). Over seven national TRC-C events, only the final two featured any programmatic mention of women.<sup>12</sup> Worse, the Commission's Director of Research, Paulette Regan, observed that, "no one at the TRC could comment on how these two events specifically pertaining to women came onto the agenda" (Reid 2014, p. 63). These "events" also utterly failed to attract media attention; despite the penning of 15 articles on testimonials, forgiveness, and healing, the Montreal women's panel "simply [was] not considered newsworthy" (Nagy and Gillespie 2015, p. 8).

Key catalysts of the TRC-C were deeply and thoughtfully gendered, including the Royal Commission on Aboriginal Peoples' (RCAP) final report<sup>13</sup> and the Assembly of First Nations' (AFN) critique of the proposed IRS dispute resolution mechanism.<sup>14</sup> Both of these documents were ignored—in fact, the Commission's admonishment of governmental blindness to RCAP's recommendations, in its interim report, rings hypocritical in light of its own inattention to the gender issues highlighted by RCAP. The latter report is even more damning, since in it the AFN explicitly chastised the government for ignoring gender in multiple areas of its proposed IRS-compensatory work (AFN 2004). Further, it identified the potential for recognition of gender-differentiated harms and gender-specific consequences to promote equality and respect for women and bluntly called for an intersectional approach. Conversely, other precursors to the Truth and Reconciliation Commission of Canada attest to a thoroughgoing settler gender blindness, normalization of female rape, and lack of attention to chronic underreporting of sexual violence at residential schools among Indigenous women survivors<sup>15</sup>—specifically, the timeline of legal cases and the compensation schedule

<sup>12</sup> In Quebec, "Women of Courage: Gendering Reconciliation" highlighted survivorship, coping mechanisms, and overcoming trauma among women leaders, while a Kanien'kehaka-organized panel also spoke to the issue of gender inequality, and gender and the Two-Row Wampum (Nagy and Gillespie 2015). In Vancouver, "Honouring Women's Wisdom: Pathways of Truth, Resilience, and Reconciliation" featured women discussing the rematriation of Indigenous governance, colonialism-induced gender discrimination and inequality, and women's resistance and resilience.

<sup>13</sup> Although it neglected to gender the IRS experience per se, RCAP (1996) dedicated a significant portion of the fourth volume of its report to the perspectives and experiences of Indigenous women. Further, linkages were made throughout between colonialism (especially assimilation projects, of which residential schools are a part) and the violence and oppression Indigenous women and girls face today.

<sup>14</sup> In 2003, the government proposed a dispute resolution (DR) process, intended to fulfil RCAP's recommendations, the promises of the government's 1998 *Statement of Reconciliation*, to compensate survivors, and to foreclose mounting lawsuits.

<sup>15</sup> In criminal proceedings against the staff and architects of the residential schools, no plaintiff is female until the later, massive class actions are launched. Even in civil cases, women constitute the vast minority of claimants (for example, in 2001/2005 *Blackwater vs. Plint*, only 2 of 28 petitioners are female).

listed in the Settlement Agreement, which flattens and scales sexual violations in order to rank harms against a purposefully ungendered Indigenous body (IRSS 2006). Of these “consequential harms,” only pregnancy and abortion differentiate female and male survivors.

### Double Settler Denial in the Wake of the Canadian TRC

Consideration of gender sharpens a prominent critique that the TRC-C overemphasized truth and failed to consider the breadth of reconciliation at stake (Flisfeder 2010), thanks to a lack of conceptual clarity around “reconciliation” and an emphasis on statement gathering without any real sense of where this micro-truth of personal testimony would mesh with the macro-truth of Canadian settler colonialism. While public testimony featured women, at times prominently, and women participated in private statement gathering, these stories of female survivors as *Indigenous women* should have been woven into the overarching narrative and larger frame of public meaning, rather than being first cabinetted and subsequently archived.

Thus, women are both present in and absent from the Truth and Reconciliation Commission of Canada. This presence/absence is disturbingly mirrored in a 2014 Angus-Reid poll, in which 73 % of Canadians voted in favor of a national inquiry into the issue of violence against Indigenous women and 81 % described it as the most important Indigenous issue today—while the same poll showed that 87 % of Canadians claimed “it’s time for the aboriginal community itself to assume more responsibility for their people’s well-being;” the national news media and RCMP were favorably ranked vis-a-vis Indigenous women’s issues (directly contradicting Indigenous women’s organizations), and the majority agreed that Canada spends “way too much money on aboriginal affairs” (2014).

Canadians prefer to view residential schools as a phenomenon discontinuous with colonialism as a structure, so that the violence of the former is “extraordinary,” acute, and extrinsic to the “ordinary” violence of the latter (Environics Research Group 2008; Nagy 2012). As of 2008, over half of Canadians were aware of Canada’s history of residential schools, although many of them think the sole wrong perpetrated was physical abuse. Sixty percent of citizens surveyed traced a causal connection between the IRSs and contemporary issues in Indigenous communities—but a third of Canadians cannot actually identify any of those issues, while 29 % see little or no causal relationship whatsoever. By way of contrast, between 76 and 78 % of Indigenous respondents identify such a causal connection (Environics Research Group 2008). Almost half of Canadians surveyed felt that counseling offered the greatest potential contribution to reconciliation between settlers and Indigenous peoples (Environics Research Group 2008)—yet, the Aboriginal Healing Foundation (AHF) was defunded on 30 September 2014, *during* the tenure of the Truth and Reconciliation Commission. Lou Ann Stacey, of the Montreal Native Women’s Shelter, warned that women and children would “bear the brunt” of cuts to the AHF’s 134 Indigenous community-driven and community-based programs (CBC News 2010).

Other defunding initiatives attest to a tactic of silencing Indigenous women in particular—cuts that occurred during the TRC-C, yet warranted no inclusion in its findings. Perhaps the most important of these, for our purposes, was the dismantling of Sisters in Spirit (SiS), NWAC's research, education, and policy initiative whose 2010 report confirmed a long-suspected pattern of racialized disappearances and killings (Barrera 2010b).<sup>16</sup> SiS is what drove the issue of missing and murdered Indigenous women and girls into the public eye and onto the policy agenda in Canada, and not just against the countervailing forces of simple ignorance or competitive priorities but also those of willful ignorance and diligent deprioritizing—in other words, of double settler denial. Maya Rolbin-Ghanie of “Missing Justice” noted that the media and other institutions had just begun to connect incidents of violence with systemic problem when Sisters in Spirit's funding was redirected to federal government projects (with only a day's notice; cited in Gass 2011).<sup>17</sup> Also swept out with the defunding was NWAC's comprehensive plan for working with and between Indigenous communities and the police; instead, \$4.65 million was earmarked for violence prevention programs on Indigenous reserves, where SiS found that only 13 % of murdered women met their deaths and only 7 % went missing (Barrera 2010a; NWAC 2010). Conservative solutions, accordingly, were geared toward devolving preventative responsibility to reserves and proliferating the number of criminal laws targeting Indigenous individuals generally (Boutilier 2014; Harper 2014).

In light of near-simultaneous governmental admissions that this issue is understudied, defunding amounts to an official endorsement of a lethal status quo for Indigenous women in Canada. Few other conclusions seem tenable when the former Prime Minister characterized his government's stance on an official inquiry into missing and murdered Indigenous women and girls as, “[not] really high on our radar, to be honest” (Harper 2014). This mirrored the government's earlier refusal to launch a public inquiry into the IRSs themselves, until the state's hand was forced by a looming avalanche of legal claims. The links here are numerous and tragically ironic, as RCAP's appeal for an inquiry into residential schooling failed to directly yield the Truth and Reconciliation Commission of Canada, whose own recommendations include an inquiry into contemporary gender violence that *will* explicitly link this phenomenon to residential schools. Notably, however, the TRC-C called for neither the resurrection of Sisters in Spirit nor the establishment of any other Indigenous women's initiative but instead for the appointment of a public inquiry into missing and murdered Indigenous women and girls “in consultation with aboriginal organizations” (TRC Canada 2015, p. 325). Moreover, this stands as the only recommendation (of 94 total) to explicitly address the gendered fallout of residential schools and settler colonialism.

<sup>16</sup> The conservative minority government was called out by the UN Committee on the Elimination of Discrimination Against Women for failing its international treaty obligations to Indigenous women (CEDAW 2008).

<sup>17</sup> SiS's public vigils subsequently dropped by 41 %, diminishing hopes of catalyzing the resources to spur policy development and review and to “empower the aboriginal women's groups to examine [women's] issues” (Harvey Michele, quoted in Gass 2011).



While the Commission did eventually grapple with gender and connect the residential schools to colonialism, the inclusion was thin and last-minute, and the connection partial and hesitant. More importantly, the summary final report failed to acknowledge the existence of, and settler connections to, systemic violence against Indigenous women. The report did link what it termed the “cultural genocide” of the IRS system and Canadian colonialism more broadly, specifically calling attention to the ambitions of simultaneously eroding Indigenous capacity for cultural reproduction and political self-determination and the state’s fiduciary and treaty obligations.

What it did not do, however, was consider the ways in which this colonial project was gendered, the gendered strategies employed in the schools, or the gendered outcomes now seen in Indigenous families and communities. Here, the TRC-C reinforced the general opinion among Canadians, revealed in survey data, that the issue is not properly “theirs.” It also created a continuity between the Commission’s framing and that of government officials, which itself supports wider denialism. For example, former Prime Minister Stephen Harper claimed that missing and murdered Indigenous women and girls constituted a criminal, rather than a structural (or in his terms “sociological”) issue, and near-simultaneously denied Canadian, and actually defended British settler colonialism (Ibbitson 2008; Kaye and Béland 2014; Wherry 2009). Similarly, in the midst of the TRC-C, the Minister of Aboriginal Affairs described IRSs as “an education policy gone wrong” (Della 2011).

The abuse of Indigenous children in Indian residential schools was more than physical, more than an unfortunate product of its time, and more than racist in origin and intent. It was part of a continuum of systemic violence that has always been gendered. Settler colonialism historically targeted Indigenous women as both Indigenous *and female*, marking them out for specific and pernicious forms of violence; moreover, it still does. The unique role residential schools played in this ongoing system was in not merely inflicting, but in internalizing, normalizing, and disseminating that violence. It seeded it inside Indigenous communities via damaging the minds and spirits of Indigenous children, some of whom became, or went on to partner with or parent, the Indigenous women whom the wider society today sees as disposable, sees as violable, or does not see at all.

In first flattening the Indigenous experience (ignoring gender in the interim report) and then cabineting the female experience (relegating gender to isolated mentions in the final report, while declining to recommend empowering Indigenous women to name and address their own issues), the Truth and Reconciliation Commission of Canada engaged in a wider discourse of minimization and invisibilization. Yet, what makes this conversation truly noteworthy is how capably it enfoldes and shorts out acknowledgment and concern. The discourse around rights violations faced by Indigenous women is primarily characterized not by indifference or ignorance but instead by a net public ambivalence, a midpoint between extreme concern and remarkable disregard. This is the specific location of double settler denial in Canada today.<sup>18</sup>

<sup>18</sup> With Justin Trudeau’s Liberal government now in office, and particularly with the appointment of an Indigenous woman as Justice Minister (Jody Wilson-Raybould, Wai Kai Nation) and the almost immediate announcement of an official inquiry into missing and murdered Indigenous women and girls, there has been a profound shift in the state’s official stance—though whether this is reflective of, or capable of catalyzing a broader shift in the Canadian consciousness is not yet clear. It may simply exemplify the “extreme concern” node on the spectrum we propose.

## South Africa and Canada Compared

### Gendering the Analogy

Although a generation has come of age since the South African Truth and Reconciliation Commission, and the Truth and Reconciliation Commission of Canada recently reached its terminus, and although present-day colonialism in these locations diverges in many respects, key similarities unite the two TRCs. Common goals included naming and confronting past human rights abuses; giving voice to victims and survivors, and bringing those voices to the ear of the public; undertaking educative work so that no citizen could ever again say, “I didn’t know;” and promoting reconciliation between settler/White and Indigenous/Black populations. Other commonalities are less thoroughgoing. “Violence” is narrowed definitionally and contained temporally in both TRCs—albeit in different ways—but importantly, gender is *ghettoized* in the South African and *invisibilized* in the Canadian Commission. In terms of reconciliation, the SA-TRC and TRC-C are similarly limited by their mutual disinclination to grapple with ongoing forms of oppression—and in particular, the institutional and societal foundations of violence against Indigenous and Black women.

Underpinning our argument, though, is actually a critical *disconnect* between these Commissions. One might assume that Canada would have set out to learn from the failures of the South African TRC, the Commission that looms largest in global memory, to meaningfully incorporate gender. Or, indeed, Canada might have learned from myriad other TRCs that preceded it. Some such bodies have “done gender” better; Peru’s Truth Commission (2001–2003) defined sexual violence as a human rights abuse from the outset, creating a historical record of sexual violence. Establishing such a separate record can protect female testimony givers, removing the fetters of silence and historical amnesia and paving the way for public education and reparations (Hayner 2011). Timor-Leste’s Truth Commission (2005) organized a suite of activities for women, in gender hearings, participatory discussion forums, oral-history case studies, and multipronged household surveys. Liberia’s Truth Commission (2005) began with gender training for all staff and commissioners (Nesiah 2006). Our comparison thus reveals a broader problem in the transitional justice field: a lack of cumulative learning, which calls out for further investigation. Moreover, this raises the question of why other relevant exemplars, outside of the TRC model, remain unexplored; or put another way, why feminist theories and practices of justice—particularly those developed by Indigenous and women of color—have themselves been ghettoized and invisibilized in the field of transitional justice.

### Truth and its Implications

Hayner (2011) states that the truth that commissions seek should include causation and motivation, so that not only healing but preventative measures can grapple with the full scope of human rights abuses, their structural origins, and their institutional conduits. Yet, prevention of further abuse entails following the shifts in patterns and forms of abuse stemming from the same cause. These are genealogically linked; their roots can be traced and their branches mapped. It thus becomes necessary to draw out the links between acute and structural violence (along with the relationship between violence’s

many forms) during and after the eras of apartheid and residential schooling while underscoring the non-periodic nature of both. Individual and extraordinary suffering gains meaning only through balancing “micro-” and “macro-truth,” bringing together the specifics of victim testimony and “a framework for understanding the structural causes” (Chapman and Ball 2008, p. 144). Together, these compel questions about justification, responsibility, and repair, along with consideration of non-repetition and overcoming. These are the “methodological and epistemological challenges” of truth as a project (Nagy 2012, p. 356).

In South Africa, the comprehensiveness of the process, the unprecedented public attention it received domestically and internationally, and the country’s decisive moment of transition meant that an opportunity existed to capitalize on both the forward-facing and backward-looking roles of the Commission. In order to realize that opportunity, a fuller picture of the workings and consequences of apartheid for everyday South Africans would have to have been sought, recorded, analyzed, and represented; a wider definition of human rights abuses employed; and a methodology drafted (and Commission structured) specifically to ensure the engagement of women at all stages. Moreover, placing past and present issues along a continuum of harms, by at least introducing topics such as deeply gendered and raced socioeconomic inequality and sexual violence, would have helped to raise the profile of these problems in the public consciousness, counteracting settler and double settler denial.

Likewise, the Truth and Reconciliation Commission of Canada had an opportunity to shape the truth of residential schooling in a way that could be meaningfully taken up in the public sphere. To achieve this, what was needed was a “truth that identifies a continuum of violence and reconciliation that acknowledges and redresses continuities of violence” (Nagy 2012, p. 363). Settler colonialism as a continuity of structural gender violence is attested to by statistics (evidencing gendered, raced harms) and policies and speech acts (evidencing neglect, indifference, and/or a refusal to ameliorate those harms). Placing residential schools in causal relation to contemporary gender violence against Indigenous women, locating both within the structures of colonialism, and calling out the colonial logic of governmental disregard might have helped to unmoor denial of the historical truth and contemporary reality from/in which settlers are complicit, derive benefit, and hold responsibility—and of the ways in which Indigenous women are particularly targeted by, bound up in, and dispossessed through ongoing settler colonialism. Yet with testimony now in hand—however much the archive may have been affected by gender-blind methodologies—there is still room to make something more of the record. The recent change of government, and substance of the mandates given to new Ministers in relevant sectors, fuels tentative hope.

Understanding what happened and why—generating an inclusive history—demands attention to the full span of experiences. It takes attention to relationships and how they shift and intersect; it takes, in other words, attention to gender.

Moreover, failure to consider gender in the projects of apartheid and Indian residential schools pauperizes our understanding of the ideology behind, operation of, and fallout from these systems in South Africa and Canada. This, in turn, limits the chances of recognizing settler colonialism as continuity and thus forecloses an opportunity to destabilize double settler denial. Further, fathoming the historical struggle for and over an inclusive truth is essential, since past experiences and the lessons they might convey will be lost without a gendered amendment of the official record.

Unfortunately, through the very processes meant to give them voice, in both locations, historically suppressed and silenced *experiential* truths have been reburied by an *official* truth that, while varied in the sense of originating with individual testimony, has not been “heard” as gendered, as gendering, or as levying gendered effects. Both Commissions, then, left double settler denial regrettably intact.

### Reconciliation and its Potential

Settler-colonial states have typically favored non-institutional, non-structural, interpersonal approaches to reconciliation. The kinds of “victim-centered”<sup>19</sup> TRCs seen in both South Africa and Canada “aim to foster grassroots processes of rebuilding driven by the voices and aspirations of atrocity survivors”—yet in colonial locations where transitional justice mechanisms have come and gone, perpetrators and beneficiaries of the injustices continue to be socially dominant, meaning that (not coincidentally) accountability is obfuscated and reparations become both partial and symbolic (James 2012, p. 194). Thus, a movement from the truth outlined above to a substantive reconciliation, in either South Africa or Canada, entails holding duty bearers responsible for the realization of the human rights of Black and Indigenous women and girls, including their rights to bodily integrity and human dignity, to participate in their governments and governance, to socioeconomic parity with not only their men but the wider society, and to regenerate and transmit culture and tradition.

In South Africa, moving deeper into reconciliation will mean dealing with ongoing economic inequalities and silencing government policies—but for women in particular, it will mean grappling with the country’s epidemic of sexual violence. The tone of debate around sexual violence has had implications for solutions offered and sought, and created a political vacuum in which the topic is not addressed, thanks to a confusing public narrative about what and who is responsible and how the issue is best painted. This problem is compounded by its use as fodder for surface-level political party posturing, in striking similarity to the issue of Canada’s missing and murdered Indigenous women and girls. Furthermore, the debate around sexual violence is often absent the voices of survivors of sexual violence themselves. This reflects the ongoing legacy of the silencing of women’s experiences during apartheid and helps to explain the resulting double settler denial.

Nagy (2012) appeals to a vision of reconciliation as a decolonized relationship versus reconciliation-as-closure. In Canada, the government has shown a persistent attachment to a praxis of closure by favoring symbolic gestures<sup>20</sup> over substantive action, while “reconciliation as a decolonized relationship” requires attention to the ways in which that relationship is different for Indigenous women and girls than for Indigenous men and boys, along with how this differentiation exacerbates inequality and violence *within* Indigenous communities.

<sup>19</sup> “[V]ictim-centered approaches treat truth as a multifaceted and deeply experiential reality that is best approached by hearing the diverse voices of survivors of state-inflicted trauma on their own terms” (James 2012, p. 185).

<sup>20</sup> These include promises to rescind the already defunct sections of the *Indian Act* pertaining to residential schools; commissioning artwork for Parliament Hill; and memorializing the year-old, heavily critiqued official apology.

In moving toward reconciliation in Canada, then, a decent start would be offering a gender perspective on what residential school survivors have said they see as justice. As Lightfoot notes, *reconciliation* must also accompany *renegotiation*, an “ongoing political conversation” about what political order(s) and what kinds of institutional arrangements will seed a just and mutually respectful Indigenous-settler relationship (2015, pp. 35). Such a conversation, by definition, includes the voices of Indigenous women. Reconciliation is only one of two ambitions, though, since concrete reparations have been called for and, to some extent, offered. In this, it is necessary to conceptualize “reparations” as including work for gender justice, including a substantive plan to address the phenomenon of missing and murdered Indigenous women and girls. Worth investigating, too, is the rationale behind the clean segregation of the projects of self-determination and gender justice, since Indigenous communities’ solutions to the problems of colonialism have also been problematically ungendered (Grey 2014; Kuokkanen 2012).

“Turning the page” is not only unjust in the sense of erasing the gendered history of colonialism and obscuring continuities in the colonial relationship, it is also profoundly unethical in its implicit invitation for Black and Indigenous women to join an indefensible status quo and a mainstream that pursues and permits their being harmed. The South African and Canadian TRCs had an opportunity to steer how their particular versions of reconciliation would enter and grapple with pre-existing public discourse. In choosing a path that skirted double settler denial, they simply could not deploy a robust definition of reconciliation without rendering it internally incoherent.

Yet, the space still exists to build on what has been accomplished, in both locations, through supporting healing initiatives; attending carefully to questions of justice, including gender justice, gender equality, and reparations; and in reforming colonial institutions. This path is likely unnavigable as a straight-line journey, or one guided by any pre-existing map—thus, it cannot be rushed or dictated unilaterally nor should Canada follow the urge to look back to South Africa for further “lessons.”

## Conclusion

In both South Africa and Canada, in the wake of lengthy and broadly mandated Truth and Reconciliation Commissions, the raced and gendered lacunae in public discourse today remains largely untouched, and a deep ignorance of (or willing blindness to) the gendered nature of past *and present* colonial harms persists. These missed opportunities are attributable to the disinclination of both Commissions to grapple with the full range of experiences in and after apartheid and residential schooling. The portrait painted by the Commissions appears to be one in which settler colonialism somehow bequeathed an “intergenerational legacy” for Black and Indigenous peoples only; they suffer today because of past deeds, while settler benefit from those deeds is seen as complex, indirect (verging on incidental), historical (versus contemporary), or natural/inevitable. Moreover, the present is unfortunate, rather than unjust, somehow rendered hopeful by apologetic speech acts and rhetorical reconciliatory overtures.

Yet, the colonizer-colonized relationship continues to operate through political, social, and economic institutions and in the very ways of life of South Africans and

Canadians. This disconnect between past and present in the colonial narrative is accomplished not merely by a negative act (an omission) but a positive one (an obfuscation), which perpetuates unjust contemporary relationships and, more broadly, the exercise of sovereignty over colonized nations.

Here, settler denial is simultaneously cause and consequence—the result of the omission, and the agent of the obfuscation. Denial is, for settlers, an urgent necessity; at risk is not only settler identity (and sovereignty) but also who owns and thus has the right to label the past “colonial”—and as a result, who has the power to declare the present “colonial.”

This is not a new argument. The crux of our contribution is that because colonialism is inherently violent, raced, *and gendered*, also at risk is the right of Black and Indigenous women to assert that the settler state did and does them grave, morally damning, and politically actionable violence. They thus experience a double settler denial.

Both the South African and Canadian Truth and Reconciliation Commissions stood at key junctures. These were moments to critically analyze norms (political, economic, and social) and thus to draw attention to racial and gender-based patterns of marginalization and violence. Attention should have been paid to gendered structural inequalities and injustices stemming from apartheid and residential schools, revealed through survivor and intergenerational testimony as well as via other conduits. Similarly, gendered struggles, gendered human rights abuses, and processes of gendering should have been recognized and recorded as such in order to meaningfully contribute to the reevaluation of existing and forging of new kinds of settler-Black/Indigenous interactions, the revision of institutional arrangements, and the reconstitution and revaluing of disparaged identities.

Reconciliation informed by gender considerations is a promising strategy for envisioning the new kinds of relationships advocated by Nagy (2012) and for fuelling their nurturance. Such considerations would have allowed the South African and Canadian TRCs to well exceed efforts elsewhere and thereby to set a precedent in how we might conceptualize and enact “transitional justice” in settler-colonial states.

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