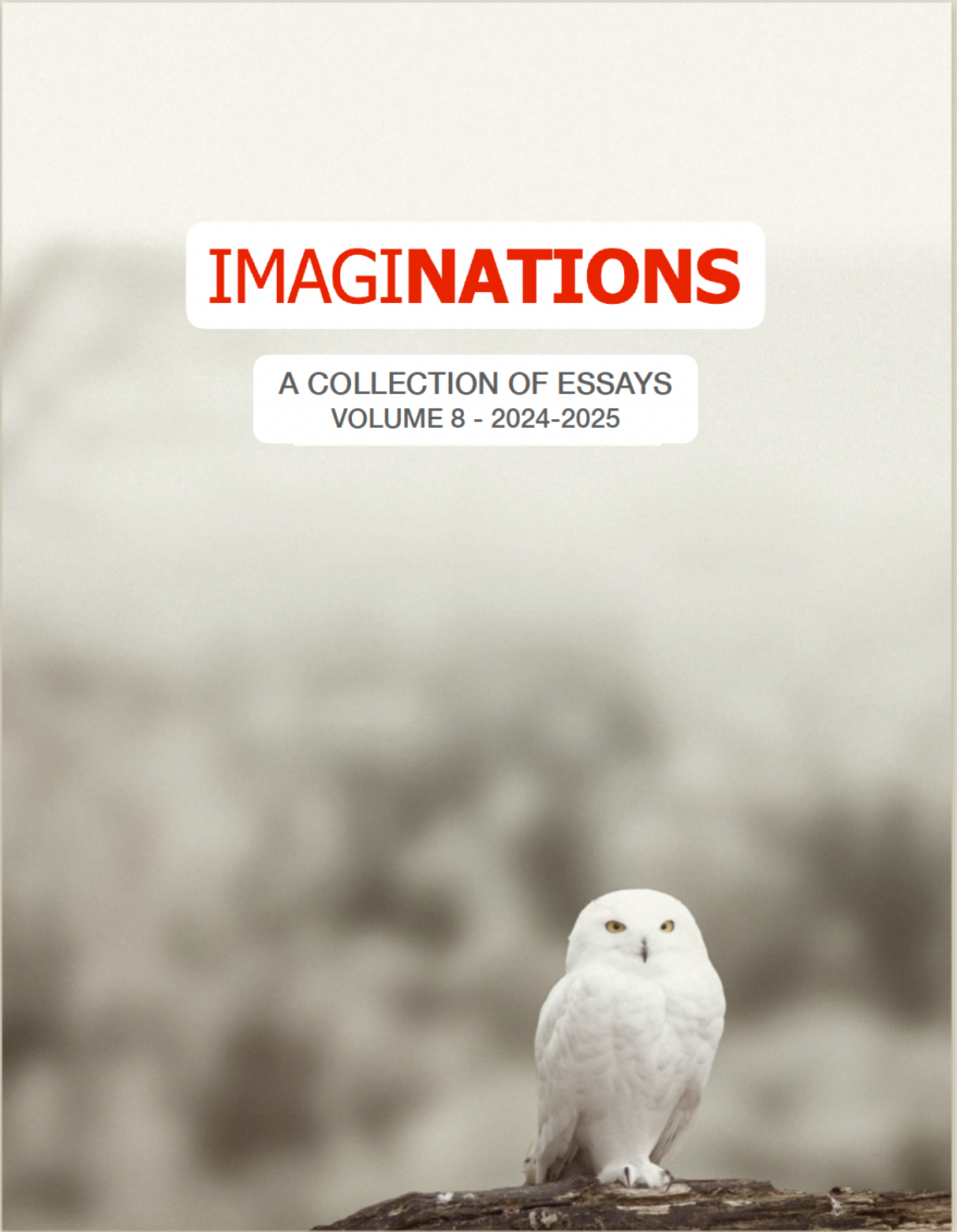


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VOLUME 8 - 2024-2025





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Volume 8. 2024-2025

Canadian Studies Program
University College
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Many thanks to University College alumna, Professor Emerita Mildred A. Schwartz (University of Illinois-Chicago), for her generous financial support of this publication (BA UC54, MA56).

INTERIM DIRECTOR'S LETTER

This fall 2025, we celebrated the 50th anniversary of the Canadian Studies Program at University College. Congratulations to all of our contributors to *ImagiNATIONS V.8 2024-2025*, whose outstanding undergraduate essays demonstrate the diversity of contemporary research and scholarship in Canadian Studies, Asian Canadian Studies, and Black Canadian Studies.

This volume would not be possible without the dedication of our student editorial team, Editor-in-Chief Hannah Brett, Contributing Co-Editor-in-Chief Kamilla Bekbossynova, and our exceptional editorial assistants. Thank you all.

We are very grateful to University College alumna, Professor Emerita Mildred A. Schwartz (University of Illinois-Chicago), for her generous financial support of this publication.

Siobhan O'Flynn
Canadian Studies Program

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EDITOR'S LETTER

ImagiNATIONS is proud to showcase the University of Toronto students' academic and creative work engaging with Canadian Studies through a wide range of disciplines and perspectives. This year's issue combines critical essays, legal analyses, and deeply reflective pieces exploring identity, governance, exclusion, and resistance.

The works in this volume engage critically with the complexities of policy, representation, and lived experience, ranging from personal reflections on nationhood to in-depth analyses of Canadian legal structures. This edition's contributions offer a powerful lens into how Canada is continually imagined, challenged, and redefined.

Thank you to our editorial assistants, including Alisha Aslam, Sophia Goold, Sabrina Kreyzerman, Andrea Liu Liu, Bri MacNeill, and Milena Petrosyan, for your thoughtful contributions, and to all our writers for your insight, rigour, and creativity.

A special thank you also to Kamilla Bekbossynova for her meaningful contributions as co-chief editor during the journal's early stages.

We hope you find this issue thought-provoking, timely, and deeply engaging.

Sincerely,

Hannah Brett

Table of Contents

Dancing Between the Lines: An Exploration of Rites Magazine and the Role of Covert Spaces for Black Queer Intimacy Hannah Kim-Cragg	11
The Study of Sex is the Study of Power: Policing as a Site for Adopting Power Structures and Creating Power Relations in Canada Alia Eiras	22
Parliament vs Judiciary: The Battle Over Mandatory Minimums in Canada Sydney Benjamin	26
Bill 21: Future Implications Rebecca Herlich	32
Surveilling the Margins: Privacy Laws and Racialized Governance at Canadian Borders Tisya Raina	38
Unpacking the Continuous Passage Law and the Rejection of South Asian Immigrants in Canada: The 1914 Case of the Komagata Maru Daya Charchun	46
A Look at the Underrepresentation of Chinese Canadians in Canada’s Museums Sophia Goold	56
Decolonizing the Museum: Geographies of Black Resistance and Social Protest Olivia Wall	65
The Revitalization of Toronto’s Port Lands Chloe Rockwood	71
The Destruction of Peatlands: “Green” Technologies and Undermining Indigenous Sovereignty in Canada’s Ring of Fire Niamh Ellwood	86
Granting First Nations Peoples the Same Rights as All Other Canadians: The Shocking Solution to Address Economic Inequalities Faced by Communities Living on Canadian Reserve Land Elissa Chrapko	92
Economic Inequality in Inuit Nunangat and First-Language Instruction Willow Teter	99

Mothers Across Borders: Filipina Migrants in Canada and the Politics of Global Labour Irish Gaitan	109
Canada's National Identity: A Legacy of Colonial Exclusion Karissa Comeau	117
Anglophones and the October Crisis: An Observation of the Ideological Implications of Style in Documentary Media Cody Stipelman	129
Canada: A Colonial Project Mia Galtisiadis	135
Joyce Wieland's Feminist Challenge: How Joyce Wieland's <i>O Canada</i> , 1970 and Other Artworks Ignited the Value of Women in Canadian Political and Cultural Society Sabrina Kreyzerman	141
Annihilation and Restoration: The Unforgiving White Gaze in Austin Clarke's "Canadian Experience" and the Compassionate Black Gaze in Dionne Brand's "Spiritual Blues for Mammy Prater" Ayesha Noon	146
Contributors	151
Editors	155

Dancing Between the Lines: An Exploration of *Rites* Magazine and the Role of Covert Spaces for Black Queer Intimacy

Hannah Kim-Cragg

Introduction

Recent efforts to archive historically disregarded Black-authored and -owned publications in Toronto have focused on the overt expressions of activism by Black Canadians. Among these publications is *Rites* (1984-92), a Toronto-based White gay-owned magazine known for its explicit efforts at promoting racial diversity in Canadian queer issues. Publications such as *Rites*, however, require examination beyond overt liberation and oppression to examine more subtle articulations of Black life—namely the complexities of Black queer intimacy. An exploration into three issues of *Rites* (one published in 1985, two in 1986) will show how Black queer contributors articulated the role of covert spaces in fostering Black queer intimacy during the 1980s. These expressions of Black queer intimacy can be understood in two interrelated ways: first, Black gay contributors problematized the ‘liberatory’ nature of overt queer spaces (both in topography and nomenclature) for Black queer folk, who risked further alienation due to racial and cultural pressures within traditional intimate spaces. Second, *Rites* was an avenue for Black queer contributors to highlight existing covert spaces such as *Zami* through articles, photos, and advertisements in subtle ways for Black queer folk who sought intimacy. In these ways, *Rites* provided readers with expressions of Black queerness that were as complex as life—dancing between the lines of the overt and covert spaces.

Overt ‘Liberation’ and Violence during the 1980s

The early 1980s in Toronto and across Canada were marked by overt political activism with an emphasis on naming one’s identity. Explicit articulations of ‘queerness’ and ‘Blackness’ were considered direct acts of resistance to pervasive cisheteronormative and ‘raceless’ narratives in Canada’s populous urban city.¹[Footnotes display as endnotes.] The Black Power movement of the 1960s-1970s, which “emphasiz[ed] Black identity and enhancing self-concept” as well as the US Civil Rights movement, galvanized Black Canadian activists to centre one’s ‘Black self’ in politics in more explicit ways.² White queer activists began more urgently making overt queer spaces, founding several lesbian and gay conferences and associations such as The Community Homophile

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Association of Toronto, as well as bars, clubs, and bookstores.³ Publications owned by primarily White cisgender gay men, such as *Xtra* and *The Body Politic* as well as *Rites*, entered the public sphere to document queer liberation across Canada and around the world.⁴ Overt naming of ‘Blackness’ or (White) ‘queerness’ became increasingly synonymous with movements of ‘liberation’ in Toronto.

Despite the intended ‘liberatory’ objective of these movements, overt queer spaces were met with increased homophobia in mainstream discourse and police violence, further marginalizing queer Black bodies in these spaces. The HIV/AIDS “homophobic panic” during the early 1980s labelled the epidemic a “gay plague,” vilifying overtly queer identifiers in distinct ways and resulting in fears of perceived intimacy among queer folk.⁵ Further, bathhouse raids such as Operation Soap (1981) in Toronto targeted “spaces in which gays and lesbians could amass” and share intimacy. However, these raids also exemplified a distinct surge of police brutality against Black bodies.⁶ The murder of Albert Johnson in 1979, whose wife was an avid supporter of LGBTQ+ rights, was only one of countless Black activists killed in Toronto and demonstrated the distinct dangers of being perceived as ‘Black’ and associated with ‘queerness.’⁷ This escalation of violence at overt queer locations and the underlying Whiteness identifiers such as ‘queer, gay, lesbian’ thus alienated many Black queer folk from ‘queerness’ and moving in these spaces of intimacy.

Rites similarly reflected the limitations of overt (White) queer spaces in its limited accounts from Black queer folk. Across the three issues of *Rites* intended to centre “people of colour,” only the same two Black gay men wrote feature pieces.⁸ It is difficult to assess *Rites*’ full representation of diversity due to the small number of issues analyzed; however, it is likely that these authors and their experiences were meant to educate predominately White readership and leadership—delineating the space provided for Black queer expressions. The audiences of *Rites* and other dominant Toronto-based queer newspapers were an echo of what Thompson and Jabouin describe of newspaper and theatre audiences in the 1950s—as a “majority white, English speaking” literate class “who determined what counted as ‘culture’,” or the angle in which Black queerness was discussed.⁹ Consequently, the limited production of these “people of colour” issues in *Rites*, and even the

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sporadic visual distribution of Black queer bodies in editorials, drawings, and notably the Black authors themselves, reveal both the existing continuous marginalization that Black life experienced across *Rites*' pages and its publishing body. Nonetheless, *Rites* was one way in which queer Black activism was expressed—taking part in an overtly queer space to discuss the less overt, more intimate spaces of Black queer life.

Negotiating (White) Queerness and Blackness in *Rites*

As *Rites* sought to report on overt queer issues, their Black queer contributors were given the opportunity to discuss the intersecting pressures of overt queerness. Two feature articles by Black cisgender gay men, “Closet Colored” by Douglas Stewart and “Black men loving Black men” by Joseph Beam, are fictionalized vignettes that centre the negotiations of race and sexuality in expressions of intimacy between Black men. In “Closet Colored,” Carlton, a Jamaican immigrant, expresses the desire for a “successful life” as a fresh start from what he experienced in Jamaica.¹⁰ In his vignette, Carlton defines success by heteronormative values and economic security, such as a stable job and finding “a woman and set[ting] her up in a nice house,” never acknowledging his queer identity.¹¹ He later defends his position, stating “...the struggle is right here in Canada. Wherever the Black man is it’s a war.”¹² These statements indicate Carlton’s awareness of targeted anti-Black violence in Toronto—motivating his need for a cisheteronormative life and its assumed physical and economic security. He further articulates the danger of overt queerness in a memory of intimacy with another man in Jamaica: “He says he loves me...[but] You have to understand... I have seen men back home ruined because of that love.”¹³ Through Carlton, Stewart explores how heteronormative performance and its implied safety were prioritized over sustained queer intimacy between Black men. Carlton’s immigrant identity carried distinct cultural perceptions of Black queer love, which historian Crichlow echoes in his work interviewing “buller men,” or Black Caribbean queer men in Toronto. From Crichlow’s interviews, heterosexual marriage “represented both fulfilment of social expectations and protection from violence” for many Black gay men in Canada.¹⁴ These Black Caribbean ideals of masculinity and success were thus often articulated in heterosexist constraints and in opposition to queerness. Carlton’s testimony demonstrates how claiming overt queerness by pursuing love with another Black man was not ‘liberatory,’ but rather threatened his security and was synonymous with increased violence.

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Stewart's article, as well as "Black men loving Black men" by Joseph Beam, explore another way in which articulations of Black queer intimacy were shaped by traditional Black spaces and cultural pressures. One of Beam's characters, Paul, who is terminally ill with AIDS, is reluctant to share this with his family and friends because "they cannot know that he is gay."¹⁵ Stewart's character Dennis also demonstrates a continuity of this theme of secrecy due to HIV/AIDS stigma in Black intimate spaces, stating:

AIDS jokes are becoming all the rage and people treating us like lepers. I was coming out more and more, but since all the hype, I am careful with who, when and how. I even put off telling my parents—my mother doesn't believe that black people can be gay anyway...I don't even want to think about what that would mean for my future...¹⁶

Dennis and Paul express a shared aversion within Black queer communities to naming 'queerness' due to distinct cultural pressures in Black families. These vignettes thus illustrate the negotiations of family intimacy—confessing to one's mother or family—with their 'queer' identity. Both authors thus aimed to unpack the distinct impact of HIV/AIDS on Black queer expressions. As Crichlow states, "Black male nationalists [and Black cultural perceptions are] obsessed with the notion of 'gayness' as a 'white man's disease' ...[and] that 'those Black men who follow western sexual perversions are AIDS victims.'"¹⁷ This poignantly demonstrates how 'queerness' is entrenched in racial and cultural expectations. In other words, confessing one's 'queerness' for Paul, Dennis, and other Black gay men went beyond a risk to intimate relationships but was considered a betrayal of one's racial identity. Thus, the risk of isolation associated with 'queerness,' paired with what Crichlow states as "...the demands of loyalty to race, family, and community," outlined the aversion to overt 'queer' identifiers among Black queer folks.¹⁸ This necessitates the desire for covert space—the ability to otherwise seek intimacy in ambiguity.

Covert Spaces and Black Queer Intimacy in *Rites*

Rites provided an avenue for these contributors to articulate the existence of covert spaces through their articles. Beam's article imagines Black queer futures in covert spaces of queer intimacy, demonstrating their significance in betraying overtly policed topographies. For example,

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Beam narrates the lives of two lovers, Ty and Reggie, whose “two-room apartment, which is neither fashionably appointed nor in a fashionable neighbourhood, is clearly home and a respite from the madness that awaits outside their door.”¹⁹ Beam describes this space as not “fashionable,” indicating its seeming insignificance with no indications of overt queerness, yet it is within this intimate space that Beam describes them as “revolutionaries.”²⁰ Here, Beam steps out of the vignette narrative to show how this covert space provided a safety for Black queer couples like Ty and Reggie to imagine their future. The critical nature of these covert queer spaces is best described where queer people of colour could “resist territoriality...[and] swap fecund caresses – both tender and critical – at the corner, on the steps... and at the kitchen table.”²¹ These intimate encounters go beyond the ‘liberatory’ delineation of overt queer spaces by White able-bodied cisgender elites “who are busily staking out the borders of gay villages and neo-liberal cities.”²² Through Ty and Reggie, Beam denotes the importance of covertness in not only creating intimate spaces for Black queer love, but as a symbol of defiance to overt spaces. *Rites* thus provided a place for Beam to articulate these expressions.

In Stewart’s “Closet Colored,” one of the characters, Curtis, articulates the importance of dance as a covert space of Black queer intimacy. Curtis expresses the difficulty of navigating overt queer spaces such as ‘gay bars’ due to their implicit White queerness and his subsequent visibility as a Black man, as well as the importance of covert spaces:

“...gay bars are usually your best bet. At least you know the men are gay. But you see, I want to meet Black men... plus we are such a minority in the place... The ‘Zone’ is not a gay club... but there is enough ambiguity to make you feel at home, great music... you can dance all night... Plus, it’s so Black... Mind you, it’s not perfect. That spot in bed is colder more often.”²³

Curtis’s use of the word “ambiguity” within an assumed heterosexual space provided a notion of security but also an opportunity to be in proximity with other Black bodies. This equally illustrates how the dance scenes served as covert spaces through which Black queer folks seized moments of intimacy. The experience of navigating covert spaces for Black queer bodies was not

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rose coloured, however.²⁴ Curtis had to negotiate the fleeting moments of intimacy that were experienced alongside a colder bed and emotions of frustration and longing.²⁵ Black queerness through dance and nightlife through Stewart's articulations of Black queer intimacy therefore demonstrated how intimacy and Black queerness were constant negotiations of safety in public spaces and satisfaction through queer intimacy and affirmation. The fact that these pieces are fictionalized accounts and the names of the individuals who experienced the works are private also signals the importance of covert space and the contributors' efforts to covertly diversify perspectives of people who could claim them as real.

Rites also gave space for Black queer contributors to promote covert spaces in Toronto like Zami, a lesbian and gay Black and Caribbean group formed in Toronto in the 1980s, which provided opportunities for physical connection with Black queer folk. In the November 1985 issue, Zami notes how their creation came from understanding "how isolating 'coming out' in the black community can be."²⁶ Zami thus served as a "the site of kinship" for many queer Black folks to connect on these issues and address homophobia in Black communities.²⁷ Visual representations and expressions of Zami scattered across these issues implied its position as a distinct Black covert space. Photos of anonymous Black gay men embracing or standing with linked shoulders illustrated a level of overt representation and anonymity.²⁸ The term Zami was also intentionally chosen for its covertness in the mainstream White queer landscape. The name referred to a "Caribbean-Creole word" that goes beyond "simply [a] Black equivalent of 'lesbian' (a white concept)" to illustrate "a historically specific term that... acknowledged Black same-sex communal realities."²⁹ As one of Zami's founders, Courtney Macfarlane states that the name was "a bit of a wink at those who underst[ood] what Zami means."³⁰ She thus articulates the significance of covert space through language. Although the authors featured in the *Rites* issues were primarily Black gay cisgender men, these brief mentions of the community hub scattered visually through *Rites* also demonstrated its significance in highlighting the breadth of Black queer experiences and the publication's role in lending space for these subtle articulations of Black queer life.

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Zami's advertisements for events also demonstrate the negotiation of covert spaces in providing real-world spaces of intimacy and celebrating expressions of Black queer life. *Rites* was assumedly a safe space for organizers to post advertisements about Zami, through which Zami could use overt spaces such as the 519 Church Street Community Centre and networking through word-of-mouth and publications like *Rites* to foster spaces for Black queer intimacy. One example of such spaces was a dance event titled "Black Leather, White Linen—A Zami Summer Dance," inconspicuously placed under the "Notice Board" section of the *Rites* September 1986 issue.³¹

Zami also represented the breadth of Black queer life. As McFarlane notes in her filmed interview, the work of Zami "[never] really existed in a formal sense"—while it was a place for activism, "there was always the dancing piece, the sexual piece... [there was always] a celebrating piece."³² This anecdote demonstrates that Zami represented more than a space that danced between the lines of overt and covert spaces to foster sexual or communal intimacy; it was evidence of Black queer life that emerged from covert intimate spaces during the 1980s.

Conclusion

The three issues of *Rites* between 1985 and 1986, despite their limited representation and White leadership, provided an avenue where queer Black activists could present the unique role of covert spaces for expressing Black queer intimacy in Toronto. Articles by Black gay contributors dissected the complexities of entering overt queer spaces that were culturally unique to Black queer folk—namely how these articulations or rejections of Black gay intimacy were influenced by increased policing and homophobia. These articles, alongside real-world examples like Zami, reframed Black queerness as thriving and complex, navigating overt and covert spaces in both fictionalized narratives and real-world organizing. These contributors and advertisements, despite their continued marginalization within the pages of *Rites*, emphasized for readers the plethora of expressions of not only Black queer intimacy, but rooted possibilities for love in Black queer futures.

Endnotes

¹ Asa McKercher, "Too Close for Comfort: Canada, the U.S. Civil Rights Movement, and the

31

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North American Colo(u)r Line,” *Journal of American History* 106, no. 1 (June 2019): 74, <https://doi.org/10.1093/jahist/jaz168>. This naming of Black identity held a distinct significance in Canada in challenging the nation’s consensus of ‘racelessness’ and multiculturalism in relation to the US. For explicit articulations of ‘queerness,’ see also Craig Jennex and Nisha Ewaran, *Out North: An Archive of Queer Activism and Kinship in Canada* (Vancouver: Figure 1 Publishing, 2020).

² Agnes Calliste, “The Influence of the Civil Rights and Black Power Movement in Canada,” *Race, Gender & Class* 2, no. 3 (1995): 126.

³ Jennex and Ewaran, *Out North*, 170.

⁴ Jennex and Ewaran, *Out North*, 170; “Independent Publishing and Canadian Literature,” *Celebrating Black Voices: Black History Resources*, Thomas Fisher Rare Book Library, n.d., <https://fisherdigitus.library.utoronto.ca/exhibits/show/blackhistory/twentiethandtwentyfirst/black-canlit>.

⁵ Jennex and Ewaran, *Out North*, 170.

⁶ Jennex and Ewaran, *Out North*, 105.

⁷ Jennex and Ewaran, *Out North*, 104.

⁸ Douglas Stewart was featured twice and Joseph Beam once across these issues. It is also interesting to note Stewart’s position in White-dominated spaces—namely, his experience as a healthcare worker. His ability to navigate White-centred spaces may have facilitated his work with *Rites* and illustrates further this limited threshold for Black perspectives across these magazine issues.

⁹ Cheryl Thompson and Emilie Jabouin, “Black Media Reporting on Theater, Dance, and Jazz Clubs in Canada: From Shuffle Along to Rockhead’s Paradise,” *Journal of Communication Inquiry* 45, no. 4 (September 2021): 3, <https://doi.org/10.1177/01968599211042579>.

¹⁰ Douglas Stewart, “Closet Colored,” *Rites for Lesbian and Gay Liberation* 3, no. 4 (September 1986): 10. Here, it is interesting to note that the images in this piece are all of Doug, which shrouds the perspectives in anonymity.

¹¹ Stewart, “Closet Colored,” 10.

¹² Stewart, “Closet Colored,” 10.

¹³ Stewart, “Closet Colored,” 10.

¹⁴ Wesley E. A. Crichlow, *Buller Men and Batty Bwoys: Hidden Men in Toronto and Halifax Black Communities* (Toronto: University of Toronto Press, 2004), 81. DOI:

10.3138/9781442671645

¹⁵ Joseph Beam, “Black Men Loving Black Men,” *Rites for Lesbian and Gay Liberation* 2, no. 9 (February 1986): 11.

¹⁶ Stewart, “Closet Colored,” 11.

¹⁷ Crichlow, *Buller Men and Batty Bwoys*, 37.

¹⁸ Crichlow, *Buller Men and Batty Bwoys*, 87.

¹⁹ Beam, “Black Men Loving Black Men,” 11.

²⁰ Beam, “Black Men Loving Black Men,” 11.

²¹ Jinthana Haritaworn, Ghadia Moussa, Syrus Marcus Ware, and Gabriela Rodriguez, eds., *Queering Urban Justice: Queer of Colour Formations in Toronto*, 1st ed. (Toronto: University of Toronto Press, 2018), 212.

²² Haritaworn et al., *Queering Urban Justice*, 212.

²³ Stewart, “Closet Colored,” 10.

²⁴ Kemi Adeyemi, *Feels Right: Black Queer Women and the Politics of Partying in Chicago* (Durham, NC: Duke University Press, 2022), 4, <https://doi.org/10.1215/9781478023319>.

²⁵ Adeyemi, *Feels Right*, 4.

²⁶ Zami, “Organizing Lesbians and Gays of Colour,” *Rites for Lesbian and Gay Liberation* 2, no. 6 (November 1985): 11.

²⁷ Jennex and Ewaran, *Out North*, 190.

²⁸ “Members of Zami at Pride Day in Toronto,” image, *Rites for Lesbian and Gay Liberation* 2, no. 6 (November 1985): 12.

²⁹ Crichlow, *Buller Men and Batty Bwoys*, 30; Makeda Silvera, ““Grand Central Station for Toronto’s Queers of Colour’: The Inside History of Dewson House,” *CBC Arts*, October 5, 2021, <https://www.cbc.ca/arts/grand-central-station-for-toronto-s-queers-of-colour-the-inside-history-of-dewson-house-1.6184304>.

³⁰ *Our Dance of Revolution: The History of Toronto’s Black Queer Community*, directed by Philip Pike (Toronto: Roaring River Films, 2019), 20:14.

³¹ Rites Collective, “Notice Board – Toronto,” *Rites for Lesbian and Gay Liberation* 3, no. 4 (September 1986): 18.

³² *Our Dance of Revolution*, 20:26.

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Zami. "Organizing Lesbians and Gays of Colour." *Rites for Lesbian and Gay Liberation* 2, no. 6 (November 1985).

The Study of Sex is the Study of Power: Policing as a Site for Adopting Power Structures and Creating Power Relations in Canada

Alia Eiras

In “The Canadian Cold War on Queers: Sexual Regulation and Resistance,” Gary Kinsman analyzes political and legal links between sex, sexuality, and fears of communism during the Cold War era in Canada. In “Censor, Resist, Repeat: A History of Censorship of Gay and Lesbian Sexual Representation in Canada,” Brenda Cossman discusses the use of censorship to silence and control queer identity and representation. As this essay will show, the policing of identity discussed in these articles was not arbitrary, but rather a carefully conducted protection of hegemonic heterosexuality. Canada’s criminal justice system is an important site of analysis for sexual power relations as it provides a space for enactment of law (through legislation, court decisions, and amendments) and the off-the-books regulation of the “normal,” both conducted in the name of protecting the nation. Using the aforementioned sources, this essay will examine how both formal law and policing practices in Canada have facilitated the adoption and alteration of sexual power structures through the categorization of queer people, queer sex, and queer sexuality as deviant threats to the sanctity of Canadian society and people, thereby illuminating how the study of sex is the study of power.

First, the connection between studying sex and studying power is demonstrated by the ways the Canadian justice system has enacted laws that adopt and reinforce existing power structures of “deviant” versus “normative” sex and sexualities. For example, the Royal Canadian Mounted Police (RCMP) implemented larger ideologies of normative and acceptable sex acts, sexualities, and persons under the guise of national security during the Cold War. This is demonstrated by new categorizations of “suspect” sexualities during the Cold War period, facilitated by views of sex acts as evidence of one’s stable “sexuality.” As described by Kinsman (2022, 143), while heterosexual identity categories once included “normal” men and women who engaged in same-gender eroticism or experimentation, during the Cold War period, these people were redefined as “compromised,” meaning they were susceptible to Soviet influences. To be compromised was a result of one’s moral or character weakness—an “inability to perform oneself as ‘normal’”—which rendered one subject to blackmail (Kinsman 2022, 144). Observing the changing definitions of normality demonstrates how policing established power relations—by relegating all queer people to the status of potential fellow traveler, the RCMP was able to adopt existing power structures and enact a campaign against queer people. In fact, through such anti-queer campaigns, the RCMP investigated and “exposed” the sexuality of hundreds of public service and military workers, purging

them from their positions and eliminating their access to purportedly sensitive national security information (Kinsman 2022, 144). Ostensibly operating in the name of national security, the RCMP used the assumed deviance of queerness as a foundation for creating power relations between the nation as a whole and the “unloyal” homosexuals.

In a similar vein, censorship laws in Canada, which operate under the guise of protecting Canadian citizens, have disproportionately impacted representations of queer sex and sexuality, and thus evidence the way policing adopts power structures. For instance, in 1992, the Supreme Court of Canada (SCC), deriving from *R. v. Butler*, created the “Butler Test,” which classified pornography into three categories: “(1) sex with violence, (2) sex without violence but that is degrading and dehumanizing and (3) sex without violence, that is not degrading and dehumanizing and does not involve children.” The Butler Test was applied to determine the obscenity of materials (Cossman 2022, 177). While this test was designed to prevent Canadians from viewing or producing “violent” and “degrading” materials (albeit with heterosexual dynamics in mind), it was used, rather obviously, to unjustly censor depictions of gay and lesbian sex while rarely prosecuting heterosexual pornography (Cossman 2022, 179-80). Cossman describes the justifications given in censorship cases, noting that “while the Court stopped short of saying that it was the gayness that made the sex degrading, focusing instead on the absence of meaningful emotional relationships, it seemed as if no gay sexual representation could pass the test of good sex” (Cossman 2022, 179). In this unequal application of the Butler Test, one can observe how power flows through and from the SCC. The SCC came up with determinants of obscenity and allowed other courts to assess materials under such determinants. The very notion of an “objective” test of obscenity demonstrates the SCC’s power to implement ideals of what forms of sex are normative and acceptable. By targeting gay and lesbian sexual representations, Canadian police, customs, and courts set a standard for deviant sex acts that centred around queerness and did not include heterosexuality. Thus, the study of sex is the study of power in the sense that the justice system has adopted power structures through censorship of certain forms of sex, sexuality, and persons.

Second, the connection between sex and power becomes clear in the study of police abuse of power used to both expose and silence queerness, thereby reinforcing queerness as shameful. This is conducted through “off-the-books” methods, existing not through written laws but through the application of policing roles in non-state sanctioned ways. As previously described, the Cold War era was marked by the treatment of queer people as threats to Canadian safety, as their assumed deviance was linked to a predisposition to being blackmailed by Canadian adversaries. However, in interviewing gays and lesbians interrogated by the RCMP, Kinsman (2022, 144) finds that the

RCMP were actually the blackmailers, pressuring queer people for the names and identities of other queer people, situating their loyalty as either belonging to their friends or to their country. Not only does this intimidation tactic by the RCMP reveal an “off-the books” method of enforcing the anti-gay purge but it also demonstrates how power is involved in reifying particular sex acts as shameful. By telling gays and lesbians that other gays and lesbians were a threat to the country, the RCMP implied that all queer people were a threat to the country by nature of their sexuality. The RCMP sought to expose queerness, even through the extremes of blackmail and intimidation.

Additionally, abuse of power is observed through Canadian customs’ censorship practices, which target gay representation. For example, Cossman (2022, 183) describes how the Canadian customs’ seizure of personal computers that contain queer materials often goes uncontested, as individuals do not want to engage in legal conflicts that could make their sexuality public. If this seizure goes unchallenged, then the censorship of queer representations persists, effectively silencing queerness. Thus, these “off-the-books” police practices demonstrate how police power has adopted power structures and sustained shame surrounding queerness.

Finally, policing practices often attempt to dismantle or prevent queer organization and community building in order to sustain hegemonic understandings of sexuality and to prevent queer visibility. As described by Kinsman (2022, 144), the RCMP used intimidation and questions of loyalty to spur gays and lesbians to report one another’s deviance. To have queer people “expose” one another can be viewed as an attempt of dividing the community. However, gays and lesbians were aware of RCMP strategies and engaged in collective acts of defiance (Kinsman 2022, 146). Despite failure in preventing queer collective organization, the RCMP’s attempt reveals strides to suppress sexualities and create power relations. Furthermore, policing practices that sustained hegemonic ideas of sex and sexuality cropped up alongside increased queer liberation. For example, Cossman (2022, 175) writes, “As gay and lesbian liberation became more visible, so too did efforts by the government to censor this material, both at our border and in our courts.” In this, censorship efforts were not prompted by concerns about obscenity, but rather about preventing queer visibility and staunching any form of representation. Thus, power structures were maintained through formal law, which demonstrates the adoption and creation of power structures through policing.

In conclusion, the practices of the Canadian justice system, both during the Cold War era anti-gay purge and in various censorship cases, demonstrate how power has served to establish and maintain ideals of “normative” sex, sexuality, and people. Under formal law, such as the categorization of “suspect” identities and obscene materials, legal power served to maintain ideas of deviant and normative sex. Additionally, police abuse of power through blackmailing practices

demonstrates the relationship between power and the suppression of “othered” sexualities. Last, attempts to maintain hegemonic ideas of sex and sexuality involved the prevention of queer community building. Using Gary Kinsman’s analysis of the anti-gay ideologies persistent during the Cold War period in “The Canadian Cold War on Queers: Sexual Regulation and Resistance” and Brenda Cossman’s delineation of censorship laws in Canada in “Censor, Resist, Repeat: A History of Censorship of Gay and Lesbian Sexual Representation in Canada,” this essay has shown how the Canadian justice system exemplifies how the study of sex is the study of power.

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Parliament vs Judiciary: The Battle Over Mandatory Minimums in Canada

Sydney Benjamin

Mandatory minimum sentences (MMS) are legislative sentencing requirements that require judges to impose a predetermined minimum for specific offences (Elliot & Coady, 2016). These sentencing requirements raise the issue of Parliament's role in the judicial system and how much authority Parliament should be granted relative to the judiciary. The issue of MMS also brings into question the costs and benefits of determinate versus indeterminate sentencing. While predetermined sentences can bring about a level of certainty, many scholars argue that the costs outweigh the benefits, and that whatever benefits they do produce are not sufficient to justify their adverse effects. Thus, I argue that the expansion of mandatory minimum sentences by Parliament infringes upon judicial authority and invokes numerous negative consequences as a result. This essay will begin with a brief review of the history of MMS and the general arguments for and against their use, showcasing how they have not been necessary in the past and are ineffective policy contemporarily. Then, it will explore how the implementation of MMS oversteps Parliamentary boundaries, specifically concerning sentencing principles and the use of penal populism. Finally, it will conclude with a discussion of the ramifications of MMS, including financial burdens, systemic injustices towards Indigenous peoples, and ineffective crime deterrence.

Historical Review and Inefficacy

First, there are various arguments both in favour of and against the use of MMS in criminal law. Those in favour of the use of MMS argue that they create a sense of uniformity and equality in sentencing by removing some judicial discretion (Elliot & Coady, 2016), that they carry out goals of deterrence, incapacitation, and retribution (Elliot & Coady, 2016), and are essential to the democratic process (Chaster, 2018). The arguments opposing MMS are numerous, but the most relevant include the infringements upon judicial discretion and sentencing principles, increased costs, reinforcement of systemic injustices, and ineffective deterrence. Next, the use of MMS does not have extensive historical precedent in Canadian criminal law. The original Criminal Code, instituted in 1892, utilized maximum sentences and included few minimum sentences to leave space for judicial discretion in sentencing (Chaster, 2018). For example, first- and second-degree murder have long had MMS (Elliot & Coady, 2016), but most offences have maximum rather than minimum penalties. This allows for some universality and certainty within sentencing while permitting judges to use their

expertise to properly determine the best sentence for the specific offence and offender. The expansion of MMS in Canadian law began with Liberal prime minister Jean Chrétien in an attempt to introduce stricter gun control policies (Chaster, 2018). As an illustration, in 1987 there were only nine MMS for criminal offences (Chaster, 2018). As of 2021, there were close to 134 (Segel-Brown et al., 2022). Thus, before 1987, for most of Canada's legal history, MMS have not been deemed necessary.

Furthermore, MMS are not particularly efficient in their contemporary uses. Deterrence is often cited as a primary justification based on notions of deterrence theory. Deterrence theory proposes that longer sentences for criminal offences will deter others from committing that offence and reduce the chances that the offender will re-offend, also known as recidivism (Doob, 2016). The evidence and research on this method of crime control, however, do not necessarily support this conclusion, as numerous studies have found that MMS do not have a deterrent effect (Doob, 2016). The lack of evidence on the effectiveness of MMS in deterring crime, and the additional inefficacy of deterrence as a method of crime control, brings into question what purpose the increased use of MMS would serve in the Canadian criminal justice system.

Parliamentary vs Judicial Authority

In this section, I argue that Parliament implementing MMS is an example of penal populism infringing upon judicial authority and discretion. To begin, MMS reduce the ability of judges to exercise their judicial discretion in applying the sentencing principles outlined in the Criminal Code. The fundamental principle of sentencing is proportionality, meaning that the sentence must be proportionate to how serious the offence is and the degree of culpability and moral blameworthiness that the offender holds (Elliot & Coady, 2016). Judicial discretion allows judges to weigh the specific circumstances of the offender and the characteristics of the offence, and make a decision about sentencing based on those factors. Discretion is a crucial aspect of sentencing in Canada, as offenders and their circumstances require individualized consideration to craft a proportionate sentence (Chaster, 2018). It is important to take these factors into account when considering whether or not a sentence fits within the bounds of proportionality. MMS, however, remove this discretion for the crimes to which they must be applied. When Parliament introduces a general mandate of required minimum sentences for certain offences, it leaves no room for judges to address the individual characteristics of the offence, which are only available later in the judicial process (Kennedy, 2020). With offences that carry MMS, judges must implement the minimum sentence even if they do not think it is proportionate to the offence, creating a binding effect (Segel-Brown et al., 2022). MMS

also have a normative effect, as they act as a point of reference for sentencing. As sentencing is guided by what sentences have been given in the past for the same offence, MMS can increase what is viewed as a ‘normal’ sentence for specific offences (Segel-Brown et al., 2022). This creates an inflationary floor, where the minimum sentences are distributed to only the least morally blameworthy offenders in the best circumstances (Chaster, 2018). As a result, MMS can raise the average range of sentences for all the offenders except those who fit the criteria of low moral blameworthiness or “good” circumstances (Chaster, 2018).

Furthermore, MMS are an example of penal populism. Penal populism is concerned with creating crime control policies based on common sense rather than scientific methods, often advocating for punitive criminal justice practices regardless of efficacy (Ruddell, 2020). This concept is frequently used to help politicians appear positively to voters as tough-on-crime approaches are popular among the electorate (Ruddell, 2020). Penal populist strategies are often politically successful, but not effective in completing their goals in practice. MMS are an example of penal populism in Canada. They are a strategy for politicians to garner support from voters with appealing tough-on-crime policies rather than a good-faith effort to improve the criminal justice system and the judicial process (Elliot & Coady, 2016). Not only are tough-on-crime and punitive criminal justice policies generally ineffective (Ruddell, 2020), but MMS specifically have been proven to be ineffective at deterrence (Doob, 2016). Thus, Parliament’s implementation of MMS is not a genuine effort to improve sentencing in the Canadian criminal justice system, but rather to gain support from the electorate and retain office. In doing so, Parliament places political and symbolic goals above any goals of effective crime control (Elliot & Coady, 2016). Overall, MMS are an infringement upon the authority of the judiciary. When Parliament implements these sentencing provisions, it inhibits judicial discretion, hinders the proportionality mandated by sentencing principles, and displays an obvious use of disingenuous penal populism.

The Consequences of MMS

In addition to Parliament overstepping its boundaries, the use of MMS also creates several unintended negative consequences for the Canadian criminal justice system. First, MMS increase the financial burden on the justice system. As MMS can result in judges issuing longer sentences, an increase of inmates in custody and thus an increase in costs occurs (Segel-Brown et al., 2022). Additionally, sentences longer than two years are served in federal correctional institutions, meaning that inmates who would have otherwise been serving in provincial institutions must serve in federal custody (Segel-Brown et al., 2022). As a result, the Correction Service of Canada (CSC) incurs

higher costs. To explain, a report from the Office of the Parliamentary Budget Officer by Segel-Brown et al. (2022) analyzes this through the lens of the potential impacts of the 3-year minimum sentence for possession of a prohibited or restricted firearm with ammunition, introduced in 2008. It notes that the effect of this sentence would create an additional 684 people in custody and 467 people on parole, which it uses to calculate a potential figure for increased costs. The expected cost for this increased number of offenders in custody and on parole is approximately \$98 million annually (Segel-Brown et al., 2022). Most of the CSC's financial expenses come from salary costs, which accounted for 72% of its net spending in 2019-2020 (Segel-Brown et al., 2022). MMS can impact these costs because there are minimum staffing levels to operate each facility (Segel-Brown et al., 2022). An increased number of inmates due to longer sentences increases the number of staff required in a facility, thus increasing the number of employees the CSC must pay.

Moreover, MMS reinforce systemic injustices within the criminal justice system. Minimum sentences disproportionately affect Black and Indigenous people. For instance, as a result of the minimum sentence for possession of a prohibited or restricted firearm with ammunition, Black and Indigenous offenders experienced a disproportionate increase in time sentenced to federal custody. Black people make up 3.5% of the population but received a 24% increase in federal custody sentence lengths, and Indigenous people make up 2.6% of the population but received a 22% increase in federal custody sentence lengths from this MMS (Segel-Brown et al., 2022). Furthermore, MMS remove the ability of judges to take into consideration social contexts and the barriers faced by oppressed groups in society (Elliot & Coady, 2016). While MMS as a policy do not outwardly appear to be discriminatory, they nonetheless have indirect disproportionate effects on marginalized groups, contributing to their systemic oppression (Chaster, 2018).

Finally, it is important to pay special attention to the impacts of MMS on Indigenous populations. Indigenous offenders receive specific consideration in sentencing as a recognition of the systemic oppression still faced by Indigenous communities today as a result of the residential school system. These considerations are outlined in section 718.2(e) of the Criminal Code, also known as the Gladue factors, and provide additional sentencing discretion for Indigenous offenders (Way, 2019). This legislation requires judges to consider the systemic injustices faced by Indigenous communities and their effects, to provide lenient sentences, or avoid incarceration altogether (Way, 2019). The imposition of MMS, however, removes judicial discretion and thus impedes the ability of judges to exercise the special judicial discretion afforded to cases involving Indigenous offenders (Way, 2019). Therefore, the infringement of Parliament upon judicial authority is not only an infringement upon the authority of the judiciary but also upon the rights of Indigenous offenders.

Limiting judicial discretion not only affects judges' abilities to apply broad sentencing principles like proportionality, but it also hinders their ability to apply important and specific sentencing principles relied on by a marginalized community. The Indigenous population is already greatly overrepresented in the Canadian criminal justice system (Way, 2019), and thus measures must be taken to avoid further contributing to this issue.

Conclusion

In summary, the expansion of MMS by Parliament is not justifiable. Historically, they have not been needed and have been proven ineffective in the objective of deterrence. In increasing the use of these sentencing provisions, Parliament effectively removes the authority granted to the judiciary by limiting its capabilities for discretion and inhibiting its ability to enact the sentencing principle of proportionality. Overall, this matter is an issue of penal populism, as politicians are not seeking to provide effective crime control policy but rather want to appeal to the electorate for political gain. Finally, the widespread use of MMS escalates the financial cost of incarceration and contributes to systemic injustice faced by Canada's marginalized populations. Therefore, the use of MMS must remain limited in Canadian criminal law. The lack of evidence regarding their efficacy and the multitude of adverse effects demonstrates not only their unsuitability but also the serious and dangerous effects of their continued use in Canada.

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Bill 21: Future Implications

Rebecca Herlich

Quebec is a unique province whose sense of nationalism underwent a drastic shift through secularization and separation of State and the Catholic Church during the Quiet Revolution in the 1960s (Breton 94). That same time period is also associated with Quebec taking control of its governance—the systems and operations that impact its political and economic stability and general welfare (Breton 94). Birth rates decreased and the immigrant, non-French-speaking population rose (Breton 96). To combat this decline of the French language and fear of the Anglophone community becoming the majority in Quebec, French was mandated as the official language of Quebec in 1974 and the language to be used within public services (Breton 96). Eventually more immigrants began speaking French, and the French language became disassociated from religion and ethnicity (Breton 98). Secularity became an important aspect of Quebec's identity and Premier François Legault felt it was time for there to be neutrality in the public domain with Church and State being separated (Mamluk 57). To further this, Bill 21 was enacted in 2019, which enforced state neutrality by forbidding the use of religious symbols by public servants in Quebec (Mégret 17). Workers such as teachers, police officers, prison guards, and judges are impacted by Bill 21 (Potvin et al. 4). This is controversial as it asks people to choose between expressing their religious background and their profession, putting individuals in the position of having to leave their job if they are not willing to discard their religious symbol. Bill 21, while intended to contribute to the religious neutrality of Quebec, causes negative social, economic, and cultural implications with long-term detrimental effects on Quebec's labour market, population growth, cultural diversity, and social cohesion. It was designed to promote religious neutrality in Quebec, but instead it perpetuates racial discrimination and marginalization, leading to the alienation of diverse cultural groups and a climate of exclusion.

Despite Bill 21's attempt to increase equality and religious secularism within Quebec, the bill aggravates preexisting social divisions, decreasing Quebec's progress as a multicultural society and weakening social cohesion. As stated by Kymlicka, social cohesion within multinational states is dependent on a "multinational conception of citizenship to be fair and effective" (Kymlicka 282). This means that citizenship must extend beyond one's ethnicity and belonging to a specific group in order to allow everyone to identify with the given nation. Bill 21 negates this concept as it does not allow for religious diversity and creates an "us versus them" mindset. Those whose religious attire goes beyond a discreet religious symbol will feel a lack of belonging, while those who are not affected by the bill may feel a sense of superiority, reaffirming racist mindsets. Bill 21 favours a

homogeneous view of Quebec society as opposed to a multicultural one (Kymlicka 282). This bill unfairly targets and discriminates against minority groups and furthers polarization (Di Matteo 5-6). A study conducted in 2022 through interviews of 24 Muslims who had been affected by Bill 21 reaffirms the negative impacts of the law. Fourteen of the interviewees described feelings of wanting to leave Quebec because of the bill (Di Matteo 5). As seen through this study, Muslim women in particular have experienced a depletion in their sense of belonging as a result of this law. Their desire to leave Quebec highlights how the bill fails to contribute to the shared sense of belonging necessary for social cohesion. Another study revealed that 73% of Muslim women, 46% of Jewish women, and 85.7% of Sikh women felt as though their safety had declined since the implementation of the bill (Di Matteo 5). For instance, one Muslim Canadian reportedly stopped wearing her hijab out of fear and nervousness due to increasing hate crimes (Abedi).

Before the introduction of Bill 21, racism and Islamophobia had already been issues within Quebec (Watts). For example, in 2017, the Mosquée de Québec experienced a deadly shooting motivated by Islamophobia that killed six men and left 19 others injured (Watts). A Montreal-based legal support group in Quebec has reported receiving more complaints of hate-based incidents in connection with the implementation of Bill 21 (Abedi). Social cohesion cannot be present if portions of Quebec society no longer feel safe or able to fully express their religious identity. Bill 21 emboldens this discrimination by opposing visible religious diversity, fueling populist fears and racism (Potvin et al. 56). As the bill intends to reflect Quebec's secularism, those impacts may be viewed as being against Quebec's values as a nation. This perception reinforces the racialization of religion and negative associations with religious observances that don't fit into a white homogeneous society (Potvin et al. 59).

Additionally, Bill 21 has profound economic implications, including its immediate detrimental effects on Quebec's labour market, the outflow of skilled workers, and future impacts on declining birth rates and workforce sustainability. Bill 21 discourages diversity within professions such as teaching. For example, religious attire such as hijabs and kippahs cannot be worn. These limitations can cause turmoil for people affected by these laws as they must choose between following their religious observance but losing their job or removing an important aspect of their religious identity. A survey conducted on students and recent college graduates conveyed that 69.5% of people surveyed were reportedly very likely or somewhat likely to look for work outside of Quebec in relation to Bill 21 (Potvin et al. 72). A direct impact of Bill 21 is that qualified people are choosing to work outside of Quebec. The pool of individuals available in the

employment sector will be limited as people are leaving or proposing to leave Quebec in favour of religious freedom. For example, in 2021 Fatemah Anvar, a beloved teacher in Quebec, was removed from the classroom for wearing a hijab (Potvin et al. 53). During this time there were teacher shortages and the Covid pandemic (Potvin et al. 53). The government's choice to remove a worker at an already precarious time highlights its priorities of secularism over the well-being of its citizens.

As well, issues such as immigrants in Quebec not identifying with Quebec might be exacerbated through this law as they are further isolated from Quebec's supposed values. This could also cause minorities to not want to immigrate to Quebec. The overall increase in people, Muslim women in particular, leaving Quebec affects birth rates. Quebec has been struggling with declining birth rates since the Quiet Revolution (Breton 95). This challenge may further strain Quebec's labour market as reliance on immigration may increase in order to keep its population stable. If people such as Muslim women with hijabs leave Quebec and work elsewhere, children will no longer see diversity in learning environments. The lack of visual diversity would be reflected in a deficiency of perspectives where children are receiving their education. Bill 21 restrictions limit diversity within the workforce, resulting in a weakened labour market, decline in skilled workers, and less immigration. These effects threaten Quebec's economic and demographic stability.

While Bill 21 is within Quebec, its effects spread into Canada as a whole and raise constitutional concerns regarding national identity, legal precedents, and federal-provincial tensions. Through Section 33, the Notwithstanding clause, Quebec could make laws without being challenged by courts on the basis of it going against the Charter of Rights and Freedoms (Mégret 238). The use of the Notwithstanding clause highlights the discriminatory nature of the Bill and how it goes against the Canadian ideals seen within the Charter of Rights and Freedoms. Bill 21 sets a precedent, enabling provincial governments to override individual rights for cultural and political gains. Its creation because of Law 33, the Notwithstanding clause, conflicts with Canada's own commitments to international human rights, which state that "Section 33 is never invoked in circumstances which are contrary to international law" (Mégret 239). Pluralism, which we see throughout Canada, allows individuals of differing nationalities to live side-by-side with the ability to dress, act, and speak in a way that is representative of their culture without being scrutinized. Within an "imagined" community, members of a nation will never all know one another but different groups coexist peacefully and respect one another (Anderson 49). Quebec's Bill 21 contradicts pluralism. Bill 21 was created to promote secularism through religious neutrality within public institutions, but it disrespects the expression of religious diversity, thus denying pluralism (Mégret 217).

Bill 21 demonstrates Quebec's relationship with opposing liberal majority values, such as secularism, in comparison to minority values, such as multiculturalism. As well, it exemplifies why minorities identify with a Canadian view of nationalism instead of a Quebec one. According to Kymlicka, "you need to address liberal self-understandings of secularism, and how these self-understandings are systematically biased against minorities" (Kymlicka, *Ethnicities*, 974). The quote examines how Quebec's own understanding of secularism and its goal of religious neutrality is inherently anti-multicultural. Within Quebec, the majority of liberal values is viewed as inherently secular and civic while minority groups are seen as fundamentally ethnic and go against Quebec secular ideals (Kymlicka, *Ethnicities* 979). Bill 21 shows biases through the allowance of a small cross and the disallowance of a more visible garment like a hijab. The cross does not interfere with secular ideals while the hijab does. Due to Quebec's limited view of who is included, minorities embrace identity as Canadian (Kymlicka 284). Canada allows for religious diversity and supports multiculturalism. Bill 21 identifies how Christianity is of value to society, while ethnic minorities are not, through the banning of religious garments within jobs of authority. Minorities' lack of identification with Quebec is clear through their identification with Canada (Kymlicka 284). For example, first- or second-generation immigrants' identification with Canada is as high as Native, white, and English-speaking populations (Kymlicka 284). In Quebec, immigrants and ethnic minorities often do not support Quebec separatism, which exemplifies their lack of association with Quebec (Kymlicka 283). Bill 21 challenges Canada's identity as a multicultural state and exemplifies ideological divides between what it means to be a citizen of Canada or Quebec (Mégret 218). Bill 21 is assimilationist as it bans wearing religious symbols. This leads to less overt religious diversity, causing Quebec's population to become homogeneous.

With Canada's history of colonialism, Bill 21 goes against what Canadians have been looking to rectify with truth and reconciliation. There are unfortunate similarities between the inherent racism in Bill 21 and laws like the Indian Act of 1869 that were enacted to force the erasure of language, culture, and tradition of Canada's Indigenous people (*The Canadian Encyclopedia*). Bill 101, which also enacted French as the spoken language in Quebec in 1977, intersects with Bill 21 as it is another sign of the government dictating to the people of Quebec how they should communicate, with the preservation of French culture at the forefront, thus minimizing other cultures' significance within Canada (Charter of the French Language, Chapter 1, 2). Bill 21 has the effect of further alienating the Indigenous population as it is still reeling from the trauma inflicted many years ago, only to see legislation like Bill 21, which serves as a reminder of the hegemony that still exists in

Canadian society and especially Quebec, with White French Catholic culture at the top and all others below.

Bill 21, while intended to promote religious neutrality and secure secularism as a core value of Quebec, furthers racial discrimination and marginalization, leading to the alienation of diverse cultural groups and a climate of exclusion. Bill 21 leads to religious discrimination and limits social cohesion by forcing individuals to choose between their religion and professions. It perpetuates racism as it identifies religious symbols, such as a hijab, as too religious for Quebec's secular ideals. Bill 21 contradicts multiculturalism by promoting homogeneity over diversity and alienates minorities, causing polarization to occur. This contributes to negative economic impacts as qualified individuals who display overt religious symbols are pushed from their professions, creating a homogeneous workforce and losing qualified people to other parts of the world. This leads to less immigration and the lowering of birth rates as a result of these immigrant groups leaving Quebec for religious freedom. Bill 21 relies on the Notwithstanding clause to override the rights and freedoms of religious expression, thus highlighting contradictions between Canada's multicultural identity and Quebec's secular ideologies. Bill 21 resembles past assimilationist policies such as the Indian Act, which was created as an erasure of cultural diversity. Quebec's progress towards multiculturalism during the Quiet Revolution and into the present is undermined and set back because of this law. Bill 21's emphasis on the religious rights of its population raises concerns regarding future laws made in Quebec to further homogenization and alienation of minorities. The law increases Quebec tensions as Bill 21 negates Canada's civic and open view towards diversity. The bill needs to be reexamined based on the values Canada holds towards multiculturalism and valuing diversity for population growth, social cohesion, and labour market security to flourish.

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Surveilling the Margins: Privacy Laws and Racialized Governance at Canadian Borders

Tisya Raina

Introduction

In an era defined by increasing globalization and digital interconnectedness, the governance of personal data has emerged as a critical issue in balancing individual rights with state authority. Canada's privacy framework, anchored by the Privacy Act, seeks to protect individuals' personal information while enabling its lawful use by public entities. These laws outline the parameters for data collection, use, and disclosure, striving to harmonize privacy rights with public interests such as national security. However, the growing scope of data collection at Canada's borders highlights the role of biopolitical control—where the state governs populations by monitoring, categorizing, and regulating individuals through data collection and surveillance. This paper examines how Canada's privacy laws, particularly national security exemptions, enable and legitimize such surveillance practices, embedding them into governance structures. Rather than solely safeguarding privacy, these laws leverage national security exemptions to justify extensive data collection, disproportionately impacting marginalized communities and enhancing the state's capacity to monitor and control under the pretext of security. By normalizing invasive surveillance, Canada's privacy laws contribute to systemic inequities while framing these measures as essential to public interest.

To contextualize this dynamic, it is essential to explore Michel Foucault's concept of biopolitics, which refers to the mechanisms through which the state governs populations by monitoring, categorizing, and regulating individuals' lives (Scher, 2020). Biopolitics includes processes of normalization, where security practices regulate those identified as not "normal," who are then disciplined to conform (Finn et al, 2020). This framework connects directly to how national security is invoked to justify invasive border security measures. By framing biopolitical control as a key lens, this analysis underscores how privacy laws facilitate such governance under the guise of national security. This paper begins by examining the Privacy Act, emphasizing provisions that allow for extensive data collection and disclosure under national security exemptions. It then investigates how these legal frameworks contribute to the normalization of surveillance, framing it as an integral aspect of state governance. Finally, it highlights the disproportionate impacts on racialized and vulnerable populations, particularly at Canada's borders.

The Legal Framework for Privacy in Canada

Canada's privacy and surveillance landscape is shaped by the Privacy Act and the Personal Information Protection and Electronic Documents Act (PIPEDA). While these laws are intended to protect personal information, they enable broad government and private-sector discretion to collect, use, and disclose personal data—especially when it relates to national security and law enforcement. These provisions create conditions where surveillance becomes routine, often undermining individual privacy rights. PIPEDA is important to the broader discussion of Canadian privacy laws and biopolitical control because it governs the collection, use, and disclosure of personal data by private sector entities, including those involved in border security, like airlines and technology companies. As these private organizations share data with government agencies such as the Canadian Border Services Agency (CBSA), PIPEDA intersects with the Privacy Act in shaping how personal data are handled. However, PIPEDA is not the focus of this paper, as the analysis is concentrated on how the Privacy Act, particularly its national security exemptions, facilitates state surveillance and control, particularly at borders. PIPEDA governs private sector practices, which, while relevant, lies outside the scope of this paper's focus on government-driven data collection and surveillance mechanisms.

Overview of the Privacy Act

The Privacy Act governs how federal government institutions collect, use, and disclose personal information. Canadian privacy laws, particularly the Privacy Act, reinforce biopolitical control by legitimizing the collection and use of personal data at borders. Although the Act is designed to protect privacy, its provisions, especially the broad national security exemptions, enable the routine and invasive collection of personal data, undermining individual privacy rights and enhancing the state's capacity to monitor and control marginalized communities. Section 4 of the Privacy Act stipulates that “no personal information shall be collected by a government institution unless it relates directly to an operating program or activity of the institution” (Privacy Act, 1985). While this may seem like a limitation, the scope of this provision is broad enough to justify the collection of personal data for national security and border-related activities, such as those carried out by the CBSA. The CBSA, under the guise of national security, collects sensitive personal details like names, birthdates, travel histories, and biometric data through programs like the Advanced Passenger Information and the Entry/Exit Initiative. These programs monitor travel patterns and create databases that can be shared across government institutions under Section 8(2), which allows

for the disclosure of personal information without consent for various purposes, including law enforcement and national security (Privacy Act, 1985).

Section 8(2) explicitly enables the government to disclose personal data without consent in several scenarios, such as “for any purpose in accordance with any Act of Parliament or any regulation made thereunder that authorizes its disclosure” (Privacy Act, 1985). This clause permits the routine sharing of data for national security purposes, reinforcing a surveillance infrastructure that operates with minimal oversight. Additionally, Section 8(2)(c) allows disclosure for the purpose of “enforcing any law of Canada or a province or carrying out a lawful investigation,” which can further justify the collection and use of personal data under security pretexts. These provisions create a framework in which personal information is treated as a resource to be accessed and used by the state, often without meaningful consent or transparency. The idea of the “public interest” in Section 8(2)(m), which allows for disclosure if “the public interest in disclosure clearly outweighs any invasion of privacy,” further compounds the problem, as the term “public interest” is left open to broad interpretation, often to the benefit of government agencies (Privacy Act, 1985).

Far from safeguarding privacy, these provisions contribute to a framework that systematically enhances the state’s capacity to monitor and control individuals, particularly marginalized communities. Section 22 of the Privacy Act exemplifies this trend by permitting the withholding of information if its disclosure “could reasonably be expected to be injurious to the conduct of international affairs, the defense of Canada, or the detection, prevention or suppression of subversive or hostile activities” (Privacy Act, 1985). This clause provides a sweeping justification for the state to limit transparency and oversight, particularly in the context of national security and law enforcement. The broad use of national security as a rationale for withholding personal data means that the government is able to operate with little accountability, often at the expense of the very privacy the Act purports to protect.

These exemptions disproportionately affect vulnerable populations, including immigrants, racial minorities, and other marginalized groups, who are more likely to face heightened surveillance, particularly at border crossings. These communities often experience increased scrutiny and are more likely to be subject to the routine collection and sharing of personal data, creating a cycle of surveillance that is difficult to challenge. With little ability to contest the collection or use of their personal information, these individuals find themselves increasingly controlled and monitored by the state. In this way, the Privacy Act and its national security exemptions don’t merely provide privacy protection; they create a system that legitimizes the expansion of state surveillance and biopolitical control, reinforcing inequities under the guise of security.

Biopolitical Control and the Normalization of Surveillance

Biopolitical control, as described by Michel Foucault, refers to the mechanisms through which the state governs populations by monitoring, categorizing, and regulating individuals through data collection and surveillance (Scher, 2020). Rather than exercising power through overt military or political force, biopolitical control operates through subtle, pervasive means of managing individuals' lives and behaviour, often under the guise of security or public interest. The state's role in this form of control is to render governance invisible and accepted, thus normalizing mechanisms of surveillance that would otherwise be viewed as intrusive (Scher, 2020). Within Canada's privacy framework, borders emerge as a focal point for this type of control. Here, privacy rights are particularly vulnerable, as individuals are subjected to invasive monitoring practices that are justified by national security concerns. At these border points, the state has the ability to track people's movements and behaviours through biometric data, travel patterns, and personal history, reinforcing the normalization of surveillance as part of everyday governance (Bircan & Korkmaz, 2021). As individuals pass through borders, they often do so with the implicit understanding that their personal data will be collected and shared, without explicit consent or transparency as this data collection is presented as mandatory in carceral spaces, such as airports and other border crossings (Hiller, 2010; Gidaris, 2020). The erosion of privacy in these spaces is not a random occurrence; it is embedded within a broader strategy of biopolitical management, where data collection is justified in the name of national security.

A critical component of biopolitical control is the normalization of surveillance practices, which occurs when data collection becomes routine, and the state's actions are legitimized by legal exceptions. In Canada, the Privacy Act plays a key role in facilitating this normalization, providing broad exemptions for data collection and disclosure when national security is at stake. For instance, the Privacy Act employs vague and open-ended terms such as "reasonable," "appropriate," and "public interest" to justify the collection and sharing of personal data without clear boundaries (Privacy Act, 1985). These terms leave significant room for interpretation, enabling the government to exercise wide discretion in determining what data can be collected and for what purposes. Section 4 of the Privacy Act, for example, permits government institutions to collect personal information as long as it "relates directly to an operating program or activity of the institution" (Privacy Act, 1985). This broad stipulation is especially relevant at the borders, where government institutions like the CBSA routinely collect sensitive personal data in the name of national security, immigration, and public safety. The Privacy Act does not place sufficient limitations on the scope of this data

collection, allowing surveillance practices to become a normalized part of governance rather than an exceptional or temporary measure.

The Privacy Act's provisions, particularly those in Section 8(2), further institutionalize this normalization by permitting the disclosure of personal data without consent for purposes such as law enforcement and national security (Privacy Act, 1985). The CBSA's use of automated risk assessment systems, like the Passenger Name Record analysis, exemplifies how surveillance is entrenched in the operation of national borders (Lyon & Wood, 2020). These systems flag individuals for further scrutiny based on opaque criteria, disproportionately affecting racialized and marginalized groups, reinforcing a system of biopolitical control where surveillance is routine and unchallenged (Gidaris, 2020). In this context, personal data is not just collected for isolated purposes; it becomes part of a larger system where individuals' movements and behaviours are continuously monitored, categorized, and regulated. Over time, the public becomes accustomed to the idea that their data will be collected, stored, and shared, often without their explicit consent, further diminishing resistance to surveillance. As a result, privacy is no longer seen as an inviolable right but as a flexible concept that can be compromised in the name of security, contributing to a climate where state power and control over individuals are normalized.

Impact on Marginalized Communities

The CBSA's 2020 data offer a stark illustration of the systemic racial profiling that occurs at Canada's borders, amplifying the disparities in treatment between racialized and non-racialized individuals. One-quarter of front-line employees surveyed at Canada's border agency reported witnessing a colleague discriminate against a traveler in the past two years, with 71% attributing the discrimination to race and over 75% citing national or ethnic origin (Bronskill, 2022). The CBSA report underscores a disturbing pattern: racialized individuals—especially those of African and Middle Eastern descent—are disproportionately subjected to enhanced scrutiny, including more frequent stops, questioning, and invasive security checks (Bronskill, 2022). In fact, the data show that racialized travelers are far more likely to be selected for secondary inspection, where they are asked more detailed questions, subjected to body searches, or even have their belongings scrutinized in ways that non-racialized individuals do not (Bronskill, 2022). This practice reflects not only an inherent bias in security protocols but also a legal framework that permits such disparities under the justification of national security.

This form of racial profiling is not incidental but rather facilitated by the policies and legal exemptions that are embedded in the Privacy Act. This regulation, particularly the broad national

security exemptions, enables border security agencies to collect, share, and use personal data with minimal oversight, often without the individual's explicit consent. The racial disparities highlighted in the CBSA data are thus further exacerbated by the lack of transparency and accountability in how personal information is used and shared within the context of border security. Under the guise of national security concerns, border security agencies are granted wide-ranging discretion to engage in practices that, in many instances, disproportionately affect racialized and marginalized individuals.

One of the most troubling aspects of this racial profiling is the way it becomes self-reinforcing. The increased scrutiny of racialized individuals at the border leads to the collection of more data about them, often stored in databases that can be accessed by other government agencies (Lyon & Wood, 2020). This information is then used to justify future monitoring and increased surveillance. In this way, individuals who are already targeted because of their race or immigration status become further entrenched in the surveillance state, making it even more difficult to challenge the ongoing scrutiny or escape the cycle of discrimination. As these individuals are continuously profiled and recorded in databases, their privacy rights are systematically undermined, and their ability to fully participate in society is restricted. This vicious cycle of surveillance is a direct result of the legal exemptions that allow for routine data collection at the border, which disproportionately targets marginalized communities.

Moreover, the psychological and social toll on racialized individuals subjected to such profiling is profound. The constant reminder that their movements are being monitored and that they are viewed with suspicion by the state can lead to feelings of alienation, distrust, and even fear. Many racialized travelers report avoiding certain travel routes or avoiding travel plans altogether to minimize the likelihood of being targeted for enhanced screening (Hiller, 2010). This is especially troubling for those who are already marginalized, such as refugees and asylum seekers, who may already feel vulnerable due to their immigration status. The impact is not merely procedural but deeply personal, as individuals internalize the sense that they are being treated as potential threats because of their race or background. This creates an atmosphere where privacy is not just violated in a technical sense but is fundamentally disrupted in a way that undermines individuals' sense of security and belonging within the country (Lyon & Wood, 2020).

Racial and gender biases in technology further highlight the intersection of surveillance, discrimination, and exclusion, where technologies designed to monitor and control disproportionately impact marginalized communities. These technologies and data-driven practices—such as those used at borders—are often embedded with racial and gender biases that further marginalize these groups (Browne, 2015). Studies have shown that there are higher rates of

error, particularly in facial recognition systems, for women and people of colour, which exacerbates their unequal treatment in security processes. These biases not only affect racialized individuals but also compound the challenges faced by women, who may already experience heightened vulnerability due to gendered discrimination (Browne, 2015). This reflects how legal frameworks, like the Privacy Act, enable surveillance practices that perpetuate systemic inequalities, where the most vulnerable are surveilled, controlled, and excluded. In the context of border security, such racial and gender biases can be exacerbated by unchecked technological monitoring that targets these individuals, contributing to their continuous profiling, higher rates of misidentification, and exclusion from societal participation.

The Privacy Act, intended to protect privacy, reinforces the very practices that perpetuate racial discrimination. The national security exemptions and the broad powers granted to border security agencies enable practices like racial profiling to persist unchecked, leading to the routine invasion of privacy for racialized individuals. The systemic bias within these security practices is further entrenched by the legal framework, which fails to offer adequate protections against racial discrimination or to ensure meaningful oversight. As a result, marginalized communities bear the brunt of a surveillance infrastructure that disproportionately targets them, all under the pretext of national security. This creates a deeply unequal and unjust system where the privacy rights of these individuals are not only routinely violated but also systematically disregarded (Bronskill, 2022).

Conclusion

The Privacy Act provides broad exemptions for national security purposes, enabling the routine collection and disclosure of personal data without the individual's consent. This framework, while framed as a tool for protecting national security, disproportionately targets marginalized communities, subjecting them to heightened biopolitical surveillance and eroding their privacy rights. Through these legal provisions, the state gains an unchecked ability to monitor, categorize, and control populations under the justification of security, thus normalizing surveillance as an essential and acceptable aspect of governance.

As we consider the implications of these legal structures, it is clear that there is an urgent need for a rebalancing of national security measures with robust privacy protections. The privacy rights of vulnerable populations, such as racial minorities, refugees, and asylum seekers, must be safeguarded against over-surveillance and systemic discrimination. Strengthening privacy laws to ensure more precise definitions, clearer limits on data collection, and stronger oversight mechanisms could help mitigate the negative impact of these legal provisions. Ultimately, protecting

individual privacy is not only about limiting state power but also about ensuring that marginalized communities are not further disenfranchised by a system of unchecked surveillance. In doing so, Canada could uphold its commitment to privacy as a fundamental right while maintaining the necessary security measures to protect the public.

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Unpacking the Continuous Passage Law and the Rejection of South Asian Immigrants in Canada:

The 1914 Case of the *Komagata Maru*

Daya Charchun

The story of immigration to Canada in 1914 is filled with complexities that require review and analysis to understand the journey of the people who, by choice or not, landed on Canadian shores. One example is the journey to the port of Vancouver, specifically Vancouver's Burrard Inlet. The immigration journey was often wrought with physical and mental challenges, including dangerous voyages to get here and opposition to entering the country. One story that highlights immigrants who were not welcomed as newcomers is the story of the passengers of the Japanese ship *SS Komagata Maru*. The *SS Komagata Maru* carried over 376 Punjabi passengers, the majority of whom were Sikh men along with a small minority of Hindus and Muslims (Roy & Sahoo, 2016, p. 85). This is critical to point out since all passengers who made this journey were South Asian.

On examination of the case of the *Komagata Maru*, we can observe discriminatory legal immigration policies as a consequence of the Continuous Passage Law. This law allows only immigrants who have made a direct journey to Canada from their country of origin to immigrate. This point is important because this law showcases that colonial ideology is deeply rooted in the historical foundations of our legal and political system. This is emphasized through xenophobia and minority exclusion as a framework of Canadian immigration policy in the early 20th century. This paper aims to highlight that the case of the *Komagata Maru* challenged the Canadian narrative at the time regarding immigration. Highlighting racist colonial immigration legislation will unpack the prejudice entrenched in the Canadian narrative at the time. Further, the exploration of this case will show how resistant the colonial policies were to the passengers of the *Komagata Maru* in fighting for their right to immigration status. Moreover, by revealing racist immigration policies such as the Continuous Passage Law, we can learn about the level and depth of rejection specific populations faced when attempting immigration to Canada.

Diving Deeper into Continuous Passage Law

Narratives regarding immigration to Canada in the 20th century suggest views that are xenophobic and racist. The Canadian government created and adapted legislation surrounding immigration to protect its ideology of who gets to be Canadian. This is reflected through the adoption of the 1908 Immigration Act. In this image, we see discriminatory language being used to reject immigrants who are not the vision of who a Canadian should be in the eyes of the government.

Reviewing the Continuous Journey Act is key to understanding how the government alienated specific immigrant groups. The language in S.38(a) states “prohibit the landing in Canada or at any specified port of entry into Canada of any immigrant who has come to Canada otherwise than by continuous journey from the country of which he is a native or naturalized citizen, and upon a through ticket purchased in that country, or prepaid in Canada.” (**Figure 1**). Words such as “prohibit” and “naturalized citizen” highlight exclusionary ideology. “Prohibit” is direct language communicating that immigrants will be denied entry and rejected from our land. This law targets immigrants from non-European countries: a direct journey to Canada from Asia was difficult or next to impossible.

In addition, the term “naturalized citizen” has a deeper meaning. The use of “naturalized” emphasizes that immigrants wanting to come to Canada are already accustomed to their natural land. In this case, the continuous journey law assumes that if you are not able to make a direct passage from your natural land, then you are deemed unworthy of the Canadian government’s consideration for citizenship. During the early 1900s, Canadian immigration reflected concepts of “areas of racial desirability” (Almy, 2018, p. 305). Furthermore, looking at S.38(c) of the Immigration Act in 1908, we see legally discriminatory language in action. This section states, “Prohibit for a stated period, or permanently the landing in Canada, or the landing at any specified port of entry in Canada, of immigrants belonging to any race deemed unsuited to the climate or requirements, or of immigrants of any specified class, occupation or character” (**Figure 1**). Phrases such as “any race deemed unsuited to the climate or requirements” supports how xenophobia was rooted in this immigration act. The Canadian government conveys to Canadians that there is a more desirable image and race. Anyone outside of the desired race will be banished and not allowed to enter Canada. The government is strategic in its language because it does not explicitly state which race is desirable but implies that anything outside the characteristics of being “Canadian” is deemed unsuitable. This narrative was an unspoken practice that valued Whiteness above anything else. The Immigration Act supports, although not explicitly, that acceptance into Canada is a privilege only for White Europeans. This policy change signifies early 20th century normalized politics and immigration that encouraged and promoted laws that guaranteed Whiteness as the key foundation of the new dominion.

Equally important is exploring the leaders and figures who developed these racially biased laws. During the early 1900s, these historical government figureheads included William Lyon Mackenzie King and Sir Wilfred Laurier. In an exchange with Theodore Roosevelt, President of the United States, King established a reciprocal understanding that “this continent must belong to the

white races” (Niergarth, 2010, p. 605). This encounter highlights how Canada as a new nation was forging connections and strong relationships with the United States as an independent nation, not one linked heavily to the United Kingdom. A way to build and strengthen that relationship was having similar exclusionary immigration policies. To have positive relationships with the United States, Canada maintained Whiteness as the dominant narrative of the two countries, creating unity between the two nations. Laurier articulates this when he states, “What is it they want us to do? If they want us to assist them I think we should do so; our interests are the same in keeping the yellow man out” (Niergarth, 2010, p. 604). In the new Canada, priorities were to create immigration policies like the Continuous Journey Act to protect and uphold the standard of Whiteness. This standard provided benefits not only for people such as King and Laurier to maintain power, but also to send a message to all Canadians about what kinds of populations would be tolerated.

Another source that contextualized Canadian ideas regarding immigrants is a racist political cartoon titled “The same act which excludes Orientals should open wide the portals of British Columbia to white immigration” (**Figure 4**). This image depicts a woman closing a gate on Oriental immigrants attempting entry into Canada. Additionally, the gate is labeled “B.C. Immigration Policy,” showcasing how the Continuous Journey Act excludes racial minority communities. Furthermore, on the left side of the gate, “white immigrants” are walking through the gate and entering their new home of Canada. The title conveys the message of exclusion as a fundamental concept of the policy framework at the time. This cartoon conveys that the practices of racial discrimination were acceptable to the White majority Canadian population. It was used as propaganda to promote Eurocentrism and to create social constructions of race within the new dominion. This “Anglo-Saxon idea” is at the forefront of controlling who is worthy of becoming Canadian (Niergarth, 2010, p. 601).

One limitation of the cartoon depiction is that, although we can infer its message, it does not communicate how minority immigrant communities already in Canada were treated poorly by European settlers. The ideology in 1907 is conveyed but not how discrimination was endured by minority populations in Canada. Moreover, it is essential to point out that the colonial Canadian government is simultaneously impacting Indigenous communities that are becoming a minority in the “new dominion.” Although I present the struggles and barriers of racial minorities wanting to immigrate to Canada, it is also important to acknowledge how Indigenous peoples were being poorly treated. The Canadian government’s decisions about who gets access and entry into stolen land is ironic, as the land was not theirs to govern in the first place. The Indigenous loss of control of land and indigeneity is critical to recognize.

Komagata Maru: The Legal Case of Discrimination

An example of legal discrimination faced by immigrants in the early 20th century in Canada is highlighted in the case of the *SS Komagata Maru*, conducted by Gurdit Singh. To provide context, Gurdit Singh wanted to create a way out of British colonial rule and saw the potential for a better life, career, and more opportunities for him and other Sikhs on the ship. Given the increasing number of legal restrictions on Indian mobility by “white settler colonies” and the rise of steamship companies’ “maritime surveillance and immigration control,” Singh knew he had to act fast (Mawani, 2018, p. 2). The journey “departed from Hong Kong in early April,” making many stops along the way, including Shanghai and Yokohama. On May 14, 1914, after four long months at sea, Singh landed in Vancouver. Due to the new Continuous Journey Act, immigration officials “barred most of the Komagata Maru Passengers from entering the Dominion” (Mawani, 2018, p. 4), thus leaving the passengers and the boat stuck in the port without protection, food, or water.

I argue that the passengers on the *Komagata Maru* should have had protection to enter and immigrate to Canada because of their connection to the British Empire. However, this was not possible because the Canadian narrative was about maintaining Whiteness as the identity of what a Canadian should be. In **Figure 3**, we see what a British Indian passport looked like, which includes an image of the coat of arms of the United Kingdom and a number provided at the top of the passport. This passport helps illustrate why the South Asian migrants on the ship should have had the ability to enter Canada. This was seen as a “failure of imperial citizenship”: the passengers on the ship were attempting to invoke their “subject” status within the British Empire. This was the most prominent “after the queen’s proclamation of 1858 made [subject] status official”. Canada pushed back on this, shattering the idea of “empire-wide equality of subject status” (Almy, 2018, p. 306). Canada did not accept these Sikh migrants even though they were subjects of the British Empire.

Thus, the rejection and exclusion that these passengers endured were not “by a foreign government, but rather a case of their own [imperial British] government discriminating against them” (Almy, 2018, p. 306). The passport this passenger carried therefore should represent accessibility to immigrate to Canada if it were not for the racial discrimination law of the Continuous Journey Act. The coat of arms on the passport represents the *Komagata Maru* incident as a conflict between two “vastly different interpretations and understandings of imperial law and rhetoric” (Almy, 2018, p. 306). British colonial doctrine was still entrenched in Canada, yet the dominion refused to abide by the rules. This incident also highlights how the Empire at the time was about to hit its peak and was a large and “interconnected space, but one that was racially and politically

unequal” (Mawani, 2018, p. 8). Additionally, this voyage brought out questions related to the authority of the legal positionality of “the sea, the racial, territorial and temporal bounds of imperial jurisdictions” and what the mobility rights of British subjects were (Mawani, 2018, p. 9).

Similarly, Singh had a mission to challenge this Continuous Journey Act and its racist policy. One photo that depicts the fight for rights by Singh showcases White Canadians on the ship speaking with the passengers (**Figure 5**). A limitation of this source is that it does not provide any context of who these White settlers could be. I interpret in my analysis that they are government representatives since they seem to have an overbearing and serious demeanor toward the passengers. They are also wearing suits, which I infer means that they are men who have come to the ship to deliver important news. This photo shows that even though the ship was docked at the port for two months, Singh and the passengers had the resilience to stay on the ship and fight for their rights. With local support from the Sikh community, they were able to hire a lawyer named Edward Bird. Bird argued tirelessly and “in every direction” for the passengers. He argued against S.38(a) by stressing the idea that “Canada did not have the right to exclude British subjects” (Johnston, 2014, p. 99).

Unfortunately, the unsympathetic court unanimously decided on July 6 to strike down the appeal, and the *SS Komagata Maru* was forced to leave. It is necessary to highlight that Figure 5 can help explain the case regarding the ship through its communication of power imbalance. In the photo, we see the White settlers overcrowding the passengers getting onto their ship and looking to cause chaos, whereas the passengers seem to be lost, tired and not in control of the situation. The colonial government had the upper hand, the resources, money, and status to be able to win the appeal.

In contrast, the reality was that Singh and the rest of the passengers did not have the means and stamina to continue their fight. The odds were stacked against them in their pursuit of challenging racial discrimination. The challenge that Singh embraced is vital regardless of the outcome. In the early 20th century, to challenge colonial law and authorities seemed out of reach. This push for the fight for justice “dramatically reshaped the legal regimes imposed and enforced by colonial authorities in Canada” (Mawani, 2018, p. 8).

Further analysis shows that photos encapsulate and paint a narrative to a certain extent. I wish to look at first-hand sources that come from passengers and their experiences of interacting with immigration officials during their forced docked stay. It is also essential to be critical of Bird’s role as a White male settler fighting for the immigration status of the passengers. To dive deeper into the case of the *Komagata Maru* means to also look at sources from White settlers who interacted with the passengers and hear their points of view. By looking at their perspectives, we can see how the

development of the social construction of Whiteness as normal influenced their interactions with the men on the ship.

The Lasting Narrative of Rejection

The rejection of the *SS Komagata Maru* passengers to enter Canada and the unsuccessful challenge to that rejection by Gurdit Singh demonstrates that Canada's mission to reject racial minorities was a success. The celebration of the departure of the ship was communicated by the media (**Figure 2**). A 1914 newspaper clipping from the *Mail and Advocate* newspaper describes the immigration authorities' win: "Courts Decide in Favor of The Province". This narrative supports the decision to reject the *Komagata Maru* passengers.

Furthermore, the newspaper used racially discriminatory language to paint the passengers as "less than". The paper described how the courts respected the Continuous Journey Act and prohibited the "entry of aliens" (**Figure 2**). This emphasizes an underlying theme of an "us versus them" narrative when it comes to the public and government's perception of immigrants. Despite the description of the passengers as "alien", these passengers were determined to contest the "unjust law," which unfortunately was met with further rejection by the state (Almy, 2018, p. 305). Celebrations by the Canadians that resulted from the ship being turned away reinforces the belief that Whiteness is something to be celebrated and any persons challenging that identity must be turned away.

The case of the *Komagata Maru* is an example of the Canadian government in the early 20th century setting Whiteness as a primary characteristic of what it means to be Canadian. The Continuous Passage Act is an example of how racial hierarchies and xenophobic ideas were a fundamental backdrop of immigration laws. To conclude, it is essential to point out that the passengers of the *Komagata Maru* set an example of what resistance meant in the early 1900s. Their example showcases "the jurisdictional workings of race as a foundational structure of colonial and imperial command" (Mawani, 2018, p. 8). Through analysis of this historical example and consideration of the context, we can attempt a better understanding of how the rejection of the *Komagata Maru* was congruent with the discriminatory immigration laws in early 20th century Canada. However, they did not deter the persistence of the passengers in their pursuit of justice at the time, even though it seemed impossible.

Figures

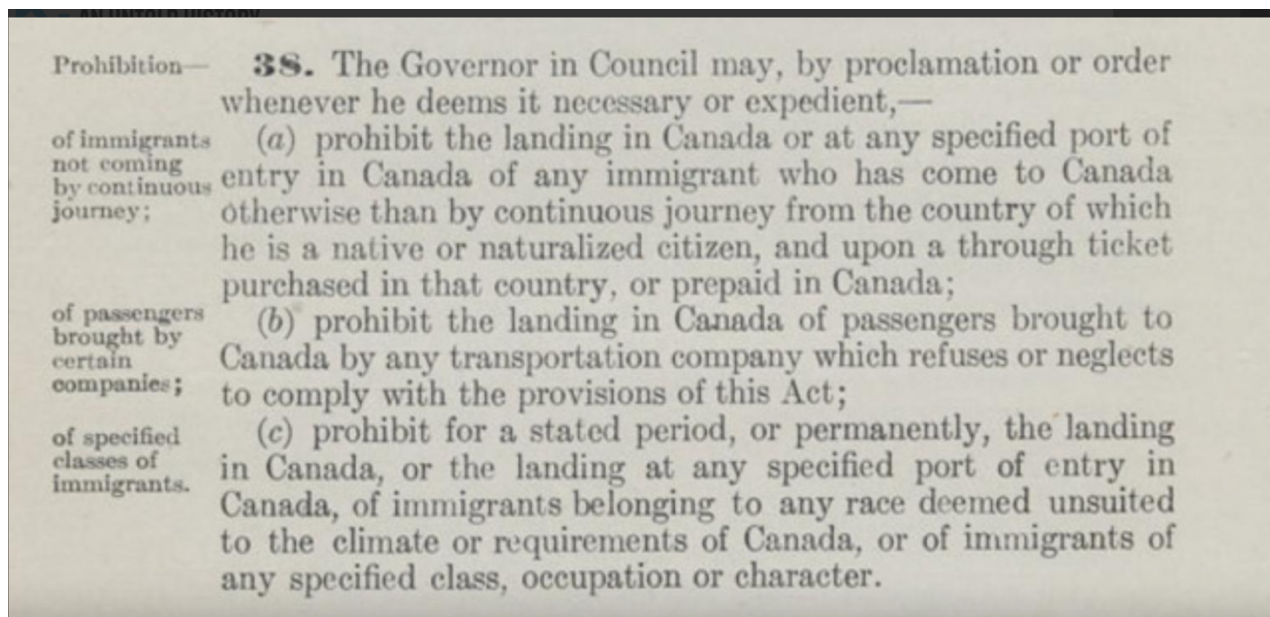


Figure 1: Continuous Journey Act 1908. British Columbia: An Untold History (1908).

“Continuous Journey Act” image from “Canadian Immigration - 1776-1914.

<https://bcanuntoldhistory.knowledge.ca/1910/komagata-maru>



Figure 2: Canadiana. (1914, July 7). *Hindu trouble in West more acute than ever: Transport ship still in the harbour with human freight: Five get ashore: But are now held in the detention sheds. The Mail and Advocate.* https://www.canadiana.ca/view/oocihm.N_00013_19140707

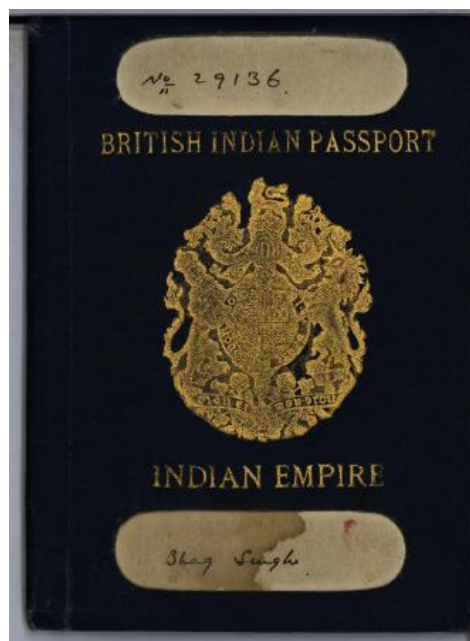
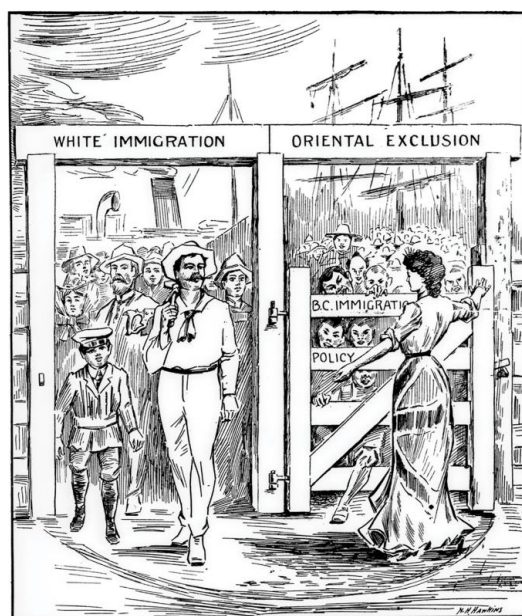


Figure 3: Bhag Singh's British Indian passport from the Arjun Singh Brar Collection. South Asian Canadian Digital Archive. (1927). [Bhag Singh] British Indian passport. <https://sacda.ca/Detail/objects/8517>



THE SAME ACT WHICH EXCLUDES ORIENTALS SHOULD OPEN WIDE THE PORTALS OF BRITISH COLUMBIA TO WHITE IMMIGRATION.

Figure 4: Racist political cartoon that was featured in the August 24, 1907, issue of *The British Columbia Saturday Sunset*. South Asian Canadian Digital Archive. (1907). *(Dis)enfranchisement - 1907-1947: The forty year struggle for the vote exhibit collection - The same act which excludes [Asian immigrants] should open wide the portals of British Columbia to white immigration.* <https://sacda.ca/Detail/objects/600>



Figure 5: Komagata Maru incident, 1914. South Asian Canadian Digital Archive. (1914).
Komagata Maru incide

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A Look at the Underrepresentation of Chinese Canadians in Canada's Museums

Sophia Goold

Canada's museums are indispensable sites of collective learning, debate, memory, and storytelling on both local and national levels. In particular, many Canadian museums do vital work sharing the complex and diverse histories and cultures of Canada. However, many museums contain a relative lack of content on Canadian ethnic minorities in their collections, exhibits, and digital materials. This paper identifies an underrepresentation of Chinese Canadians in mainstream Canadian museums and some consequences of this underrepresentation. The paper then argues for the importance of taking action toward the greater visibility of Chinese Canadians in the national museum landscape and explores how the Royal Ontario Museum (ROM) is particularly well placed to lead such changes. Ultimately, the current underrepresentation of Chinese Canadians in museums—and any potential increase in representation—affects not only Chinese Canadian communities, but also Canadian museum visitors of non-Chinese ethnicities and Canadian society at large.

Based on my research of museum websites and digital exhibits, Chinese Canadian history and culture, when compared to White and European Canadian history, currently faces significant underrepresentation within the content of major Canadian provincial and national museums. For example, the ROM has seemingly not staged an exhibition primarily on Chinese Canadians since at least 2007.¹ Similarly, as of October 2024, Chinese Canadians or Asian Canadians are not specifically discussed in any of the Canadian Museum of History's 46 digital modules on important aspects of Canadian history.² In cases where Chinese Canadian history does appear in museums, the mention is often inadequately brief. For example, the Canadian Museum of History's webpage on the building of the Canadian Pacific Railway (CPR) contains only one short paragraph about the 15,000 Chinese labourers who worked on the railroad.³ Furthermore, the webpage frames the contributions of White Canadian businessmen to the railroad as more historically significant than those of the Chinese labourers. Instead of prioritizing photos of Chinese workers who physically built the railroad, the top of the webpage showcases multiple photos of CPR leaders.⁴ At other times, what few narratives in museums there are about Chinese Canadians focus on historical racism and discrimination to the exclusion of other important topics. The Royal BC Museum, for example, has an entire webpage on "Acknowledging Past Wrongs" toward Chinese Canadians, while the general

article on early Chinese Canadian history contains just one sentence on Chinese Canadian art and culture and no information on Chinese-Indigenous relations.⁵ Overall, the representation of Chinese Canadian history and culture in major Canadian museums is frequently brief, incomplete, narrow, and peripheral to other histories.

The underrepresentation of Chinese Canadians in provincial and national museums has a wide range of potential negative consequences. The lack of content on Chinese Canadians in museums includes a lack of diverse stories of Chinese Canadian historical experiences. As historian Laura Ishiguro has argued, this absence constitutes a “narrative scarcity,” a term coined by Vietnamese American author Viet Thanh Nguyen to refer to “when almost none of the stories are about you.”⁶ Narrative scarcity is frequently experienced by minority groups in areas from popular media to politics, and it has many potential harms.⁷ In a museum context, the narrative scarcity of Chinese Canadian stories can deprive Chinese Canadians of opportunities to learn about their own history, devalue the historical contributions of Chinese people to Canadian society, and tacitly reinforce misinformation and stereotypes about Chinese Canadians. For example, the Royal BC Museum webpages discussed above, through their narrow focus on stories of anti-Chinese discrimination with little mention of community resistance and activism, could contribute to conceptions of Chinese Canadians as passive in the face of racism.⁸

The lack of visibility of Chinese Canadians in museums has consequences beyond the Chinese Canadian community: it denies all Canadian museum goers a chance to learn about significant aspects of their country’s history and culture. As sites of public education and cultural exchange, museums influence the public’s knowledge of history and culture. In this context, the paucity of museum content about Chinese Canadians is undoubtedly tied to the Canadian public’s relative lack of knowledge on Chinese Canadian issues. And this ignorance is severe: a study by the Asia Pacific Foundation of Canada found that just 2% of Nova Scotian teenagers felt they had “learned a lot” about the Chinese Head Tax.⁹ Moreover, the relative dearth of content that centres Chinese Canadian experiences in provincial and national museums could reproduce Eurocentric and White supremacist attitudes. For example, in the context of the ROM’s lack of recent exhibits on Chinese Canadians, the staging of an exhibit on mostly White collectors of Asian art suggests that histories of White Canadians’ consumption of Chinese culture are more worthy of inclusion in Canadian museums than Chinese Canadian culture.¹⁰

Increasing the representation of Chinese Canadians in the national museum landscape is vital to reducing the harms of current narrative scarcity. Recently, multiple Canadian heritage organizations have taken steps toward centring Chinese Canadian history. Notably, the Chinese

Canadian Museum, which is the country's first museum dedicated to "honouring and sharing Chinese Canadian history, contributions, and living heritage," opened in 2023.¹¹ The Victoria Chinatown Museum and Vancouver's Chinatown Storytelling Centre are also currently working to increase the visibility of Chinese Canadian culture and history.¹² Furthermore, the Canadian Museum of Immigration at Pier 21 has multiple web pages on Chinese Canadian history.¹³ Although this recent representation is positive, depictions of Chinese Canadian experiences continue to be largely restricted to museums that focus on minority groups and contexts that intentionally promote cultural diversity; these depictions are rarely incorporated into narratives of general Canadian history. The greater integration of Chinese Canadian history into provincial and national museums, especially when placed alongside other histories of Canada, could especially benefit the Chinese Canadian community by combatting ideas of Chinese Canadians as foreigners and not fully Canadian. Greater Chinese Canadian representation in major museums would also support and amplify the recent work of smaller museums like the Vancouver Chinatown Museum.

Furthermore, increased representation of Chinese Canadians in provincial and national museums could contribute to national projects of multiculturalism. As Caitlin Gordon-Walker has discussed in their book *Exhibiting Nation*, the depiction of minority groups in museums implicates dynamics of "multicultural nationalism" as museum curators attempt to reconcile tensions within multiculturalism and nationalism.¹⁴ To be especially beneficial, new exhibits on Chinese Canadians in major museums would fulfill the Canadian Multiculturalism Act's goal to "promote... the freedom of all members of Canadian society to preserve... and share their cultural heritage" by successfully navigating frictions between cultural diversity and national unity and challenges in not "rendering cultural difference as a spectacle."¹⁵

Among Canada's major national and provincial museums, the ROM is especially well placed to increase the visibility of Chinese Canadians in its publicly accessible content. As one of the most visited museums in the country with over one million visitors in 2017 and 2018, Chinese Canadian content at the ROM has the potential to impact a particularly large portion of the public.¹⁶ Furthermore, greater Chinese Canadian representation at the ROM would fill not only a gap in the national museum landscape, but also in the local one: unlike other major Canadian cities, such as Vancouver and Victoria, Toronto does not currently have a Chinese Canadian or Chinatown museum.¹⁷ Also, considering that Chinese Canadians make up 11% of residents in the Greater Toronto Area, increasing Chinese Canadian content at the ROM could align with the museum's pre-existing strategic goal of "[increasing] our relevance to the people of Toronto and Ontario."¹⁸

To increase the representation of Chinese Canadians in its content, the ROM should stage an exhibit on Chinese Canadian history and/or culture. Specifically, since none of the museum's permanent galleries could easily integrate Chinese Canadian content, I recommend creating a temporary exhibit or installation that is open for about a year.¹⁹ When designing the exhibit, ROM curators could take content and inspiration from previous exhibits on Chinese Canadians at other museums, such as those at Vancouver's Chinese Canadian Museum. It is crucial that any such exhibit the ROM creates is designed with the input of Chinese Canadian community members to ensure that complex and traumatic histories, such as immigration exclusion, centre Chinese Canadian voices and are told with cultural sensitivity. To do this, the ROM could partner with local Chinese Canadian community and heritage organizations, such as the Toronto Chinatown Business Improvement Area and the Long Time No See Collective.²⁰

Increasing representation of Chinese Canadians in museums must go beyond exhibit content: primary sources reveal that Chinese Canadians are also underrepresented among museum staff. A 2021 report by the independent research organisation CPAC Institute found that, although Chinese Canadians constitute 11.1% of residents of the Greater Toronto Area, they made up just 3% of senior executives and 2.3% of boards of directors in major GTA charitable organizations, which included museum institutions like the ROM and the Art Gallery of Ontario.²¹ Melissa Karmen Lee, the current Chinese Canadian Museum CEO, has echoed such findings on the dearth of Asian and Chinese Canadians in cultural sector positions, such as board chairs.²² Working toward greater representation of Chinese Canadians in museum sector leadership positions is essential because, as Lee notes, this is where decisions, including decisions on depicting Chinese Canadian history, are made.

Ultimately, a successful exhibit on Chinese Canadian history and culture at a national or provincial museum like the ROM could both empower the Chinese Canadian community by, as scholar Lisa Rose Mar has noted, placing Chinese Canadians back into their country's history and museums, and also benefit all Canadians by providing them with opportunities to learn about their fellow citizens.²³ Moreover, museums that work to diversify their staff, collaborate with local Chinese Canadian communities, and be conscious of issues such as narrative scarcity and multicultural nationalism can contribute not only to greater and more nuanced representations of history but also to wider changes and empowerment within the Chinese Canadian community.

Endnotes

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- ⁴ Ibid.
- ⁵ “Early Chinese Canadian Experiences in British Columbia,” Royal BC Museum, accessed November 28, 2024, <https://learning.royalbcmuseum.bc.ca/pathways/chinese-canadian-experiences/>.
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- ⁶ Laura Ishiguro, “Asian Canadian History and the Politics of Historical Knowledge Production,” *Journal of the Canadian Historical Association* 34, no. 1 (2024): 170.
- ⁷ Ibid., 170.
- ⁸ For a discussion of Chinese Canadian resistance, see Lisa Rose Mar, “Beyond Being Others: Chinese Canadians as National History,” *BC Studies* no. 156 (Winter 2007/2008): 33.
- ⁹ “Teaching Asian Canadian History: Classroom Resources for Educators,” Asia Pacific Foundation of Canada, published after June 2021, accessed October 23, 2024, <https://www.asiapacific.ca/education/asian-canadian-history>.
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²¹ Zhang and Shi, “Underrepresentation of Chinese Canadian Leadership,” 1.

²² Charlie Smith, “Museum CEO Melissa Karmen Lee Aims to Explore and Represent Diverse Cultural Histories of Canadians and Chinese Ancestry,” *Pancover: The Society of We Are Canadians Too*, September 8, 2024, <https://pancover.ca/museum-ceo-melissa-karmen-lee-aims-to-explore-and-represent-diverse-cultural-histories-of-canadians-of-chinese-ancestry/>.

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Decolonizing the Museum: Geographies of Black Resistance and Social Protest

Olivia Wall

In this paper, I will engage with the documentary series *Black Life: Untold Stories* and its fifth episode, “Creation Insists.” In doing so, I use the episode as an entry point to discuss the power dynamics and historical narratives that exist in the institutions of museums and manifest in their spatial arrangements. Through the exclusion and misrepresentations of Black communities, peoples, and sacred artifacts, institutions like the Royal Ontario Museum (ROM) perpetuate geographies of colonialism and anti-Black racism. However, the ROM’s uncritical arrangement of space has not gone unnoticed, and geographies of Black resistance and social protest have emerged in response. To make sense of the interaction between these geographies, I incorporate supplementary material and the works of Neil Armstrong, Rodney Diverlus, Katherine McKittrick, Yamikani Msosa, and M. NourbeSe Philip into my paper. With the help of these sources, I assert that Black geographies have resisted colonial domination by rearranging, reclaiming, and redefining the spatial aspects of museums (McKittrick, 2006). These geographies have facilitated the process of decolonization within museums, thereby decentring Whiteness and dismantling anti-Black racism (McKittrick, 2006). Black geographies are manifest with curiosity, imagination, and wonder, and I argue that they enable Black individuals to imagine and actualize alternative futures for themselves (McKittrick, 2006, 2021).

Before I begin, I would like to introduce the concepts of colonialism and anti-Black racism. Regarding the former, colonialism is the “process through which a foreign people establish power and control over a territory and its Indigenous peoples” (Hele, 2023). Colonialism exercises control through various means, including the production of knowledge, suppression of culture, hierarchies of administration, and regulation of audiences. These means of control exist in the repositories of museums and manifest in their spatial arrangements. Regarding the latter, anti-Black racism refers to the attitudes, beliefs, and prejudice directed at people of African descent (Adefarakan, 2024a). Anti-Black racism is embedded in Canadian practices, policies, and institutions, thus normalized and rendered invisible to a larger White society, as seen with the ROM and the *Into the Heart of Africa* exhibition in “Creation Insists.” *Into the Heart of Africa*, “the first exhibition of African art at the ROM drawn from the museum’s ethnographic collections,” opened in November, 1989 and ended in August, 1990 (Armstrong, 2014). Curated by Jeanne Cannizzo, the exhibition told the story of Africa through the perspective of White diplomats, missionaries, and soldiers. Its antiquated narratives and uncritical displays were described by scholars as a “celebration of colonialism” (Chapman, 2023,

01:55). In fact, when museumgoers entered the ROM, they were greeted by a “life-size drawing of a white man in a pith helmet spearing a Zulu warrior (Chapman, 2023, 02:02). The drawing reinforced colonial stereotypes by portraying African people as primitive, violent, and in need of pacification; it perpetuated myths of European superiority and African savagery (Dafnos, 2023, p. 59).

By including the drawing in its exhibition, the ROM replicated the colonial perspectives and narratives it sought to critique. The ROM argued that the drawing was a part of a Canadian life that Canadians did not know about (Philip, 2017, p. 129). But this begs the question “as to which Canadians the ROM had in mind. European or African Canadians? Or was the ROM perhaps defining ‘Canadian’ as someone of European heritage?” (Philip, 2017, p. 129). In either case, the ROM assumed that the only meaningful audience would be White Canadians and affirmed this assumption with its placement of the drawing (Chapman, 2023, 02:02). At the entryway of the ROM, the drawing had spatial significance over objects from Africa; museumgoers were immediately confronted with the exclusion and misrepresentation of African communities, peoples, and sacred artifacts.

Anti-Black racism and colonial attitudes continued throughout the exhibition, and one photograph featured a White Canadian missionary woman and several African women (Chapman, 2023, 02:18). In the description of the photograph, the ROM stated that the White Canadian missionary woman was teaching the African women how to do laundry (Chapman, 2023, 02:20). The ROM saw the cross-cultural encounter as something that could only happen if it went in one direction and positioned African peoples as inferior and unsophisticated (Philip, 2017, p. 130). The uncritical and traditional exhibition did not go unnoticed, and a group of students from the University of Toronto met and formed the Coalition for the Truth About Africa (CFTA).

The CFTA was a diverse group of students, including individuals from the Black community and other communities (Armstrong, 2014). Together, they began creating petitions, writing letters, and making phone calls to ROM officials (Armstrong, 2014; Chapman, 2023, 02:34). When these initial efforts did not yield results, the CFTA decided to protest in front of the museum with banners, placards, and posters (Armstrong, 2014; Chapman, 2023, 02:40). Black geographies of resistance and social protest emerged, countering the museum’s attempts at excluding Blackness from its exhibition. The CFTA and its supporters disrupted the otherwise White space of the ROM, drawing attention to the problematic aspects of the *Into the Heart of Africa* exhibition and highlighting the broader issue of exclusion and misrepresentation in the institutions of museums (Diverlus, 2018, p. 64). Although the ROM responded with court injunctions and police involvement, the CFTA, its supporters, and the Black community reclaimed power from the museum. They used the “collective

presence of Black bodies” to challenge colonial perspectives and narratives (Diverlus, 2018, p. 64). African and Black Canadians were no longer absent from the museum’s landscape. Instead, they were at its forefront and demanding change (Philip, 2017, p. 130; Armstrong, 2014). While the ROM did not immediately apologize for *Into the Heart of Africa*, it felt the repercussions of its failure after four museums, including the Natural History Museum of Los Angeles and the Albuquerque Museum, refused to stage the uncritical and traditional exhibition (Philip, 2017, p. 127). The museums’ refusal aligned with the protests of the CFTA, its supporters, and the Black community: the exhibition was a museological and moral failure, and the ROM was not prepared to be accountable (Philip, 2017, p. 129). For the first time, a mirror was held up to its actions, and what reflected there “was an image of the museum as the cultural arm of the same powers that had exploited and continue to exploit African peoples” (Philip, 2017, p. 129).

Confronted with its failure again, the ROM regrouped and collaborated with African and Black communities. This eventually led to the launch of a three-year program entitled *Of Africa*, which explored African experiences through a series of exhibitions, lectures, performances, and events (Armstrong, 2014). It also incorporated reflections from Dr. Afua Cooper and Ras Rico, both of whom were instrumental in organizing the CFTA’s protests (Armstrong, 2014). *Of Africa* marked an effort by the ROM to meaningfully include and represent Black communities, peoples, and sacred artifacts. African and Black Canadians played a pivotal role in launching the program, and as a result, Black geographies reclaimed space inside the museum.

Since then, African and Black Canadians have redefined their relationship with the museum. For individuals in these communities, a shift occurred when the ROM apologized at a 2016 event for the 1989 *Into the Heart of Africa* exhibition (Chapman, 2023, 41:15). Although the ROM took responsibility for its uncritical and traditional exhibition, the museum implicitly confirmed it could not cease the creation, perpetuation, or reinforcement of hegemonic power. The ROM revealed its apology as performative when it remained silent for nearly three decades and retained John McNeill as an honorary trustee of the museum. Given that the former director portrayed protesters as “irrational” and refused to apologize, the ROM negated its conciliative efforts with the Black community (Philip, 2017, p. 127; Royal Ontario Museum, n.d.). Geographies of colonialism have persisted and continue to persist within the institution of the museum, yet Black geographies have never succumbed and will never succumb to such domination.

These geographies have facilitated the process of decolonization within museums by creating experiences that dismantle colonial attitudes and anti-Black racism. Museums have had to learn ways of “storytelling that [decentre] the institutional voice and allow others, particularly BIPOC

communities, to tell their stories on their own terms” (Huff, 2022). One museum that is making strides toward decolonization is the Art Museum at the University of Toronto, which recently commissioned an exhibition titled *Otherworld*. Created by Camille Turner, the exhibition immerses visitors in a “non-linear Afro-Astronautic journey transcending space-time boundaries” (Art Museum at the University of Toronto, 2024). Turner’s exhibition recognizes historical silences as sources of both information and direction, and her Afronautic research methodology takes visitors deep into the archives (Art Museum at the University of Toronto, 2024). In doing so, visitors uncover the traces and legacies of enslavement that extend from named enclaves of urban wealth in Toronto to the shipbuilding industry in Newfoundland (Art Museum at the University of Toronto, 2024).

Otherworld does not dismiss the pain or injustice Black individuals have experienced; instead, the exhibition holds them in tension with the joy that Black individuals have also experienced amid pain or injustice (Adefarakan, 2024b; Msosa, 2022). Curiosity, imagination, and wonder are embedded within the exhibition, enabling Black individuals to imagine and actualize alternative futures for themselves (McKittrick, 2006, 2021). As Katherine McKittrick writes in her book *Dear Science and Other Stories*, there is power in the “not yet imagined” (McKittrick, 2021). McKittrick encourages readers to think beyond the present and the known as it generates space for Black creativity and intellectual work to challenge existing knowledge systems. She emphasizes the importance of Black storytelling and methodologies as they create new ways of living and knowing. In *Dear Science and Other Stories*, McKittrick concludes by reminding readers, especially non-Black readers, that the important work is never a solitary act, but one that is an ongoing collaborative effort (McKittrick, 2021).

In considering my positionality as a White person, I have a role in the process of decolonization and in the actualization of Black futures. White people like me need to engage in these efforts, coming face –to face with our unearned privilege and recognizing how we have benefitted from colonialism and anti-Black racism. But our engagement should not dominate conversations or initiatives led by Black individuals; instead, we must actively listen to Black voices and understand such needs and perspectives before offering our own (Hensley & Bowden, 2020). In addition, White people need to educate themselves: “[It is] not the job of marginalized groups to educate non-marginalized people on history or their experiences” (Hensley & Bowden, 2020). Reading about Black history is vital, immersing oneself in a Black Canadian Studies course is transformative, and investing in Black art is necessary (Hensley & Bowden, 2020). White people need to take concrete steps like these to ensure that they do not replicate histories of colonialism or

anti-Black racism (like the ROM did). Although the past is not our fault, it is our responsibility, and we need to better support Black efforts, individuals, and communities.

Throughout this paper, I engage with the fifth episode of *Black Life: Untold Stories* and discuss how the concepts of colonialism and anti-Black racism help us understand the spatial arrangements of the ROM. Through the production of knowledge, suppression of culture, hierarchies of administration, and regulation of audiences, the ROM aims to exclude and misrepresent Black Canadians. Despite the museum's efforts, geographies of Black resistance and social protest have emerged (McKittrick, 2006). These geographies have challenged the colonial landscape of the ROM, rearranging, reclaiming, and redefining its spatial aspects (McKittrick, 2006). They have decentred Whiteness and dismantled anti-Black racism, thereby facilitating the process of decolonization within museums (McKittrick, 2006). Additionally, these geographies are abundant with curiosity, imagination, and wonder, and they empower Black individuals to envision and realize alternative futures for themselves (McKittrick, 2006, 2021). I conclude this paper by considering my positionality as a White person and how White people can better support Black efforts, individuals, and communities. I urge other White people to come face –to face with our unearned privilege and take concrete steps to prevent further iterations of colonialism and anti-Black racism.

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The Revitalization of Toronto's Port Lands

Chloe Rockwood

Introduction

The Port Lands have been a significant site in the region of Turtle Island for thousands of years. Once a vast, healthy wetland, it became contaminated by human-made landfill and industry plants after years of colonization. In the present day, the Port Lands reside in the City of Toronto's southeast, from downtown into Lake Ontario. They include over 715 acres of land along Toronto's waterfront (Waterfront Toronto, Port Lands.) To quote Jennifer Bonnell, it is the "most-messed-with river" in Canada (Bonnell, Reclaiming the Don.) The Port Lands' hazardous environment raised concerns from the general public for years, but it wouldn't be until 2017 that the City of Toronto announced the restoration of the Port Lands. Throughout this redesign, the concerns of the public have been brought to the attention of the City of Toronto, most notably solutions regarding incessant worries about flooding risks in the city, maintaining the natural environment of the area, and land rights for Indigenous people.

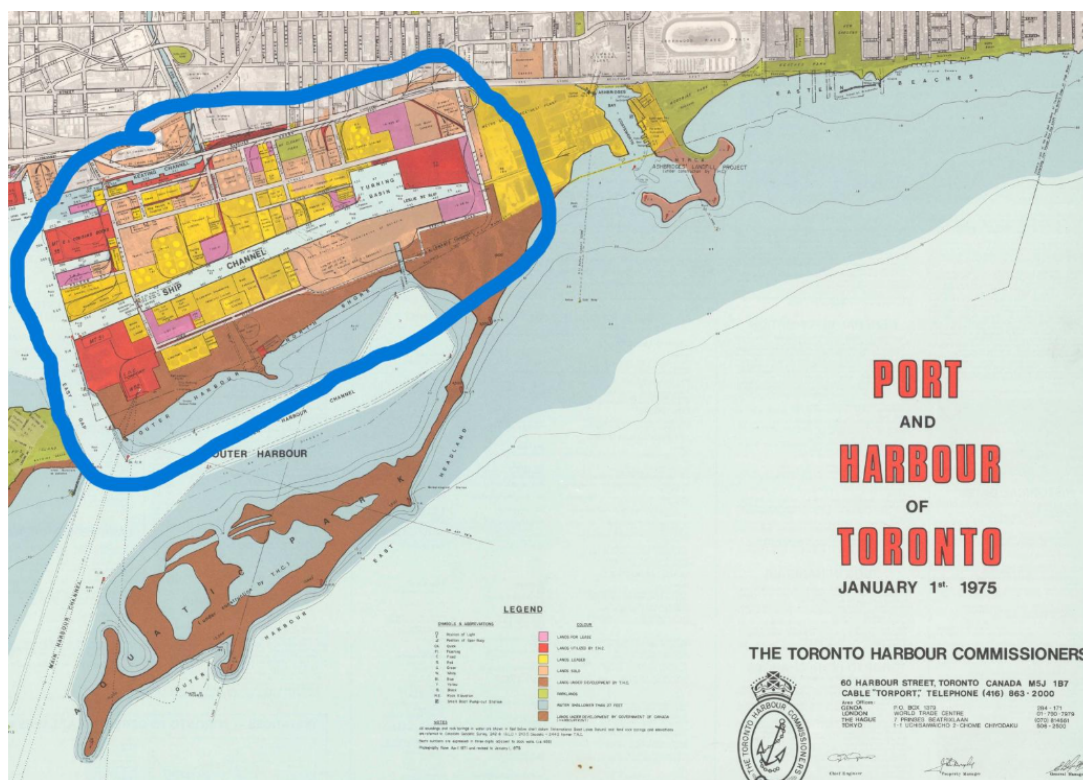


Figure 1. Map of the Port Lands of Toronto from 1975. Outlined in blue is the focus area of the present-day revitalization project (Toronto Harbour Commissioners. Port and Harbour of Toronto. City of Toronto Archives, Fonds 200. Series 726. Item 518 r. January 1975).

To Greener Port Lands

Since the early 1800s, the Port Lands have been changed time and time again under human-made circumstances. Water and noise pollution, continued industrialization, and the contamination of their soil and groundwater have all contributed to the further environmental demise of the Port Lands (Brownfield, p. 2), driving the area into deeper and deeper degradation as the years, and the exploitation of the land, went on. When the revitalization project was announced in 2017, it opened up opportunities for positive growth and change for the Port Lands: a series of sustainable solutions to combat the pressing environmental issues that the area has faced.

The City of Toronto has kept the public involved in the process every step of the way by releasing regular updates on the progress and reports that detail the constant changes that were being made. Those working on the redevelopment process have remained mindful of preserving the natural environment of the Port Lands as they work towards revitalizing the area.

In 2021, local wetland plants such as cattail and bulrush were discovered during the soil testing procedures on Ashbridges Bay. Since their discovery, the plants have been nurtured and in 2023 were carefully rehomed away from the Port Lands' construction to keep them alive and thriving. The Port Lands project has committed itself to working around and for the natural environment, with the plant protection plan being only one memorable story of many throughout the revitalization project.

Evergreen Brick Works

Evergreen Brick Works, formerly known as the Don Valley Pressed Brick Works, is a public heritage park that rebranded itself beginning in the 2010s into an environmentally, family-friendly place-making park. Evergreen makes up a part of the larger Don Valley and acts as one of the key building blocks towards sustainable community practices in the area. Evergreen Brick Works has committed to a 'Sustainability Initiative' through their usage of 100% renewable energy from Bullfrog Power to keep the park operating (Evergreen, 'Sustainability'), making them a leader in the sustainable energy movement in Toronto. The success of Evergreen Brick Works, which has more than 500,000 visitors in the park each year (Evergreen), has inspired the Port Lands project with visions of a green future for the City of Toronto.



Figure 2. Evergreen Brick Works summit view (photographed by Chloe Rockwood, 2024).



Figure 3. Evergreen Bricks Works landscape in autumn (photographed by Chloe Rockwood, 2024).

Don Mouth Naturalization

One of the main projects attributed to the revitalization of the Port Lands is the Don Mouth Naturalization. This is the Port Lands' commitment to the redevelopment of the Don River through a

natural lens that will improve the social and environmental conditions of the area. This is a \$1.5 billion protection project that will transform the overall layout and function of the Port Lands (Brownfields, p. 3) through the process of carving out a new river mouth that will protect the natural environment from any extreme weather, as well as any further human-made industrial damage. The objective of the naturalization project is to refocus and restore the Port Lands back to their original purpose (Brownfields, p. 1). Since its start-up in 2017, the naturalization process has come a long way, and the new river mouth is expected to open this year.

The Quayside

Another part of the sustainability initiative in the Port Lands project is through the introduction of “Green and Resilient Communities” (Waterfront Toronto) in and around the area. The Quayside will be one of these new sustainable community developments that will reside along Toronto’s waterfront, contributing to the larger revitalization of the Port Lands as well. The Quayside neighbourhood has committed to practising sustainability and will contribute towards a greener, environmentally friendly Toronto. The community will include 3.5 acres of forest, net zero GHG emission use, as well as affordable housing (The Quayside Impact.) The Quayside will be a cultural hub and place-maker for the people of Toronto, alongside other new developments in the Port Lands such as Villiers Island.



Figure 5. Just one of the rendered images promoting the Quayside development, featuring a community garden (Quayside Toronto. Our Vision; Gallery. Accessed June 12, 2024).

Flooding Protection Project

Flooding concerns in the Port Lands have been a longstanding worry of the Toronto public, and a concern that has only become more pressing with time. The Port Lands, left untouched, put a large area of the City of Toronto at high risk of flooding during potential extreme weather events, which is why plans for the flood protection of the Port Lands began in 2005. The Flood Protection Project connects directly to the Don Mouth Naturalization. Reconnecting the Don River to Lake Ontario through a natural river mouth will keep the floodwaters at bay and protect surrounding neighbourhoods from damage. Without the protection from the new river mouth, the Port Lands would have been lost, but the Flood Protection Project will be the key to the restoration of the area, offering the Port Lands a second chance at bringing the City of Toronto together.

In 2015, the Don Mouth Naturalization and Port Lands Flood Protection Environmental Assessment was approved (The Port Lands Webpage, Timeline), moving the project further along and confirming the project's continued public approval. Featured in the assessment were the key objectives that the project had planned, including the purpose of the flood protections, a list of Indigenous involvement and consultations on the project, as well as the changes that would be made to the current natural environment once the project began.



Figure 6. Outlined in blue is the area of Toronto that is currently the most at risk of flooding (The Port Lands. Flood Risks in Toronto. Waterfront Toronto. Accessed June 13, 2024).

Cherry Street Stormwater Management Facility

In March 2021, the Cherry Street Stormwater Management Facility was completed. This facility was built as part of the larger project, the Port Lands Flooding Protection Project. Since its completion, it has been and will be used as a water treatment facility for the City of Toronto's storm and snow water as a means to take on the growing number of extreme weather events that Toronto has had to endure due to the ever-pressing climate change crisis (Waterfront Toronto.) The stormwater facility will include the introduction of a "green street" sidewalk design, a form of stormwater management that incorporates green infrastructure into its process to promote a slow, environmentally friendly operation (City of Toronto, 'Green Streets'). This green street improves the Cherry Street stormwater management by retaining on-site rain, using it to water nearby plants and filter through their soil, thereby reducing water flow into Toronto sewers. Each portion of the Cherry Street Stormwater Management Facility has been carefully thought out in a sustainable manner.

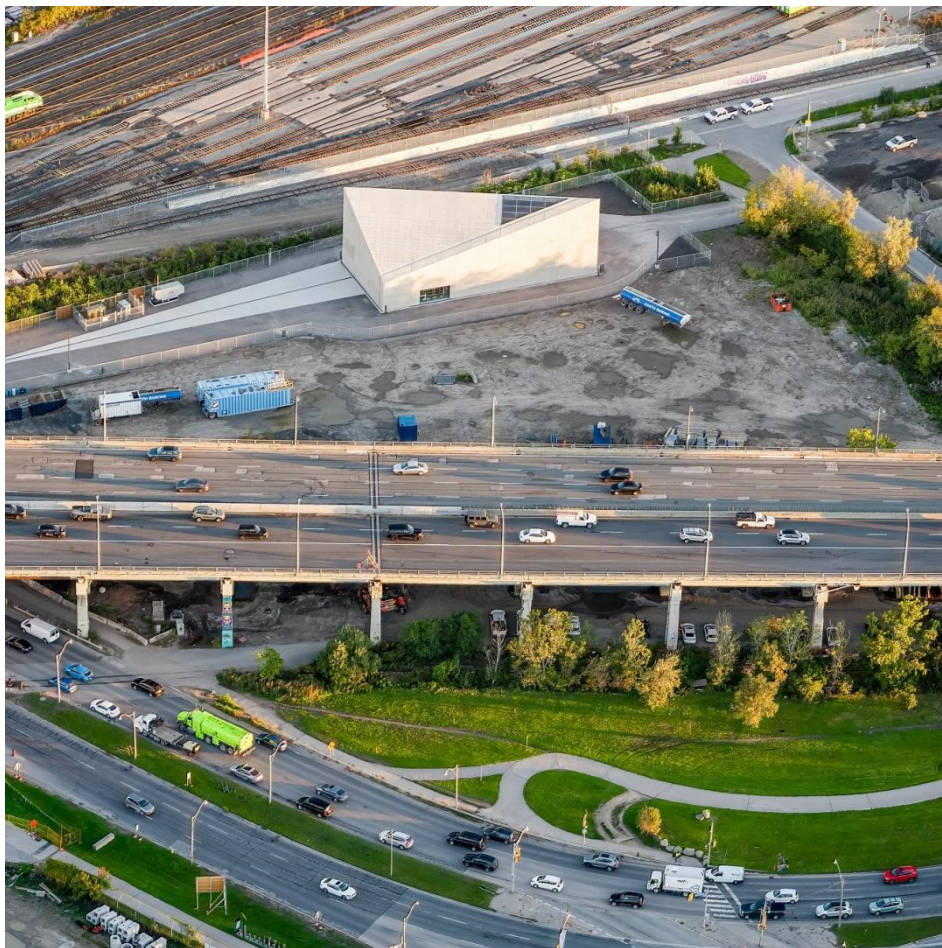


Figure 7. Aerial view of the brand-new stormwater management facility, located on Cherry Street in Toronto's Port Lands (Waterfront Toronto. Stormwater Treatment System. Accessed June 14 2024).

Ookwemin Minising (formerly Villiers Island)

Revitalizing the Port Lands has been a longstanding effort since 2005 and it took several years for the project to take off, with the help of a Port Lands Acceleration Initiative in 2011. Construction of the flooding protection infrastructure officially began in 2017 and is set to be completed this year. Upon completion of this project, Toronto will be home to a new river valley and island, which has been deemed Ookwemin Minising (formerly Villiers Island). According to Waterfront Toronto, Ookwemin Minising will be part of the Port Lands efforts to create “climate positive” communities in their revitalization process. The island will offer affordable, sustainable housing and will focus on “green initiatives” around the new development, including tree planting, restoring aquatic habitats around the island, and utilizing sustainable design practices in the building of this new community (Waterfront Toronto, Green & Resilient Communities.)



Figure 8. Rendered concept image of the inner harbour's brand-new Ookwemin Minising (formerly Villiers Island), set to be completed later this year (City of Toronto. Design Review Panel Meeting Presentation; Villiers Island Precinct Plan. Waterfront Toronto, Spring 2023).

Indigenous Roots Within the Port Lands

The Indigenous history of the Port Lands began with the Don River, a place for hunting and gathering for several Indigenous nations in what is now known as the Port Lands of the City of Toronto. Pre-colonization, the river was home to important resources for the First Nations peoples, such as fish, wild rice, medicinal plants, and of course, the water. The Don River falls within the Treaty and Traditional Territory of the Mississaugas of the Credit First Nation (Waterfront Toronto, 2024) but throughout history, the land has been shared amongst nations including the Anishinaabe, Haudenosaunee, and Huron Wendat peoples (Waterfront Toronto, 2024.) Below is a map of the Mississaugas of the Credit Treaties and Territories, which has been recognized since its establishment in the 1760s (MNCFN.ca). There is little documented information on the Indigenous history of the Port Lands besides that available on the Waterfront Toronto webpage. Much more detailed information regarding the Port Lands only began after colonization, with colonial use of the land dating back as early as 1794 (Waterfront Toronto.)

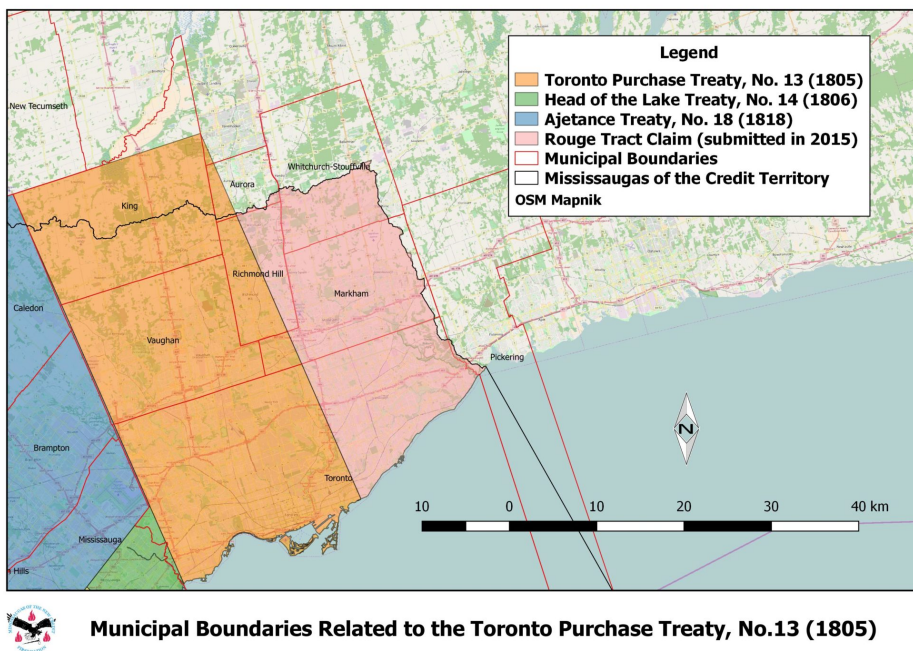


Figure 9. The Toronto Purchase Treaty, No. 13 (1805) (Mississaugas of the Credit First Nation. Posted November 3, 2020).

The lack of Indigenous history and knowledge regarding the Port Lands has become part of the larger efforts of Truth and Reconciliation between the City of Toronto and the nations of Turtle

Island. Indigenous initiatives have made up a large part of the revitalization project of the Port Lands since its beginning in 2017.



Figure 10. Canoe planter and teepee at Thrive Garden at Evergreen Brick Works, Toronto (Lorraine Johnson, Canoe planter at Thrive Garden. Ontario Association of Landscape Architects, 2024).

Evergreen Brick Works, although still a fairly new community establishment in the City of Toronto, has established several initiatives to support Indigenous communities and promote reconciliation as the “Indigenization at Evergreen.” Evergreen Brick Works, a park that since its foundation has been all about place-making and community, formed an Indigenous Inclusion Working Group to focus on strengthening Evergreen’s relationships and values with the Indigenous communities in Toronto, to re-welcome them into the land.

One of these initiatives is Thrive Garden, an area of the Brick Works designated for Indigenous experiences and education. First Nation families and settlers can gather here every weekend for ceremonies and pedagogical Indigenous teachings. Evergreen understands the need for Indigenous-led spaces within the City of Toronto and has become one of the key examples of a successful, inclusive place-maker for all.



Figure 11. This structure is a precedent for one of the potential new park features in the Port Lands that will reflect Indigenous culture (Image from Mississaugas of the Credit First Nation, accessed June 10, 2024).

In 2022, the Port Lands announced an open call for Indigenous artists that they were looking to partner with on the work in the Port Lands. The Port Lands wanted to include park features designed by Indigenous peoples in the revitalization project as part of their continued efforts to support local Indigenous communities, and to reconcile and strengthen the bond between the city and the First Nations. Included in this call was a list of park features that the Port Lands Committee had committed to including in the new Port Lands and that would need consultation from Indigenous peoples to make them as efficient and sustainable as possible. Included in this list were fire holder features, shade structures for ceremony, a series of cultural markers throughout the park that would act as identification panels for Indigenous culture, and designs to be put up around the park to reflect the rich Indigenous history of the Port Lands.

Throughout the reconstruction of the Port Lands, Indigenous involvement has remained a priority. The Port Lands design team has met with Indigenous Elders and representatives and consulted them numerous times before beginning the project, as they recognize the significance that the Don River has had amongst Indigenous communities for thousands of years. Their involvement in the revitalization project is necessary in order to maintain the Port Lands as a place not only to

reinforce Indigenous history and resilience but also to maintain the prosperity of its natural resources and protect the wildlife that has resided there for as long as the Mississaugas of the Credit have.



Figure 12. *Concept plans for Indigenous gathering spaces across the new Port Lands, in collaboration with the Mississaugas of the Credit First Nations and the MinoKamik design team* (Waterfront Toronto. Indigenous Design in New Parks and Communities for Toronto. November 2023).

Conclusion

With the Port Lands Revitalization Project deadline fast approaching, it is important to reflect on the hard work and commitment that members of the project have put towards its completion since its official start-up in 2017, and even long before that, when the Don Mouth Naturalization and the Flood Protection Project were merely ideas. The Port Lands project grew and adapted along with the changes happening in and around the City of Toronto, accommodating itself to keep up with the environmental concerns presented. Through it all, the project has remained progressive and in touch with its environment, involving members of the public in nearly every aspect of the process along the way. Maintaining and restoring the natural environment of the Port Lands amongst the urban setting of Toronto was a key focus of the Port Lands revitalization. Under community initiatives like Evergreen Brick Works, this was made possible.

Flooding was the main threat that the City of Toronto was facing nearly a decade ago, with nearly 290 hectares of the city at risk of being completely flooded in the event of a natural disaster. Thanks to the flood protection project, these concerns can be brushed aside.

The Indigenous history of the Port Lands runs deep and strong, which is why the involvement of the Mississaugas of the Credit First Nation, along with neighboring Indigenous

communities in Toronto, was an important factor of the revitalization project. Because of collaborations between the Port Lands design team and Indigenous artists, the new Port Lands will be a cultural hub of Indigenous designs and landscapes. The revitalized Port Lands are set to open to the public this year (2025), with Quayside and Ookwemin Minising soon after. The Port Lands project has served as a prime example of the incredible potential that the City of Toronto has, and the bright future ahead.

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The Destruction of Peatlands: “Green” Technologies and Undermining Indigenous Sovereignty in Canada’s Ring of Fire

Niamh Ellwood

The destruction of peatlands for the development of greener technologies under capitalism is a global occurrence. Why? In Scotland, the development of wind farms on top of peatland is causing the release of the amount of carbon it will take the wind farms 15 years to sequester (Smith et al., 2014). In Indonesia, peatlands are drained and then utilized as agricultural land for the cultivation and refining of palm oil as a biofuel, something marketed as a greener oil and gas alternative (Zhu et al., 2022). The Ring of Fire in Canada is the second largest peatland in the world and is sitting on top of critical metals that are used in the production of electric vehicles (Paterson, 2023). What makes the Ring of Fire higher stakes is not only what sits on top of the minerals, but who. Within the peatlands of the Hudson Bay Lowlands live some of the most impoverished people of Canada. With a boil water advisory lasting over 18 years and a declared youth mental health state of emergency, some of the First Nations people of Treaty 9 territory are desperate for investment and development within the community (Mcgee, 2024). Others, however, are not convinced by what the government and capitalists have to offer, citing Canada’s history of dispossession and economic development on their land at the expense of their people (Mcgee, 2024). By utilizing both the governance and political economy approaches to understanding the stakes of the Ring of Fire project in the Hudson Bay Lowlands, we can begin to understand the relationship between nature, capitalism, and people on their quest for green technologies in an effort to offset climate change, keep capitalism chugging, and save their community, all at the expense of peat, one of the world’s most efficient tools for saving the planet.

Political Economy: Capitalism and its Crises and Contradictions

The parasitic relationship capitalism has with nature leads to many kinds of crises. Most basic of these crises is the ecological crisis caused by capitalism’s intrinsic need to place profit and convenience over environmental quality. The more hidden and cyclical crisis is the crisis of overaccumulation. The crisis of overaccumulation occurs when there is too much capital labour and not enough projects to put it to use (Robins et al., 2022, p. 107). These capitalistic problems demand market-based solutions. One way to fix both the ecological problem and the overaccumulation problem is to develop a new greener market that creates new investment opportunities with the focus of delivering green solutions to the problems created by capitalism. The cases of Scotland’s wind

turbines, Indonesia's biofuels, and Canada's Ring of Fire are examples of technologies within this greener market that create new investment opportunities. All of these technologies, in their quest to supply the demand of greener technologies, destroy peatlands and release carbon, thereby eliminating the peat's natural abilities to sequester and hold carbon. The peat lands are typically seen as "ugly" or useless on the surface due to their muddy, wet, and dank appearance (Northern Peatlands in Canada, 2021). This appearance allows capitalists to justify draining the lands or building on top of them, putting them to "better" use and eliminating their unsightly appearance. The land is the most productive when untouched, as the carbon sequestering properties of the peat depend on the lands not being dug up or scarred (Northern Peatlands in Canada, 2021). However, land that has no labour or materials put into it is not reaching its full productive capabilities within a capitalist system (Robins et al., 2022, p. 107). The market demands that land and labour be mixed to create products that can be bought and sold on the market; therefore, the peat cannot be left alone (Robins et al., 2022, p. 108). The bogs, being visually ugly to the average person, are an easy choice for land development, leading to their destruction for farming or housing (Northern Peatlands in Canada, 2021). Those that still exist in any functioning form are becoming victims to development for the purpose of "green" net-zero carbon emissions schemes by national governments. The Ring of Fire project proposes mining development within the region to supply minerals and metals to electric vehicle production, another product in this new "green" market (Paterson, 2023).

Political Economy and Governance: Capitalism and its Beneficiaries

The most obvious beneficiaries of the Ring of Fire projects are the investors of the mining company as they reap the profits of selling the much-needed materials for the development of electric vehicles. The market demand for these materials is incredibly high and it is estimated that the Ring of Fire could supply billions of dollars' worth of them (Hercus, 2024). Within the current global market, China has a monopoly on these materials, making the entire green technologies market dependent on their supply (Mcgee, 2022). The United States, operating as a capitalistic nation, wishes to secure the supply chain in order to ensure that they can always receive the materials necessary for production, regardless of their relationship status with China (Mcgee, 2022). They develop and utilize legislation that allows them to invest in projects that secure their supply chains, as is the case with the Defense Production Act of 2022, which allows the government to invest in the production and mining of these much-needed materials that belong to their allies, like Canada (Mcgee, 2022). The Province of Ontario also operates as a capitalist enterprise, meaning Ontario would gain monumentally in terms of job opportunities, economic output, growth, and support from

the federal government as it would supply materials on the global market (Paterson, 2022). Ontario also develops legislation that allows it to fund and subsidize the development of these mines (WCS, Planning, 2024).

Political Economy and Governance: Capitalism and its Narratives

From a purely nation-state capitalist framework, this mining scheme is framed as a way to support small Indigenous communities, allowing them to make decisions about their land and reap the benefits within a capitalistic society. This narrative, pushed by some Indigenous leaders and industry professionals alike, proposes that the job training and opportunities will keep their members employed and in the community instead of fleeing (Mcgee, 2022). The increased money flow will lead to more housing and roads, leading to lower grocery prices and safer communities (Mcgee, 2022). However, this narrative fails to discuss the implications of any mining disasters that would be felt by the Indigenous community, nor does it speak to or respond to Indigenous critiques of capitalism and what it offers to them and their land. It has been noted by many Indigenous community members that capitalism within Canada oftentimes put them into positions of exploitation. Marten Falls, one of the central communities and supporters of the Ring of Fire project, understands this intimately. When they signed Treaty 9 with the Federal government in 1905, the Federal government made promises of resource sharing that it did not keep (Mcgee, 2024). This has led to underdevelopment, where the revenue generated from resources extracted from that dispossessed land leave the area and are not invested back into the community or people. The Marten Falls community is facing crises of every kind: youth mental health crises, opioid crises, housing crises, education crisis, and a water crisis. To these people, the Ring of Fire mining development is finally a chance to benefit from the resource extraction of their land. Investments from both the government and private companies could build houses, community centres, and supply roads that will connect their community to the rest of the province, making food imports cheaper and electricity and generators more accessible.

Governance: Who Has Jurisdiction over the Far North?

After the signing of Treaty 9 in 1905, the Government of Ontario and the Indigenous population within the Far North have been opposing interpretations of the treaty, leading to conflicts in authority and governance in the area (WCS, Governance, 2024). Treaty 9 covers all of the Far North, including where the Ring of Fire and the Hudson Bay Lowlands sit. Legislation has been passed over the years within the provincial legislature that has appeared to aid the populations in the

Far North with growth and economic stimulation, as is the case with the Far North Act of 2010 (WCS, Planning, 2024). The purpose of this legislation was to develop land use plans in collaboration with the First Nations people of the Far North regarding things like tourism, renewable energy, mining, and forestry (Government of Ontario, Archived, Far North Land Use Strategy: Discussion paper). It lays out four specific objectives regarding land use planning for these industries: valuing First Nation input, ensuring the protection of areas that have cultural value, maintaining biodiversity, and enabling sustainable economic development for the communities of the Far North (Government of Ontario, Archived, Far North Land Use Strategy: Discussion paper). According to the Yellowhead Institute, an Indigenous led research and education centre at Toronto Metropolitan University, this legislation is seen as a tool for the provincial government to push through legislation that seemingly has the Indigenous seal of approval (Scott & Cuttfeet, 2022). According to the Institute, the consultations that took place under this legislation while it was still active were rushed, under-resourced, and done with unaffected communities (Scott & Cuttfeet, 2022). The narrative pushed by the province regarding this legislation is one of collaboration and prosperity for both parties involved, but the reality is that the government is the only one orchestrating the planning of these projects, and the Indigenous communities are rarely adequately and appropriately consulted as to their constitutional rights and their understanding of Treaty 9 (Scott & Cuttfeet, 2022). This extremely controversial legislation has been the starting point for the majority of land use strategy surrounding the Ring of Fire until 2019, when the Ford government suggested repealing it to remove the “red tape” surrounding the development of the Ring of Fire (WCS, Planning, 2024). Repealing the act has Indigenous support, not because they wish to remove the “red tape” but because they want the province out of the decision-making process entirely (Scott & Cuttfeet, 2022).

Concluding Thoughts

The Ring of Fire presents an interesting case study to analyze the treatment of bogs and peatlands within capitalism. It is set in a broader history of the exploitation of peatlands in an effort to reach carbon neutrality on a national scale by developing greener technologies on top of, or with the resources from, bogs. It is a story of markets being propped up and supported by governmental legislation, with capitalist goals of accumulation being ultimately valued over true environmentalism and reaching goals of net-zero emissions. We also see a story of poverty, desperation, and pride play out for one of Canada’s most marginalized and important populations. The combination of the political economy approach and the governance approach reveals narratives of development and

environmentalism that cannot be seen with just a governance approach, where capitalism and its inherent contradictions leading to environmental crises would not be analyzed.

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Granting First Nations Peoples the Same Rights as All Other Canadians: The Shocking Solution to Address Economic Inequalities Faced by Communities Living on Canadian Reserve Land

Elissa Chrapko

What can explain the economic inequalities that exist between communities living on and off First Nations reserves? While there are many socio-cultural factors that contribute to inequalities faced by First Nations peoples on reserves, the large economic disparities are ultimately rooted in the different structures of property rights on First Nations reserve lands and in the rest of Canada. This paper will explore how these differences continue to inhibit the economic development and self-determination of First Nations communities living on reserves in Canada today, and how progress can be made through the privatization and provincial protection of reserve lands.

Property rights in this essay are defined as the determinants and protections of land ownership and use, which often shape the growth and development of individual wealth in today's modern economy. In Canada, property rights are not constitutionalized; instead, Section 92 of the Canadian Constitution assigns property and civil rights of non-reserve lands to provincial jurisdiction. This allows most Canadians, corporations, and industries to have control over what occurs on their privately owned lands. As long as actions are not in violation of provincial and municipal laws, Canadians have the provincially protected ability to industrialize, develop, build, and use their land as they desire. In contrast, property rights on First Nations reserve lands are neither constitutionalized nor protected under provincial jurisdiction, with this "poor design" of First Nations' property rights being traceable back to the Indian Act (Alcantara 2007, 424). The Indian Act, a paternalistic policy still in use today, was originally passed in 1876 and established First Nations reserves as Crown property. Its original purpose was to eliminate First Nations peoples and cultures, which it accomplished in part by ensuring that reserve land could not be privately owned by First Nations peoples. Further, it ensured that all development and activities on the land were entirely under federal jurisdiction, which is a power that the Canadian government still holds over reserve land today. In this way, the Indian Act barred reserve communities from participating in Canada's developing economy while European settlers were free to own land and pursue lucrative, wealth-building opportunities. The Indian Act continues to enforce this pattern of generational inequity in communities wishing to develop their land today.

While there have been some new policies regarding First Nations land rights and several changes made to the Indian Act since 1876, property rights on reserves are still not protected in any

significant way. The Framework Agreement on the First Nations Land Management Act 2022 (FAFNLMA) is a recent piece of legislation combining the Framework Agreement 1996 (FA) and the First Nations Land Management Act 1999 (FNLMA), both of which prior documents have since been repealed. As such, the FAFNLMA retains the same conditions as the FNLMA in determining that “Canada is no longer involved in the decision making of the First Nation’s land and resources” (Canada 1999, Section 29(1)). The FAFNLMA does this by allowing First Nations groups to develop land codes and therefore opt out of certain sections of the Indian Act that determine land use on reserves. Land codes are First Nation-created frameworks for “administering [reserve] lands according to their own rules and customs” on their land (Alcantara 2007, 426). However, the land is still owned by the Crown and the Canadian government retains the right to intervene at any point on any decision made on the land as long as government intervention is “justified and necessary for a federal public purpose” (Canada 1999, Section 29(1)). This definition of appropriate intervention is incredibly vague and opens the door for Canadian policymakers to justify any decision to interfere in First Nations’ affairs on the grounds that interference “serves the national interest,” even if that interest is purely political and in no way supports the livelihoods of those on the land (Canada 1999, Section 29(1)). This is deeply detrimental to First Nations’ self-determination because, if individuals cannot own the land they live on, they continue to be deliberately excluded from the same opportunities granted to people living off-reserve.

Since property rights are critical for improving economic outcomes in Canada’s current economic structure, a lack of protected land rights on reserve lands could be the cause of economic disparities faced by communities on reserves (Aragón and Kessler 2020, 461). Several studies have found a positive relationship between property rights and economic growth, as extensive property rights tend to increase economic activities such as investment, land use, and development (Aragón 2015, 43). Microeconomic equilibrium theories also suggest that an increase in private land ownership will increase income, with evidence suggesting that even the limited autonomy granted by existing modern treaties has resulted in a 13% increase in real income on reserves (Aragón 2015, 43). Despite this evidence that property rights improve economic outcomes—which can, in turn, continue to promote self-determination—current legislation such as the FAFNLMA does not protect property rights directly; current regulations only allow First Nations communities to develop land codes while the land itself remains owned by the Canadian government, meaning that property rights on reserves still do not exist on an individual or private basis.

Despite land codes alone not allowing First Nations communities complete self-determination, several scholars argue that land codes are an excellent first step in promoting First

Nations' expertise and autonomy on reserves as they ensure that each First Nations group can create its own standards for operation on its designated reserve land (Alcantara 2007, 427). Land codes can also be incredibly economically useful; like any other property rights in a liberal society, they help First Nations cut costs through eliminating the "inefficiencies and inaccuracies generated by the involvement of a centralized authority" (Alcantara 2007, 431). However, First Nations communities still lack autonomy over their land as these land codes do not protect reserve land from the expropriation of the government at any given moment for any arbitrary justification. There is limited evidence to prove that autonomously designed land codes alone even result in better individual economic outcomes or incomes for First Nations peoples on reserves, as increased autonomy can skew average income measurements if an influx of wealthy citizens or investors migrate to reserve lands to profit from access to new development projects (Aragón and Kessler 2020, 481). Further, there is no evidence that land codes result in progression to total ownership of reserve territory wherein First Nations peoples can control all development and land use with no threat of federal intervention (Aragón and Kessler 2020, 481). The land must instead be protected through legitimate property rights that extend beyond individual land codes in order to promote true self-determination and positive economic outcomes on reserves.

A significant step forward for First Nations' sovereignty and land ownership was the hugely successful Great Bear Rainforest (Forest Management) Act passed in 2016. This act created a partnership between provincial and reserve leadership in British Columbia in order to protect and conserve First Nations' reserve land belonging to the Crown, as well as large amounts of British Columbia's Great Bear Rainforest (British Columbia 2016, Part 1). The act's success is largely due to its nature as a communicative and collaborative policy restructuring that "[motivated] actors to work together instead of against each other" on such a complex issue of provincial interest (Saarikoski, Raitio, and Barry 2013, 279). When the provincial government is involved in matters concerning reserve lands, policy decisions are grounded in consensus seeking as provincial governments lack the ability to make direct decisions about land use on First Nations reserves. In these cases, property rights and community desires appear to be far more respected when First Nations enter land use negotiations with provinces (Saarikoski, Raitio, and Barry 2013, 272). Since this act was far more centred on conservation than it was on development, it is hard to assess any economic implications it has on First Nations' communities. In accordance with the act, the land will not be developed in a standard economic sense and any metrics used to measure economic growth will not reflect positively on this act. It is important, however, to look beyond Eurocentric measures of growth and understand that provincial land protections have huge implications for First Nations'

self-determination and private land decision-making capacities. Without British Columbia's provincial decision to preserve the Great Bear Rainforest, the Canadian government could have stepped in and used reserve land in that region against First Nations' wishes and desires for that land to be protected. If all other Canadians are granted the personal liberty of choice over their property, First Nations' communities living on reserves should have the same property rights such that their decisions regarding reserve land are not questioned, whether they decide to preserve it, develop it, or any combination thereof.

As evidenced by the Great Bear Rainforest case, the goal of policy reforms regarding reserve land should not solely be focused on what is the most profitable. First Nations communities are vastly diverse and their interests cannot be homogenized or reduced to strictly the Western, capitalist ideas of development and profit; however, a lack of individualized, private property rights on reserves eliminates First Nations' autonomy to make the choice to participate in the Canadian economy according to their own personal values and preferences (Alcantara 2007, 422). All other Canadians are awarded the freedom to choose what they do with their land, with this choice being protected by provincial powers. While it is totally unfair to assume that all communities would want to utilize their land in ways consistent with Eurocentric ideas of development and success, upholding the status quo of Crown supremacy and disallowing First Nations communities the ability to utilize their land in any way they desire is an incredibly paternalistic dismissal of First Nations' desires and is deeply contemptuous of their capabilities as people living in Canada's modern society. It should not be up to the government to decide that First Nations peoples are still wards of the state or somehow are not able to act in their own best interests; however, this is the message that Canada continues to perpetuate by continuing to hold the property rights of reserve land instead of privatizing reserves and allowing First Nation leadership to make their own autonomous decisions.

Privatization and protection under provincial governments is therefore the obvious next step in promoting First Nations' autonomy over reserve lands. While privatization is not the end solution to all social and economic struggles, it is a well-researched fact that private land ownership and increased protections for property rights can positively contribute to economic outcomes, which in turn can drastically improve quality of life (Aragón and Kessler 2020, 476). All other Canadians enjoy property rights that are protected by the provincial government, without fear that the federal government will enforce its will over the land. Technically, the federal government could still use the Emergencies Act to take action on privately owned land in a populated city such as Toronto or Vancouver; however, the use of the Emergencies Act must be approved through democratic means,

and the decision to impede on the civil liberties of the non-reserve population is not an action that is taken lightly or before exhausting all other options. Since First Nations peoples on reserves cannot legally own property on reserves, they “are grouped in the same category as children” on the issue of land ownership. Any claim that this entire group of people should not be granted private land ownership is therefore deeply infantilizing and lacks modern context for why First Nations peoples may want to own, control, and even industrialize reserve land (Bains 2015). With preliminary research already showing that limited land codes alone can result in dramatically increased incomes earned on reserves, private and provincially protected property rights are the obvious next step for equalizing opportunities for all Canadians (Aragón 2015, 43). As evidenced by the Great Bear Rainforest Act, provincial protections have proven to be one of the simplest ways for First Nations reserve communities to gain autonomy over their land (British Columbia 2016, Part 1). Going forward, the federal government should relinquish its titleship over reserve land to the communities living on each reserve and allow the provinces jurisdiction over this newly privatized land in the same ways provinces have jurisdiction, but limited power to interfere, over all other land.

It can, however, be argued that increased property rights would not make a large difference in economic outcomes for communities on reserves (Aragón and Kessler 2020, 460). According to limited research, property rights “may improve housing conditions but may not be a transformative tool for poverty alleviation” on reserves (Aragón and Kessler 2020, 491). This claim is based on the analysis of specific economic indicators—income and employment outcomes—but is limited in that it is based on the study of First Nations reserves where land continues to be held by the Crown (Aragón and Kessler 2020, 491). Further, any studies conducted currently are subject to lurking, unobserved, or otherwise confounding variables. The two most obvious variables are that reserve land is still Crown land, and that any attempts to entrench more private land protections into documentation have been made as recently as 2022. Any impacts on income and employment could be misrepresented as communities and economies adjust to large changes, meaning that the immediate aftershocks of increasing property rights on reserves may not be truly reflective of their end impacts. In fact, the granting of property rights may not even be a direct mediator of wealth and economic success in the case of First Nations reserve communities; it may be that accessing private property and finally being able to make autonomous decisions, thus increasing decision-making power and mental health outcomes as well as decreasing social stigma, is what will help improve First Nations’ income and capacity to participate in the economy. Even if economic outcomes were not largely different than when reserves were Crown property, the social benefit of the humanization

of First Nations peoples through provincial recognition would be worth much more than economic metrics alone could possibly predict (McLeod et al. 2015, 16).

Ultimately, it is the lack of provincially protected private property rights on reserve lands that inhibits economic development and self-determination of First Nations communities in Canada. As evidenced through successful provincial land protection legislation and through economic analysis of income trends increasing with increased autonomy on reserves, there is already strong proof that economic and social progress through privatization can be achieved, even if progress is initially small scale. Going forward, the Canadian government must relinquish its control over reserve land and level the playing field by allowing all Canadians to participate in the modern, property-owning economy.

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Economic Inequality in Inuit Nunangat and First-Language Instruction

Willow Teter

This paper argues that the extreme economic inequality the Inuit of Inuit Nunangat suffer from can be explained by the lack of first-language instruction in their education system, and that further developing the immersion program will improve Inuit outcomes. Inuit Nunangat is the homeland of the Inuit, spanning four provinces and territories (Northwestern Territories, Nunavut, Quebec, and Newfoundland and Labrador). This paper is primarily concerned with the conditions and policies of Nunavut, although data specificity limitations have somewhat broadened its scope. The Indigenous language of the Inuit of Nunavut is Inuktitut, and the education system currently offers immersion instruction only in Inuktitut for grades 1 through 4. Instruction in Inuktitut creates economic prosperity by improving educational outcomes. Unlike other poverty alleviation approaches, such as improving housing conditions, first-language instruction also contributes to cultural prosperity, which again improves economic outcomes for the Inuit. The Nunavut government's obligation to provide Inuktitut instruction is being decided by an ongoing legal dispute that will determine the future of Inuit education. The case highlights how existing immersion programs are at risk and also highlights the government's obligation to provide adequate education for the Inuit of Inuit Nunangat. In essence, this paper argues first-language Inuktitut instruction improves educational and economic benefit and fosters cultural prosperity.

The drastic economic inequality between non-Indigenous Canadians and the Inuit population of Nunangat presents itself through disparities in income, health, housing, and education. In 2021, the average Inuit after-tax income was \$39,640 whereas the non-Indigenous average was \$45,160—a discrepancy that serves as the primary evidence for the significant economic inequality (“Income statistics”). A 2018 executive summary from the Public Health Agency of Canada revealed Indigenous people had worse health outcomes than non-Indigenous people in cause-specific outcomes (arthritis, asthma, diabetes, obesity), mental illness hospitalizations, life expectancy, and mortality (“Key Health Inequalities”). The 2018 Canadian Housing Survey revealed 26.2% of Inuit lived in a dwelling that required major repairs, the highest of any Indigenous group and more than four times as frequently as non-Indigenous Canadians (5.7%). Similarly, Inuit were also most likely to live in crowded conditions, and those residing in Inuit Nunangat fared significantly worse compared to those living outside: 52.9% compared to 11.4% (Hahmann 2023, 4). For children, growing up in crowded or poor-quality housing conditions leads to lower educational outcomes, lower kindergarten readiness, and cumulative inequality later in life (Gaitán 2018) (Loopoo and

London 2016). Within Canada, the high school completion gap between non-Indigenous and Inuit students is lessening—in 2021, for the first time, more than half of the Inuit population completed high school. However, the gaps in bachelor’s degree outcomes are widening, a shift that signifies increasing barriers to high-paying jobs and economic equality (“Canada leads the G7”). The link between education and income is apparent—individuals with a bachelor’s degree earned at least \$30,000 more than their high-school educated counterparts in Nunavut (“Does education pay?”). The Inuit living in Inuit Nunangat fair notably worse than other Indigenous and Inuit peoples according to most indicators of inequality: they are not only an economically disparate group but experience pervasive inequality in most spheres of life.

The lack of specific data somewhat compromises evidence of inequality between the Inuit of Inuit Nunangat and non-Indigenous Canadians by obscuring precise differences. There are vastly different categorizations and measurements used to compare Indigenous peoples, and the definitions for “crowded housing” vary slightly here. In Canada, whether a dwelling is crowded depends both on the number of people per room and the size and composition of the dwelling. In the US, a crowded dwelling is defined as having more members than rooms and does not account for layout or size. The cited information about how crowded housing affects children uses the US definition, whereas the statistics on Inuit outcomes use the Canadian definition.

Indigenous peoples are divided into First Nations, Metis, and Inuit, but also in other ways. The Indian Act divides Indigenous peoples into Status Indians and Non-Status Indians, differentiating Indigenous peoples based on their government registration. Another common categorization is on-reserve and off-reserve Indigenous peoples (Parrot 2007). These categorizations allow for the clear and precise labeling of Indigenous peoples but also represent the failure to establish a continuous standardized method—comparing statistics on Indigenous outcomes 20 years apart becomes difficult when different categorizations are used. In addition to many classification methods, the data also lack specificity: few sources from Statistics Canada, the official Canadian statistical government agency, differentiated between different Inuit regions of residence (“Health services”). While there is significant information available on the Inuit, little is specific to the Inuit of Inuit Nunangat. This presents a clear limitation of this study, since most information on the Inuit serves at best as a proxy of Inuit of Inuit Nunangat. Despite the lack of data, the economic inequality between Inuit Nunangat and non-Indigenous is clear.

The Inuit of Nunavut face an additional struggle in their public education system, which is not based in their primary first language, Inuktitut. The government of Nunavut has been Indigenous controlled since its establishment in 1999. This allowed for an education system designed to serve

Inuit children since inception, unlike other provinces and territories that have government assimilation education programs (McCue 2011). The education system has always included Inuktitut primary instruction from grades 1 through 3, yet never without concern for the program's efficacy and strength. A news article from 2001 professes fears about Inuktitut fluency, citing testimonials from teachers and the limitation of instruction to early elementary school (George 2001). In 2008, the Government of Nunavut passed the Education Act, which ordered education in Inuktitut for all grades by 2020, yet never achieved the legally mandated commitment (Murray 2021) ("Education Act," 15). An audit from 2013 revealed sufficient evidence of implementation failure and attributed it to limited investment in teaching resources, curriculum design, inclusivity, and bilingual education. The audit also pointed out how other unforeseen issues—such as low attendance, compounding inequalities, and the government's limited human resource capacity—hampered progress (Ferguson 2013, 2-3). Other analyses expanded on the severe human resource constraints and cited the lack of qualified bilingual teachers and Nunavut's failure to educate and train more (Bell 2019) (Berger et al. 2016). Despite its failure, the 2008 Education Act provided an indispensable legal basis for the pursuit of first language immersion education, a vital contributor to student success and economic prosperity.

Instructing students in their first language leads to improved educational outcomes and has been proven particularly important for Indigenous and disadvantaged children. First language instruction helps students develop numeracy and problem-solving skills and enables more effective teaching. Additionally, students instructed in their first language are more prepared to learn a second language (Chong Suh, Del Caprio, and Wang 2022) (UNESCO 2021). A 2011 study compared the educational outcomes of Indigenous Canadian students within a Mi'kmaq immersion program with those in a Mi'kmaq as a second language program and found that both retained the same level of English while those in the immersion program spoke better Mi'kmaq. The paper argues that language learning is "additive—learning the Aboriginal language might not necessarily impede students' skills in the mainstream language" (Usborne et al. 2011, 204). It further details how Indigenous languages are often less dominant because they are only spoken by the local community, whereas the "omnipresence" of English in media lead to its dominance (Usborne et al. 2011, 204). An earlier study from 2000 conducted similar comparisons in a context where the Indigenous first language, Inuktitut, was more dominant than Mi'kmaq, and found that first language instruction led to better outcomes in both Inuktitut and English proficiency. It also provided tentative evidence that first language instruction strengthened second language acquisition skills while second language instruction subtracted therefrom (Wright, Taylor, and Macarthur 2000, 81-82). The paper on Mi'kmaq presented novel information by studying a context where students entered school with a

limited understanding of the Indigenous language (Usborne et al. 2011, 204). Its findings were consistent with the results of the Inuktut study, leading to the conclusion that instruction in the Indigenous language, regardless of its local dominance, leads to better educational outcomes for students. This presents vital evidence for the implementation of first language instruction in Nunavut by demonstrating that it will have positive results despite the likely changing dominance of Inuktut. Pursuing first language instruction in Inuktut has positive benefits for Inuit children in terms of English and Inuktut fluency, second language acquisition, numeracy, and problem-solving skills. Even if Inuktut becomes less dominant in Nunavut communities, which seems likely now, Inuktut instruction will always benefit the Inuit.

The disparate economic outcomes of the Inuit of Inuit Nunangat could also be mitigated by politics that counter overcrowding. Overcrowding has clear impacts on economic inequality, leading to lower education and health outcomes. Overcrowded residences impact children particularly negatively, leading to adverse health outcomes and lower school attendance and readiness (Gaitán 2018). However, a 2018 study of Inuit in Inuit Nunavik (a part of Inuit Nunangat outside of Nunavut) found that living in an overcrowded residence did not cause long-term psychological distress, a previously widespread hypothesis (Peppin et al. 2018). To improve the pervasive overcrowding, the government estimates that Inuit Nunangat requires 4,000 public housing units, as well as temporary housing for the transition period to government housing (“Isolation”). Like first language instruction, improved housing would lead to better economic and educational outcomes. It would likely also lead to more direct health improvements, yet it lacks a different benefit: cultural prosperity.

In comparison with other methods of alleviating economic inequality, the emphasis on Indigenous languages within education will also preserve culture. In 2012, the Inuit Circumpolar Council submitted a research report on the importance of language and culture to Inuit rights and identity to the UN Expert Mechanism on the Rights for Indigenous Peoples. It clearly stated that the “Inuit language is a necessary instrument for enculturation into (acquiring) Inuit identity and for acting out Inuit identity” (Inuit Circumpolar Council 2012, 2). The report stressed the importance of the Inuit right to education in their own language that “[follows] their own cultural and learning styles” (Inuit Circumpolar Council 2012, 2). Instruction in Inuktut provides Inuit youth more than language fluency, but a connection to their heritage, identity, culture, and community—all things that lead to positive economic outcomes (Inuit Circumpolar Council 2012, 3) (World Bank 2016). However, even if these benefits did not yield economic benefit, they would still be a worthwhile pursuit. These are benefits that improved housing conditions could only provide indirectly. First

language instruction creates cultural prosperity in addition to economic equality, giving it more advantages than alternative strategies like reduced overcrowding.

This paper does not concern itself with the feasibility of implementing Inuktitut immersion, and the resulting lack of comparative power limits its analysis. This paper contributes an assessment of the importance of first language instruction and argues that its implementation would yield numerous benefits: cultural and language preservation, as well as improved educational and economic outcomes. However, this paper does not account for the feasibility of realistic implementation and cannot effectively compare the effectiveness of different approaches when executed. The next steps towards a comparative policy study would likely include some form of cost-benefit analysis to create a sense of realistic resource allocation and alternative strategies.

The recent Nunavut amendment to the 2008 Education Act threatens Inuit Nunangat prosperity by jeopardizing immersion programs and illustrates the pressing nature of language policy. The 2020 amendment, Bill 25, shifted the focus from immersion instruction to Inuit language courses. Bill 25 outlines a thorough plan for implementing Inuktitut instruction for all grades and has received vastly different reactions (School Board of Nunavik). It has been applauded for its realistic goals and phased scheduling—the aim is to finish by 2039—while others condemn it for negating the previous aims for full immersion (Dueling 2020). Nunavut Tunngavik Inc. (NTI), the legal representative of the Inuit of Nunavut, sued the Government of Nunavut (GN) with the claim that not offering Inuktitut education in the same degree as English and French evidenced discrimination under Section 15 of the Canadian Charter of Rights and Freedoms. The GN filed to dismiss the case, arguing NTI sought to expand on rights granted by other parts of the charter through Section 15 (Liny 2022). This complicated legal battle, which began in 2021, is still ongoing and its central question remains: is Indigenous first language instruction (and the resulting cultural and economic prosperity) protected by the Canadian government? NTI protested Bill 25 the day it was passed, stating that it “sidesteps accountability for a decline in attendance and student achievement rates and its lack of services for inclusive education” (Nunavut Tunngavik 2020). The lawsuit officially commenced a year later, in 2021. The amendment comes after the implementation failure of the Education Act, which aimed to have immersion for all grades by 2020. The previous immersion efforts never surpassed grade 4, and so Bill 25 prioritizes making Inuktitut instruction available to all grades to some degree instead of only immersion in elementary school.

While this paper can offer no insight into the legal validity of the claims presented by the GN and NTI, the dispute clearly illustrates the ongoing struggle to preserve Inuktitut first language instruction, as well as the immense challenges policy implementation faces. However, the case also

illustrates the pressing importance of recognizing the benefits of first language instruction as a way to preserve Inuit identity, as well as support cultural and economic prosperity through improved educational outcomes. The case also evidences the urgency of preserving Inuktitut immersion: the Education Act of 2008 creates a legal obligation that requires the government to pursue immersion. If it is successfully replaced by Bill 25, the government may never be held accountable to pursue first language instruction again. This is the central issue of NTI vs. GN, even if non-immersion Inuktitut instruction presents a worthwhile pursuit. Additionally, the language loss throughout Bill 25's implementation will likely be immense, causing irreparable damage to Inuktitut's dominance and the economic prosperity of the Inuit of Inuit Nunangat.

The pervasive inequality experienced by the Inuit of Inuit Nunangat can be explained by an education system with limited first language instruction. Expanding the Inuktitut instruction program will not only eliminate one cause of inequality but lead to economic and cultural prosperity. The benefits of first language instruction are clear, yet the government remains reluctant to adopt the policy. The government's failure to meet its ambitious goal of immersion for every grade within 21 years led to an amendment (Bill 25) that eliminated its legal obligation to pursue this goal. The Nunavut Court of Justice allowed the discrimination case to proceed, but in April 2023, the GN appealed this decision on the basis of three arguments. First, the GN argued that language rights and language instruction rights are not covered by Section 15, and that Section 15 could not be used to expand on sections pursuant to languages (Sections 16-23) ("NTI vs. GN"). The NTI's response described "Inuktitut as a part of Inuit cultural identity," thereby asserting that it would fall under Section 15 (Nunavut Tunngavik 2023). Additionally, the GN argued that the Canadian Charter of Rights and Freedoms only protects English- and French-speaking students and that the Nunavut Legislative Assembly, in the words of the NTI, "may create whatever laws they would like when it comes to Inuktitut Education, even if it is harmful to the Inuit" (Nunavut Tunngavik 2023). The current legal case concerning this policy highlights the struggle for Indigenous education. Inuktitut is in a strong position to pursue immersion education: it is still the dominant language in many Nunavut communities and is one of the three Canadian Indigenous languages considered "stable and viable" (Davis 2019). Additionally, the sooner the immersion program is implemented, the better—if Inuktitut is not protected now, it may never recover. While the program has benefits regardless of Inuktitut's local dominance, the potential economic benefit, educational outcomes, and cultural connections should be pursued as soon as possible to alleviate the disparities experienced by the Inuit. The current policy dispute jeopardizes the possibility of ever implementing Inuktitut immersion and raises the crucial question: If not now, when?

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Mothers Across Borders: Filipina Migrants in Canada and the Politics of Global Labour

Irish Gaitan

Introduction

“Caregiving for pay” (Tastsoglou & Dobrowolsky, 2017, p. 112), particularly among migrant women from the global south, has become a significant focus of academic research. Care work is increasingly recognized as a valuable commodity in global labour markets, with the Philippines identified as one of the top source countries for immigrants to Canada (Lightman et al., 2022, p. 30). Notably, women make up a larger proportion of migrants, constituting about 60% of the demographic (Lightman et al., 2022, p. 30). Whereas migration was once seen as a pathway to social and economic advancements, today’s policies perpetuate existing global inequalities by reinforcing the demand for low-cost labour. The Philippine state has formalized a system for managing labour migration, with a particular emphasis on women as migrant workers. This essay explores the intersection of borders with themes of gendered migration, how women—especially mothers—become economic providers, and the implications of long-term separation for families. Through an analysis of immigration policies, how employment programs such as the Live-in Caregiver Program serve as key entry pathways for women, and the concept of transnational motherhood and families, this research aims to focus on the unique experiences of Filipina migrant workers in Canada as they navigate borders and transnational spaces.

A Brief History of Transnational Migrant Labour in the Philippines

Tyner (2004), as cited in Barber (2013), argues that the Philippines’ labour export—sending workers abroad—is rooted in the country’s historical and structural economic problems, such as persistent unemployment, underemployment, and social instability (pp. 389-390). In 1974, under the Labour Export Policy initiated by then-President Ferdinand Marcos, the Philippine government recognized the economic value of labour migration, which became crucial for national development, primarily through the remittances sent home by overseas workers (Francisco, 2015, p. 99). Agencies like the Philippine Overseas Employment Agency (POEA) and the Overseas Worker Welfare Administration (OWWA) are instrumental in coordinating and supporting the deployment of Filipino migrant workers abroad (Francisco, 2015, p. 99). Over time, labour export has become completely and deeply embedded in the country’s economic and political landscape, with the Philippines

emerging as a major player in the global “surplus” production of healthcare workers (Choy 2003; Valiani 2012, as cited in Barber, 2013, p. 393).

Canada’s Live-in Caregiver Program (LCP)

The Live-in Caregiver Program (LCP) was established to replace the Foreign Domestic Movement (FDM) program that allowed migrant women to work in Canada as domestic workers. As Tungohan (2013) explains, this shift was an attempt to “professionalize” (p. 43) their labour by recognizing them as caregivers rather than domestic workers. Under the LCP, the requirement for women to have educational credentials and work experience was intended to elevate care work to a more professional status. However, scholars note that migrant women under the LCP were still expected to perform the same tasks as domestic workers, such as housekeeping and caring for children and the elderly (Tungohan, 2013, p. 43). The FDM, which was initially dominated by Caribbean women with elementary education, evolved into the LCP, where Filipina women with university degrees were now entering the program, reflecting the growing demand for highly educated care workers. As Lightman et al. (2022) describe it, the LCP functions as a “two-step immigration pathway” (p. 30) that allows Filipinas to transition from temporary foreign workers to permanent residents.

Unlike migrants in the Federal Skilled Worker Program, those under the LCP must first complete a two-year live-in work contract before they can apply for permanent residency (Lightman et al., 2022, p. 32). This work had to be completed within four years of arriving in Canada, and only authorized employment counted towards this requirement (Immigration, Refugees, and Citizenship Canada, 2024). In addition to fulfilling the work experience criteria, applicants must also undergo various assessments, including medical, criminal, and security screenings (Lightman et al., 2022, p. 32). As a result, migrants under the LCP are often referred to as “citizens-in-waiting” (Lightman et al., 2022, p. 30) because their potential permanent residency is contingent on the completion of their work contract. Audrey Macklin succinctly captures the contradictory and vulnerable position of migrant workers: “The domestic worker is admitted into Canada but barred from political membership, employed in a workplace but often excluded from worker-protection laws, resident in a household but not a part of the family” (Walia, 2021, p. 107). This extensive process delays their full integration into Canadian society, subjecting them to a prolonged sense of uncertainty and precarity.

Canadian Border Politics and Structures

Canada's immigration policies have historically valued migrants primarily for their labour. The Temporary Foreign Worker Program (TFWP) is described by Walia (2021) as a system of "managed migration" (p. 102), with its origins in earlier initiatives like the Caribbean Domestic Scheme in the 1950s and the Commonwealth Caribbean Season Agricultural Worker Program in the 1960 (Walia, 2021, p. 102). These programs specifically targeted single Caribbean women without children, highlighting the intersection of race, gender, and labour (Walia, 2021, p. 102). Not only did these programs reinforce stereotypes of women of colour being suited for low-wage, domestic, and caregiving roles, but by prioritizing single women without dependents, they also sought to minimize potential "burdens" on the state. This legacy has established a pattern of requiring long-term servitude before offering pathways to permanence, a pattern that the LCP appears to follow. The creation of more varied routes for immigrants to Canada, while intended to offer more opportunities, also reveals how immigration policies are managed and controlled to shape the flow and experiences of different migrant groups. Lightman et. al (2022) explain the concept of the "intersectional pathway penalty" (p. 29), which refers to the disadvantages experienced by Filipina migrants based on the intersection of multiple factors such as race, immigration status, and the specific entry pathways they take. They found that those who entered Canada through the LCP tend to have the lowest earnings compared to other immigrant women from different countries (Lightman et al., 2022, p. 29). This is largely due to the "devalued nature of care work" (Lightman, 2019; Tungohan et al., 2015, p. 42), which affects migrant women in caregiving roles.

Tungohan et al. (2015) raise important questions about the post-LCP transition for live-in caregivers in Canada, particularly regarding the uncertainty of whether their vulnerabilities—such as exploitation, marginalization, and lack of full rights—will persist even after they fulfill their requirements and obtain permanent residency (p. 88). For live-in caregivers, their path to citizenship is marked by several stages: transitioning from a temporary foreign worker, receiving an open work permit, achieving permanent residency, and finally, acquiring formal citizenship. Tungohan et al. (2015) identify the "uneven" (p. 91) nature of citizenship, pointing out that their integration into Canadian society is not solely determined by the formal acquisition of citizenship. Instead, it is shaped by multiple factors such as the timing of arrival, the type of immigration program, the geographic location, racial minority status, and gender. Citizenship is also "graduated" (Tungohan et al., 2015, p. 91), meaning that their rights are not "absolute," but are "partially held" (Stasiulis and Bakan, 2005, as cited in Tungohan et al., 2015, p. 91). Maynard (2019) discusses the dualistic nature of citizenship, which is both inclusionary and exclusionary, and asserts that for citizenship to have

value and meaning, there must be those who are denied it (p. 127). In her analysis, Maynard also emphasizes the legal precarity of migrants, and how citizenship functions not as a universal right, but as a selective privilege (Maynard, 2019, p. 127). Thus, this understanding of LCP migrants' citizenship as "uneven" and "graduated" challenges the idea that being granted citizenship automatically ensures full social and legal inclusion. Instead, temporary foreign workers, such as live-in caregivers, undergo a gradual acquisition of rights, making their transition to full integration more complicated and fragmented.

Neoliberal immigration policies often present migration as a pathway to upward mobility and opportunities, but this perception is misleading. Barber (2013) investigates how Filipino migrants are prepared and conditioned for life as immigrant workers in Canada (p. 383). Their preparation not only equips them with the necessary and appropriate skills but also teaches them to accept subordination and the inequalities within the labour systems they will be entering (Barber, 2013, p. 383). The "collusion of multiple states" (Barber, 2013, p. 387) refers to how countries collaborate to sustain labour export frameworks that discipline migrants into accepting precarious and classed roles, ensuring that they are funneled into low-wage, insecure work and that their labour remains undervalued. Migrants internalize neoliberal values such as adaptability and self-discipline, which are emphasized as essential to navigating their new environments and achieving success (Barber, 2013, p. 398). Regardless, these qualities do not necessarily translate to improved outcomes, as the system is structurally designed to exploit their labour and skills. Migrants face institutional barriers such as challenges with credential recognition, visa restrictions, and precarious labour conditions. These barriers illuminate the exploitative nature of migration pathways, where migrants encounter obstacles at every stage of the process.

Gendered and Racialized Dynamics of Filipina Migration

In transnational migration, gender and race intersect with class discipline, shaping the work migrants are prepared for and how they are positioned within the global labour market. Yet, the deliberate training and preparation of workers for overseas employment often leads to the devaluation of their skills. For instance, women are often channeled into care and health sectors, such as nursing, because these roles align with traditional gender expectations. State-promoted migration policies commodify education, framing it as a step in securing overseas employment. For instance, in the Philippines, nursing education is widely pursued due to its perceived potential for migration opportunities. Even partial nursing education or credentials can open migration pathways, though often for "lesser skilled" (Barber, 2013, p. 395) or lower paid roles such as caregiving. Nevertheless,

despite many women being highly trained in these professions, they enter Canada through “less-skilled” (Lightman et al., 2022, p. 33) immigration streams such as the LCP. This results in deskilling, as Canadian regulations typically do not view qualifications from the global south as equivalent to those earned in Canada, reinforcing the economic exploitation and systemic inequalities that migrant women face in the labour market.

“Notions of gratitude and patience” (Barber, 2013, p. 384) play a significant role in shaping how migrant workers perceive their circumstances. By fostering these values, migrants are more likely to tolerate challenging and exploitative conditions, viewing them as something to be endured in exchange for the opportunities provided to them. This mindset reinforces the power structure that sees migrants as not entitled to full rights nor recognition, positioning themselves as “visitors” who should remain humble and thankful. In the Philippines, there is a strong cultural emphasis on “female piety” and “sacrifice” (Tungohan, 2013, pp. 40-41), with women who migrate being “venerated” (Tungohan, 2013, pp. 40-41) for their selflessness in leaving their families to work abroad. Despite the emotional pain of separation, migrant women acknowledge that migration allows them to be “‘better’ mothers” (Tungohan, 2013, pp. 45-46), believing that they are improving their family’s financial stability and living conditions. This reframing of motherhood as an economic responsibility suggests that fulfilling this role requires the sacrifice of being physically absent. The decision to migrate is framed by the economic realities in the Philippines, where migration is seen as necessary for improving the family’s financial situation. Women weigh the emotional and physical costs of being away from their children against the economic benefits of migration, ultimately concluding that the financial stability that migration provides outweighs the emotional toll of separation (Tungohan, 2013, p. 48).

Transnational Family and Mothering

Following this gendered rhetoric, women who migrate to work as caregivers or domestic workers abroad are seen as contributors to both their family and the national economy. By framing migration as both an economic necessity and an act of patriotism, the Philippine state has essentially normalized the global dispersion of families, particularly the emigration of women and mothers, thereby reshaping family structures and responsibilities back home. Families left behind are not just passive recipients of care or support but are active participants in how care is given and received (Francisco, 2015, p. 100). While migration disrupts traditional family roles, especially when the mother—often the primary caregiver—leaves, it is common for Filipino families to rely on their “extended kin networks” (Francisco, 2015, p. 100) to distribute caregiving responsibilities. These

networks form part of the strategies employed by families to manage the household and caregiving duties in the absence of a migrant family member. Drawing on the concepts of “transnational motherhood” (Francisco, 2015, p. 100) by Hondagneu-Sotelo and “long-distance intimacy” (Francisco, 2015, p. 100) by Rhacel Parreñas, the role of a caregiver is extended to a broader network of family and community members. The concept of “multidirectional care” (Francisco, 2015, p. 100) suggests that both migrants and their family members back home adapt their roles and responsibilities to ensure that care is continuously provided, despite the physical separation.

Under the pressures of globalization, families have had to adapt to maintain familial functions. As a family structure, the transnational family is marked by distance and separation, where caregiving responsibilities extend beyond physical borders (Francisco, 2015, p. 101). Migrant mothers are expected to meet both economic and maternal demands, and separation from their children becomes both an emotional and practical challenge. Filipina caregivers must negotiate these expectations while adapting to new roles in their host country (Tungohan, 2013, p. 39). As well, advancements in technology have fundamentally changed how transnational families stay connected, helping to mitigate some effects of physical separation and creating new dynamics of care and dependency (Francisco, 2015, p. 100). The use of technology is seen as a way for migrant mothers to practice their motherhood across borders. One respondent in Tungohan’s (2013) study explained that the availability and accessibility of technology allow her to stay emotionally connected to her family, reducing the emotional distance (p. 46). Even so, while technology helps migrants maintain connections with their families back home, it is not viewed as the ultimate solution. Despite the constant communication made possible by technological advancements, there is a shared recognition among migrant mothers that technology cannot fully replace their physical presence.

Equally important, migrant parents maintain their roles as caregivers and providers by sending financial remittances and offering emotional support across borders. As Derby (2010) suggests, children of migrant parents often experience “emotional withholding” (p. 142, as cited in Francisco, 2015, p. 102), where they may feel a lack of affection or communication from their parents. In Tastsoglou and Dobrowolsky’s (2017) study, men typically provided large amounts of financial assistance but viewed financial transfers as episodic and transactional, often disengaging from further care-related responsibilities “until the next payment” (p. 116). In contrast, women’s financial support, while tending to be less frequent or substantial, was more care oriented (Tastsoglou and Dobrowolsky, 2017, p. 116). Despite sending less money than their male counterparts, women noted being continuously engaged with their families and taking on a more holistic role in caregiving by providing emotional support and as much “hands-on” (Tastsoglou and

Dobrowolsky, 2017, p. 116) care as possible. By providing care in this manner, migrant mothers “reify and contest” (Tungohan, 2013, p. 39) traditional notions of motherhood. While they reinforce the expectation that mothers should provide care, they challenge the conventional belief that care requires physical presence. Instead, migrant mothers demonstrate that maternal care can be adapted and redefined through technology and other forms of long-distance engagement, proving that care can transcend geographic boundaries.

Conclusion

The migration of Filipina women to Canada exemplifies the gendered and transnational dimensions of contemporary labour migration. Their experiences, shaped by gender, race, class, and migration policies, reveal deeply entrenched inequalities within global labour and immigration systems. Care work, despite its essential nature, remains undervalued and is systematically tied to precarity, as migrant labour is commodified while the individuals who perform it are devalued. Equally important, transnational motherhood underscores the emotional and psychological toll of family separation, as migrant women navigate dual roles as caregivers and economic providers for their families back home. Through programs like the Live-in Caregiver Program, Filipina migrant women are caught at the intersection of policy, economic necessity, and familial sacrifice. In doing so, they not only confront but also resist the structures that bind them, reshaping the understanding of both migration and motherhood.

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Canada's National Identity: A Legacy of Colonial Exclusion

Karissa Comeau

Introduction

Canadian nationalism is deeply rooted in colonialism, and the story of Canadian identity cannot be understood without recognizing its foundation in settler colonial expansion. This paper will explore colonialism as a form of nationalism and the lasting harm it inflicted on Indigenous peoples. First, it will analyze how colonialism can be framed within a nationalist context, drawing on the works of Mylonas & Tudor and Anderson, to understand how nationalist ideologies shape historical narratives. The paper will then examine the political impact of colonialism, focusing on the Indian Act and its effects on Indigenous sovereignty. It will also explore the economic exclusion of Indigenous peoples from economic self-determination and the social consequences of colonial policies, particularly the role of residential schools and assimilation tactics in undermining Indigenous health and well-being. The paper will also address acts of Indigenous resistance to these colonial structures and the Canadian government's responses to those acts. Thus, in this essay, I will explore how colonialism can be understood within the context of Canadian nationalism, demonstrating how the nation was built at the exclusion and detriment of Indigenous peoples. By examining the impacts of colonialist nationalism on Indigenous communities, Indigenous resistance, and the government's responses to this resistance, the paper will highlight the enduring legacy of colonialism in shaping contemporary Indigenous-state relations in Canada.

Colonialism Understood in a Nationalist Context

Canada is considered a colonialist country due to its historical and ongoing practices rooted in colonialism, which began with European settlement and expansion. Colonialism in Canada involved the displacement and dispossession of Indigenous peoples from their lands to make way for European settlers. The imposition of European laws, governance structures, and cultural norms aimed to establish and maintain control, often through treaties that were manipulated or not honoured, forced relocation, and the establishment of residential schools designed to assimilate Indigenous children and erase their cultural identities.¹ The formation of Canada as a nation state involved asserting ownership over land and resources without consent from Indigenous peoples, reflecting colonialist values that prioritized settler prosperity over Indigenous rights. These structures of colonialism have had long-term impacts, including systemic inequalities, ongoing land disputes, and social and economic marginalization of Indigenous communities. The legacy of colonialism

continues to shape Canada's policies, societal structures, and relationships with Indigenous peoples today, highlighting the enduring nature of colonial power dynamics within the country.² By understanding colonialism specifically in a Canadian context, we can look to how it acts as a form of nationalism.

Mylonas and Tudor argue that “nationalism has three core attributes: (1) an intersubjective recognition and celebration of an imagined community as a locus of loyalty and solidarity, (2) a drive for sovereign self-rule over a distinct territory pursued by a significant segment of a group's elite, and (3) a repertoire of symbols and practices that embody the nation.”³ Canadian settler colonialism meets all three requirements. First, Canadian settler colonialism fostered an imagined community by positioning European settlers as the core identity of the Canadian nation. This identity was built through narratives of shared heritage, such as loyalty to British roots and the promotion of collective myths about pioneering spirit and settlement. Second, the expansion and consolidation of sovereign control over Canada's territory were fundamental to settler colonialism. This drive is evident through actions of elites like the purchase of the Hudson's Bay tract, the erection of the Canadian Pacific Railway and overall, the struggle for land.⁴ Third, Canadian settler colonialism maintained and propagated nationalism through symbols and practices that reflected its colonial roots and ambitions. National holidays like Canada Day, which celebrates Confederation, and monuments commemorating colonial leaders and explorers serve as powerful symbols.⁵ Moreover, under Benedict Anderson's concept of an imagined community, colonialism can be viewed as a nationalist project that constructs and perpetuates an imagined collective identity among settlers.⁶ In colonial Canada, this identity was fostered through shared beliefs in a common heritage and purpose, reinforced by print culture that disseminated stories of exploration, settlement, and conquest. These narratives unified settlers who would never meet but who envisioned themselves as part of a singular nation. The colonial project was further sacralized through symbols, rituals, and myths—such as national holidays, commemorations of explorers, and official languages—that reinforced a unified identity and allegiance to the colonial state.⁷ Through these mechanisms, colonialism functioned as a nationalist imagined community, where settlers shared a constructed identity anchored in progress and expansion, and sustained by a collective consciousness that marginalized Indigenous peoples. Through analyzing colonialism under both Mylonas & Tudor's and Anderson's work, we can understand how colonialism itself can be seen as a nationalist rhetoric.

The Effects of Colonialism on Indigenous Peoples

The Indian Act of 1876 exemplifies the political implications of a colonialist national narrative that has long excluded Indigenous peoples from meaningful political representation and decision-making processes. By consolidating colonial-era laws into a single legislative framework, the act entrenched mechanisms that systematically removed Indigenous autonomy and subjugated First Nations to federal control. This codified marginalization ensured that Indigenous voices were not only excluded from political discourse but were also actively suppressed through regulatory measures designed to prevent self-governance.⁸ By defining and assigning ‘Indian status,’ the act delineated who could participate in certain civic rights, stripping Indigenous communities of their capacity to advocate for themselves or manage their affairs independently.⁹ Furthermore, Christian paternalism ensured that Indian Act law treated Indigenous peoples as infantile and requiring protection from European Canadian society through geographic, economic, political, and social segregation. This exclusion manifested in policies that reinforced colonial dominance and restricted political participation, such as limiting the right of Indigenous individuals to vote without renouncing their status and imposing administrative structures that bypassed traditional leadership.¹⁰ The Indian Act’s persistence, despite numerous attempts at reform or repeal, highlights its role in perpetuating a colonialist national narrative that continues to impact Indigenous communities today, symbolizing a legal framework designed to maintain power imbalances rooted in settler colonialism.

The economic consequences of colonialist national narratives are deeply embedded in the history of Canadian legislation and policy, profoundly affecting Indigenous communities. One significant economic impact is the deliberate partitioning of Indigenous peoples from full participation in the market economy. This exclusion is rooted in a colonial legal framework that defines ‘indigeneity’ through a racialized cultural lens, denying Indigenous groups proprietary interests in their own lands and resources. This denial effectively strips Indigenous communities of jurisdictional authority, ensuring that control over economic matters remains with the government. Consequently, Indigenous nations have been restricted in their capacity to engage in or benefit from resource management and development on their lands.¹¹ Even when Indigenous communities are permitted to participate economically, it often occurs in a limited manner. They may share in the profits from resource extraction through financial redistribution but lack the authority to decide on granting permits, leases, or licenses. This system ensures that economic power and decision making remain with the state, perpetuating economic dependency and reinforcing settler control.¹² Both segregationist and assimilationist policies further constrained economic opportunities for Indigenous peoples. Segregation laws, for example, prohibited Indigenous communities from establishing

businesses, participating in commodity markets, and joining wage labour forces, reinforcing apartheid-like conditions under the Indian Act of 1876. This dispossession of land and restrictions on economic participation enabled Canada's development and industrialization, aligning with the emergence of industrial capitalism. While assimilation policies ostensibly promoted integration into wage labour, conversion to Christianity, and modelled reserves on municipal governance, these efforts were ultimately aimed at eroding Indigenous jurisdiction and affirming the state's paramount control. The cumulative result has been a sustained limitation on Indigenous access to resources and economic autonomy, reinforcing economic disparities and ensuring that White capital remained secure throughout Canada's development.¹³

To fully grasp the social repercussions on Indigenous groups, it is crucial to delve into both the history and enduring impacts of residential schools and assimilation attempts on a broader scale, including both their physical and psychological toll. Residential schools were a manifestation of colonial policy in Canada, deliberately constructed to assimilate Indigenous children by eradicating their languages, traditions, and cultural identities. This system reflected a broader colonial agenda to subjugate Indigenous peoples and restructure their societies to align with European norms and governance. The schools were part of a comprehensive strategy of control and cultural genocide, forming the foundation of a colonial framework aimed at displacing Indigenous ways of life in favour of settler dominance.¹⁴ The legacy of residential schools goes beyond forced cultural dislocation; many children experienced severe physical, sexual, psychological, and spiritual abuse, resulting in long-term effects such as chronic health problems, substance abuse, increased mortality and suicide rates, criminal activity, and the breakdown of families and communities.¹⁵ Additionally, residential schools were often severely underfunded, subjecting children to poor nutrition and inadequate living conditions, which led to widespread illness and death.¹⁶ The negative impacts extend beyond the immediate outcomes of residential schooling. Assimilation policies themselves have had profound and lasting detrimental effects on health. Indigenous peoples in Canada continue to face a disproportionate burden of illness and poor health compared to non-Indigenous populations. This disparity is rooted in assimilationist policies that inflicted emotional and physical harm, lowered educational attainment, stripped away cultural and linguistic heritage, and fractured family structures. Health conditions such as obesity, diabetes, and cardiovascular disease, disproportionately found in Indigenous communities, are linked to the legacies of colonialism, including the Indian Act, the reserve system, and the residential school experience.¹⁷

Resistance to Nationalist Narratives

Idle No More was an Indigenous-led movement that began in November 2012 in response to a series of legislative bills, most notably Bill C-45, which Indigenous communities saw as direct threats to their rights and environmental protections. The movement was rooted in grassroots efforts and spread through teach-ins in Saskatchewan and Alberta, gaining traction with the use of the hashtag #IdleNoMore as a rallying cry for mass mobilization.¹⁸ Chief Theresa Spence of the Attawapiskat First Nation added significant momentum when she began a high-profile hunger strike in December 2012 near the Canadian Parliament, demanding meetings with Prime Minister Stephen Harper and Governor General David Johnston to address longstanding issues facing Indigenous communities, such as inadequate housing and environmental degradation. This protest drew widespread media attention and fueled support for Idle No More.¹⁹ The movement utilized diverse tactics, including flash mob round dances in public spaces like shopping malls, called the 'Round Dance Revolution,' which disrupted capitalist spaces and captured public interest. Idle No More also led to days of action, including major rallies and blockades across Canada, reinforcing its message and highlighting Indigenous resistance.²⁰ On January 11, 2013, a meeting between Prime Minister Harper and the Assembly of First Nations took place, coinciding with a record number of protests under the hashtag #J11. Although Chief Spence boycotted the meeting after her demands were not fully met, her hunger strike, combined with the widespread activism, showcased the collective voice of Indigenous communities. While the movement began to lose visibility after January 2013 due to shifting public attention from government scandals, its influence endured as a touchstone in the broader landscape of Indigenous activism and resistance in Canada, sparking debates and influencing future mobilizations.²¹ In conclusion, the Idle No More movement exemplifies Indigenous activism aimed at reclaiming sovereignty and asserting visibility within the Canadian political landscape. By challenging colonial structures and promoting Indigenous rights, the movement played a significant role in reshaping the national dialogue on environmental and social justice issues.

A second example is the Coastal GasLink (CGL) pipeline project in British Columbia, which has sparked significant opposition, particularly from the Wet'suwet'en Nation, due to concerns over land rights, environmental impacts, and violations of Indigenous sovereignty. The pipeline, which spans 670 km and crosses Wet'suwet'en territory, has faced resistance from the hereditary chiefs who argue that the project has not received proper consent from them, despite agreements with elected band councils. These chiefs assert their authority over traditional lands, highlighting the inadequacy of consultation by CGL. In December 2018, the British Columbia Supreme Court issued an interim injunction, barring land defenders from hindering pipeline progress. This injunction was

followed in December 2019 by an interlocutory injunction that included enforcement measures. These injunctions have since facilitated government-backed surveillance, intimidation, and the forceful removal and arrest of land defenders, including hereditary chiefs and matriarchs, by a militarized police presence.

The Royal Canadian Mounted Police (RCMP) have conducted three major raids (January 2019, February 2020, and November 2021), resulting in 74 arrests, including legal observers and journalists. These operations featured helicopters, dog units, and assault weapons, with CGL's private security also involved. During the raids, buildings were demolished, and ceremonial spaces were desecrated. In July 2022, 19 land defenders were charged with criminal contempt by the B.C. Prosecution Service for allegedly violating the 2019 injunction by accessing pipeline sites on their unceded territory. Five defenders pleaded guilty in December 2022, facing restrictions that barred them from their own lands.²² Amnesty International has condemned this ongoing criminalization as a violation of human rights and a stark reminder of colonial expropriation and systemic racism, emphasizing the urgent need for structural change.²³ The CGL pipeline project has become a focal point of resistance, particularly from the Wet'suwet'en Nation, highlighting broader issues of Indigenous sovereignty and land rights. Despite government-backed injunctions and militarized police actions, the Wet'suwet'en continue to assert their authority over unceded lands, challenging colonial practices that disregard their governance systems and traditional territories. The ongoing criminalization of land defenders underscores the enduring legacy of colonialism and the urgent need for meaningful structural change. These are only two examples of Indigenous resistance to colonial rule and interference. Indigenous groups have been and continue to fight long and hard to continue to challenge nationalist narratives and rule.

Government Responses to Acts of Resistance

On June 11, 2008, Prime Minister Stephen Harper issued a formal apology on behalf of the Canadian government for its role in the Indian Residential Schools (IRS) system. In his address, he acknowledged the devastating impact of the IRS system on Indigenous children and families, stating, "The burden of this experience has been on your shoulders for far too long. The burden is properly ours as a government, and as a country."²⁴ However, this apology did not include those who survived residential schools in Newfoundland and Labrador. The federal government excluded more than 1,000 survivors in the province, arguing that the schools there had been established before Newfoundland and Labrador joined Confederation in 1949 and were not created under the Indian Act, thus falling outside federal jurisdiction.²⁵ These individuals were not only excluded from the

formal apology but also from the compensation package offered to the 80,000 other survivors, which included a \$1.9 billion settlement. This omission created significant frustration among those affected, as they were denied the recognition and redress afforded to other survivors. The apology and compensation were seen as vital steps toward healing, and their exclusion highlighted gaps in Canada's approach to reconciliation.²⁶ In response, Prime Minister Justin Trudeau issued a separate apology in November 2017, extending recognition and compensation to the survivors from Newfoundland and Labrador, addressing a critical oversight in the original process. While Harper's apology in 2008 was an important step in acknowledging the legacy of the IRS system, its limitations—such as the exclusion of certain survivors—demonstrated the complexities and ongoing challenges of addressing the full scope of harm caused by the IRS system. Trudeau's 2017 apology sought to redress this omission.²⁷ However, both instances underscore the fragmented nature of reconciliation in Canada, illustrating that while apologies and compensation are crucial, the process of healing and addressing historical injustices remains ongoing.

The creation of the Truth and Reconciliation Commission (TRC) was primarily a government response to a series of class action lawsuits and public pressure from Indigenous communities seeking redress for the harms caused by the IRS system. The TRC was a component of the IRS Settlement Agreement, which was reached after extensive legal negotiations. These class action lawsuits, representing thousands of survivors, were a key driver for the government to address the historical injustices of the IRS system. The TRC itself was not initiated out of public concern or grassroots advocacy but rather as a way to resolve costly and ongoing litigation faced by the government.²⁸ This legal backdrop makes the TRC's creation unique, as it was the result of a settlement rather than a political or social movement's demand for truth and justice, unlike many truth commissions that arise from efforts to confront the legacies of state violence or past regimes. By establishing the TRC, the government aimed to acknowledge the harms done by the IRS system, create a historical record, and offer a formal process of reconciliation.²⁹ The TRC's mandate focused on victim-centred processes and public education rather than legal or criminal action, which allowed it to operate separately from ongoing compensation or litigation efforts. In essence, the TRC's creation can be seen as a government-driven response to both the legal challenges it faced and the desire to begin addressing the legacy of the IRS system, but it was also shaped by the negotiations and pressures coming from Indigenous communities seeking recognition and justice for their experiences.³⁰

While Canada has made some progress toward reconciliation, these efforts are often seen as insufficient. Human Rights Watch highlights significant shortcomings in addressing the needs of

Indigenous communities, particularly with respect to persistent systemic discrimination and abuse. A major concern remains in the lack of access to clean and safe drinking water, a serious public health issue affecting many First Nations communities despite Canada's abundant water resources.

Although Prime Minister Trudeau's government committed to ending all drinking water advisories on reserves by 2021, as of September 2022, 28 communities were still under long-term advisories, signifying that their water remained unsafe to drink.³¹ Another ongoing problem is the harmful impact of Canada's child welfare system on Indigenous families. In response, Canada reached a \$14 billion settlement in July 2022 to compensate First Nations children and families who were unjustly taken into government care due to inadequate funding for child and family services. This settlement aims to address the historical wrongs of a discriminatory system that disproportionately affected Indigenous children.³²

The violence faced by Indigenous women is also a persistent issue. A 2023 report from Statistics Canada revealed that 81% of Indigenous women involved in the child welfare system had experienced physical or sexual assault at some point in their lives. In 2021, the Canadian government published a report outlining plans for 'transformative changes' to protect Indigenous women and gender-diverse individuals, part of a broader initiative in response to the National Inquiry into Missing and Murdered Indigenous Women and Girls. However, the Native Women's Association of Canada has criticized these actions as inadequate, labelling the government's response a 'failure' in addressing the root causes of violence against Indigenous women.³³ In conclusion, while Canada has taken steps toward reconciliation with Indigenous peoples, these efforts remain insufficient in addressing the systemic issues that continue to affect Indigenous communities, highlighting the need for more comprehensive and sustained action from the government to fully remedy historical injustices and create meaningful change.

Conclusion

In conclusion, the roots of Canadian nationalism are inextricably linked to colonialism, and the narratives constructed around Canada's identity have largely been built at the expense of Indigenous peoples. By framing colonialism within a nationalist context, we see how this historical process not only shaped Canada's political, economic, and social systems but also systematically marginalized Indigenous communities. Through policies like the Indian Act, the economic exclusion of Indigenous peoples and the devastating social effects of assimilation practices like residential schools, colonial nationalism has left a lasting legacy of harm. Indigenous resistance to these colonial structures, though often met with governmental hostility, remains a powerful testament to resilience.

The ongoing efforts to reconcile these histories must recognize and address the enduring impact of colonialism on Indigenous peoples. The need for a more inclusive and honest Canadian nationalism remains vital for the healing and empowerment of Indigenous communities.

Endnotes

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Anglophones and the October Crisis: An Observation of the Ideological Implications of Style in Documentary Media

Cody Stipelman

Choices made by media in the aftermath of historical moments are significant due to the consolidation of information required in their depictions of events, shaping collective memory of the moment. The 1973 film *Reaction: A Portrait of a Society in Crisis*, directed by Robin Spry and produced by the National Film Board of Canada, presents a case of this memory-shaping process. At the time, Montreal's October Crisis of 1970 was fresh in peoples' minds and constitutes the film's focus. I argue that *Reaction* provides insight into the deeply divided reactions of the Montreal Anglophone community to the October Crisis, though it remained predominantly separate from the Francophone community due to the liberalization of society, which social theorist Michael Gauvreau argues Prime Minister Pierre Trudeau's government sought. There are two interesting elements in the film's methodology that demonstrate this insight, namely the film's choices regarding whom to interview, and the decision to place interviews in a uniformly private environment.

However, *Reaction* should be placed in the historical and political context of 1970 Quebec. Decades of rapid social change had occurred leading up to the October Crisis. The Quiet Revolution of the 1960s ended the Grande Noirceur (Great Darkness), referring to the Catholic Church's exercise of dominance over Quebec society in collusion with Maurice Duplessis's conservative Union Nationale party.¹ Prominent among the movements of the Quiet Revolution was the cause of Quebec separatism, a subset of Quebecois nationalism, which provided the fuel for the October Crisis. Quebec separatism was molded against the backdrop of global decolonization, inspiring a radical militant trend in the movement, at least certainly as seen by the Canadian and Quebec governments.² Decolonization offered a powerful narrative to a growing socialist wing of the Quebec nationalism movement, viewing Quebec as a colonized society that needed to be liberated from domination by English-Canadian capital, peaceably if it may and forcibly if it must.³ Hoping to manage increasing radicalism in Quebec, in 1965 the federal government founded the Company of Young Canadians (CYC), an organization that provided funding to activists who became members. The idea was that these activists would use the provided government funds to pursue more acceptable actions, discouraging subversive activism.⁴ Despite initial troubles, the CYC managed to become influential, forging links with labour and student organizations in an unexpected turn towards the militancy it was supposed to mitigate. For instance, Pierre Trudeau once praised the CYC as a "thorn in the flesh of the establishment", though this would prove ironic given that his

government became the pinnacle of the establishment to the Quebecois nationalists the CYC became accused of collaborating with.⁵

The concerns of federal and provincial authorities regarding the CYC's activities culminated in 1969, when police raided their Montreal offices, justified as a hunt for members of the separatist militant group Front de Libération du Québec (FLQ), which had committed a series of bombings within the past year.⁶ However, raiding the CYC's Montreal offices fuelled rather than quieted discontent, providing some sense of justification for the FLQ to further its activities. Evidently the FLQ proved resilient to Canadian law enforcement: despite the government crackdown, they carried out two high-profile kidnappings in early October 1970, taking British diplomat James Cross and Quebec's Minister of Labour Pierre Laporte hostage.⁷ In response to the unrest, Trudeau's government resorted to the War Measures Act to restore order, allowing law enforcement to arrest or detain suspected FLQ supporters without charge. This action proved controversial even among sectors of Quebec society unsupportive of the FLQ's terrorism as those targeted by authorities were disproportionately Quebecois nationalists.⁸ *Reaction: A Portrait of a Society in Crisis* captures the mood of the Anglophones of Montreal during these events.

The first choice *Reaction* makes in presenting the Anglophone community of Montreal as deeply divided but separate in their reactions from the French Quebecois is the clear pattern of choice of interviewees, which notably excludes non-Anglophones. There are clear distinctions in the reactions to the October Crisis between groups, but only those within the Anglophone community are presented. One example of the divide is the gap between counterculture youth more sympathetic to the cause of Quebec separatism and especially its socialist wing, and the older generation who mostly support invocation of the War Measures Act.⁹ In fact, the views of the older Anglophones grant an interesting insight in that they appear more as hopeless than necessarily opposed to the Quebecois nationalist cause, the common use of the word "paralyzed" to describe themselves demonstrating this.¹⁰ However, it is not just youth and older generations, demographics which often disagree on social issues, who reveal the division within English Montreal. One scene features discussion among children where they express views ranging from disinterest to sympathy, though ultimately leaning more towards the older generation's skepticism of Quebec nationalism.¹¹

An interesting debate arises between the children regarding how supportive of the FLQ the Quebecois are as a whole, revealing a sharp divide between those who see Anglophones as surrounded by angry Francophones and those who do not. This raises interesting questions about the effect of age and hence one's social circle on reactions to the October Crisis, intersecting with the broader counterculture movement of the time. However, age is only one way to break down the

Anglophone community. Though perhaps dominated at the time by those of British origin, the Anglophone community included cultural communities that arose out of the waves of immigration to Canada from various origins. For instance, we are treated to a discussion among Hungarian immigrants, in English, which results in disagreement over the rights Anglophones should have and whether they, as Anglophones, would remain in an independent Quebec.¹² The perspective of minority communities not associated with privilege, as the British-descended Anglophones were, provides an intriguing look into how those who did not fit neatly into the Anglo-Franco binary experienced events.

If we assume the discussion among Hungarian immigrants is at all representative, it suggests some minorities viewed Quebecois nationalism with a mixture of sympathy and uncertainty. Though the divisions within the Anglophone community are important, it is equally important to raise who the filmmakers chose not to interview. Perhaps the most glaring omission are the Quebecois, whose absence implies that the Anglophones depicted in the film were isolated in reaction. Another notable absence is that of Black Montrealers, most of whom were English speaking and were highly active social organizers during the 1960s. Contemporary Black social organizing is exemplified by the 1969 Sir George Williams Affair in Montreal, when Black university students occupied a computer centre to protest racist grading practices in a manner equivalent to the actions of the American civil rights movement.¹³ Furthermore, no Indigenous people are interviewed despite the existence of the Kahnawake Mohawk Reserve directly across the St. Lawrence River from Montreal, from which at least some no doubt commuted to Montreal for work. Overall, the impression *Reaction* gives is that while Anglophones were divided, they remained separate from Francophones, as well as from other groups such as Black Montrealers and Indigenous peoples.

A further choice of the film is the placing of interviews in overwhelmingly private settings, connecting to what Michael Gauvreau argues was the Pierre Trudeau government's liberal social vision, which separated the individual from collective identities. Defining this liberal paradigm, Gauvreau argues that Trudeau's conception of liberalism eroded the "legitimacy of intermediary bodies", such as unions and student organizations, leaving only the individual and state as accepted social actors.¹⁴ In the film this is accomplished by only depicting interviewees in private settings, usually as individuals or occasionally in small groups, and always indoors. Notably no interviews are conducted in entirely public settings, from which we can raise an absence of the "intermediary bodies" disdained by prevailing liberal ideology.¹⁵ In fact, the only depictions of public areas are through archival footage, which could be read as conveying a sense of a communal past giving way to an individual present and future.¹⁶ The absence of public settings also skews memory of the

October Crisis because of the controversy over the widely perceived abuses under the War Measures Act, which were carried out in public while the film is only interested in the discussions occurring in private.¹⁷ As such, we hear about the arrests and detentions of Canadian citizens via the act, called the “dirty tricks campaign” by its critics for its conspicuous targeting of legal organizations like the Parti Quebecois, but it is not connected to any interviewees and is thus minimized.¹⁸ In this sense, the film shows less of a general reaction as its name (*Reaction: A Portrait of a Society in Crisis*) suggests, but rather shows the distinct reaction of Anglophones to the October Crisis. *Reaction* argues, implicitly, that the liberal paradigm advocated by the contemporary Trudeau government was the normative perspective on society, as the Anglophone reaction to the October Crisis is depicted as squarely individual and private in nature.

As stated earlier, the choices made by media in the aftermath of a given historical moment are significant, communicating viewpoints that may shape collective memory. *Reaction: A Portrait of a Society in Crisis* certainly crafts, though implicitly, a distinctly Anglophone memory of the October Crisis. The viewpoint produced asserts that Anglophones were divided yet remained entirely separate to the Quebecois in their reaction, as well as existed in the individualist liberal paradigm expounded by Gauvreau. It is not the intention of this paper to necessarily ascribe a deficiency to Spry’s *Reaction*, but it is the intention to argue that inevitable consequences result from the choices made in directing the documentary. As with all media, *Reaction* does not give the full range of experiences related to the event it seeks to explore, cautioning that a healthy perspective on media, especially surrounding politically charged situations, is critical and seeks to understand the inevitably varied lived experiences involved.

Endnotes

1. Michael Gauvreau. “Winning Back the Intellectuals: Inside Canada’s ‘First War on Terror,’ 1968-1970,” *Journal of the Canadian Historical Association / Revue de la Société historique du Canada* 20, no. 1 (2009): 161–190.
2. Gauvreau. “Winning Back the Intellectuals.” It was, for example, assumed by the federal government that left-wing Quebecois nationalist groups were inspired directly by the tactics of guerilla movements in Latin America, though this was later understood to be greatly overstated.

3. Kevin Brushett. “‘Federally Financed Felquistes’: The Company of Young Canadians and the Prelude to the October Crisis.” *Quebec Studies* 55 (2013): 77-100. One activist at the time stated, “There is no young person in Quebec who considers himself a militant or an activist in any sense who is not an independentist and a socialist.”
4. Brushett. “‘Federally financed felquistes.’”.
5. Ibid. The chief partner of the CYC in organizing in working-class Montreal was the Confederation des syndicats nationaux, one of the largest Quebec trade unions that also helped form the Front d’action politique to oppose the government during the October Crisis.
6. Ibid. In the period between 1968-1970, the CYC had developed links with the St. Henri Workers’ Committee, known to be a base of support for the FLQ, and CYC funds were found to be used in the printing of FLQ literature. This would be used a year later to support the claim that Quebec was in a state of “apprehended insurrection”, justifying the enforcement of the War Measures Act.
7. Jean-Paul Brodeur and Samuel Tanner,” “The October Crisis and the Commissions of Inquiry (1980),” *Criminology* 44, no. 1 (2011): 45–66.
8. Gauvreau, “Winning Back the Intellectuals” ; Brushett, “Federally Financed Felquistes.”
9. Reaction: A Portrait of a Society in Crisis, directed by Robin Spry (Montreal: National Film Board of Canada, 1973), Digital, 10:53-14:07. The scene starting at 10:53 is perhaps the clearest illustration of the political divide between young and older Anglo-Montrealers, demonstrated by the prevalence of dichotomous terminology of revolution and order respectively.
10. Spry, *Reaction*, 26:50-32:23.
11. Ibid., 16:58-19:51. One of the children makes the comparison of the trouble with the FLQ to the contemporary Civil Rights Movement in the United States while another child pushes against rhetoric espoused by some that the Quebecois mostly support the FLQ as they have Quebecois friends opposed to the FLQ.
12. Ibid., 32:35-41:33. Comparisons to the 1956 Hungarian Revolution abound in this scene. The choice to depict Hungarian immigrants is interesting, since it is the only community depicted in the film that does not fit cleanly into either the Anglophone or Francophone communities.
13. Kaie Kellough, “Fire in the Mainframe: The Sir George Williams Computer Center Occupation of 1969 as Narrative,” *Topia: Canadian Journal of Cultural Studies* 44, no. 1 (2022): 25–32. It is possible that Black Montrealers, many of whom at the time came from English-speaking Caribbean nations, would have had a different view than many White Anglophones of colonialism in the context of Quebec, though they may also have seen their home countries’ experience as different to the White Quebecois.

14. Gauvreau, “Winning Back the Intellectuals.”
15. Spry, *Reaction*, 10:53-14:07. This is one of the only arguable examples of a public setting as it takes place in a bar, however the conversation is between a small group of only four people, and the framing of the scene is still private.
16. Ibid., seen throughout the film.
17. Brodeur and Tanner, “The October Crisis and the Commissions of Inquiry.”
18. Brushett, “Federally Financed Felquistes.”

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Canada: A Colonial Project

Mia Galtisiadis

Museums are institutions that serve as outlets for education and knowledge, housing various artifacts that span centuries and showcase the evolution of human history and culture. As Shahid Vawda explains, “Early museums housed collections of curious and wonderful artifacts extracted from European voyages of exploration and the colonies” (Vawda 72). Although museums aid in deciphering the past, they often confine marginalized communities, such as Indigenous peoples, to that past as colonial narratives are reinforced. However, the 2022 exhibit, *Being Legendary*, by Cree visual artist Kent Monkman, confronts colonial accounts perpetuated by museums by revisiting dominant narratives of history and natural science through an Indigenous lens. Comprehending who Kent Monkman is as an artist and Indigenous person and further examining his exhibit helps in addressing such narratives. Ultimately, the 2022 exhibit, *Being Legendary*, by Kent Monkman, constructs an alternative way to regard history and natural science through Indigenous perspectives and further confronts the complexity of museums as colonial institutions.

Kent Monkman is a Cree visual artist who is widely recognized for using visual arts as a channel of exploration to confront themes such as colonization, sexuality, and resilience. Monkman’s work has appeared in exhibitions in various established institutions, most popularly the Metropolitan Museum of Art and the Royal Ontario Museum. As Monkman’s youth was spent in Winnipeg, Alberta, and being of Indigenous descent, the young artist became highly aware of how colonialism affected Indigenous communities. In combination with Monkman’s passion for art, his awareness of Indigenous reconciliation became the main focal point of his paintings. Monkman recalls being extremely close to his great-grandmother, Caroline Everette. Everette was an additional driving point that fueled Monkman’s desire to use creativity to address pressing Indigenous issues in the past and present. Caroline Everette had experienced the damaging effects of colonization first hand, as her community in St. Peters, Manitoba, was subject to “treaty five between Her Majesty the Queen and the Saulteaux and Swampy Cree Tribes of Indians at Beren’s River and Norway House” (Madill 5). Additionally, of her 13 children, many were forcibly placed in residential schools, and only three survived to adulthood (Madill 7). Therefore, Monkman’s connection through his family’s history of experiencing racism and colonization gives his work a sense of depth and realism.

With that in mind, Kent Monkman's 2022 exhibition, *Being Legendary*, focused on confronting colonial injustice, advocating for social change, and honouring the resistance of Indigenous people. Creating an alter ego, Miss Chief Eagle Testickle, helped him explore these themes. Monkman's alter ego aids in narrating the exhibition, as Miss Chief offers an Indigenous perspective to various 'European central' images and events. Miss Chief's presence additionally uplifts Indigenous sexuality "pre-contact" (The Metropolitan Museum of Art). That said, many Indigenous communities previously had traditions regarding gender and sexuality that today can be explained as gender fluid. As such, Miss Chief represents the inability to conform to the "male-female binary" (The Metropolitan Museum of Art). As further explained, "Monkman has brought together explorations of Two-Spirit identity and sexuality with a commitment to investigating treaties and recognizing lived realities for Indigenous peoples" (Madill 59). In reference to the exhibition, Monkman explains that Miss Chief is a "legendary being," as she comes from the stars (The Metropolitan Museum of Art). To Monkman, adopting an alter ego is extremely liberating, as he can unconventionally convey ideologies and perspectives. For many Indigenous individuals, confronting the traumatic events of the past is intimidating. Thus, self-expression and emotions are suppressed. However, Miss Chief serves as an entity that brings said emotions to the surface.

As Mandill explains, "Miss Chief Eagle Testickle challenges dominant Western discourses of sexuality, power, knowledge, and gender, and the persisting misrepresentations of Indigenous peoples by Europeans. Early Christian European settlers were openly hostile toward these individuals because they did not fit into accepted colonial belief systems" (Madill 60). Miss Chief represents an attempt to provide an Indigenous lens to Canadian history, as she embodies "the culmination of the colonialist fantasies and ideas of the North American Indian; feminized, primitive, noble and savage" (Gagne 2). Acting as the narrator of the exhibition, Miss Chief Eagle Testickle states that the story being told through Monkman's painting holds truth that is more authentic than the one's viewers believe (Royal Ontario Museum). The stories told through Monkman's art are said to be sacred, as they honour the past and guide the Indigenous community forward. As the exhibit is introduced, Miss Chief simultaneously informs viewers that the stories intertwined within Monkman's art are her own. She explains, "It is the *âcimowin* of our peoples. It is also your story, for we are all relatives" (Monkman). Therefore, through the presence of Miss Chief, the three parts of the Monkman exhibition can confront questions such as: How do we revisit and re-think the dominant version of history and natural science embedded in colonial institutions to incorporate the foundations of Indigenous knowledge? How can museums stay relevant in the 21st century?

The first section of the 2022 exhibition, *Being Legendary*, by Kent Monkman, is called “We Have Always Been Here.” In this section, Monkman uses art to visualize Miss Chief’s origin story, the world’s creation, and, more specifically, Indigenous culture. The piece “The Rocks Hold Their Stories” depicts a large animal fossil accompanied by small individuals whom Miss Chief calls the ‘Mimilkwisiwak,’ painting and examining the skull. This piece symbolizes the importance of extinct animals and their fossilized traces to many Indigenous communities. Frequently, stories passed down through generations of Indigenous peoples emphasize the animals that shared the land with individuals of the past. Stories of ancestors often recall the “colossal creatures of the earth, water, and sky” (Monkman). Yet, in the present, there is no visible account of these animals. Thus, the existence of fossils that embody the stories passed down within communities reaffirms tales of “the grandfather of buffalo, beaver, elk, and eagle” (Monkman). Indigenous peoples, having witnessed animals of great size in the past, had acknowledged that some species reduced in size over time or became entirely extinct. That said, Monkman’s piece impactfully reminds viewers of the stories that uphold and reclaim the history of Indigenous peoples. This reminder is critical in rethinking the dominant version of history and natural science as European settlers forcefully reinvented the Indigenous creation stories.

Through assimilation, Indigenous communities were forced to replace their beliefs with those of Noah’s Ark and the scientific understanding of evolution (Monkman). In addition to this piece, Monkman created a work titled “Battle of the Piyêsiwak and the Misipisiwak.” This piece depicts prehistoric animals roaming the land, sea, and sky. Dinosaurs in the artwork are painted with vibrant colours that stand out fiercely in the hyper-realistic background. Miss Chief narrates this piece: “The timeless battles between the Piyêsiwak and the Misipisiwak are written in the fossils of winged creatures and ancient marine animals” (Monkman). Similarly, many Indigenous peoples were the first to discover fossils of ancient animals, which contributed to creating a certain knowledge about fossil locating and preservation. Regardless of this, colonization forced the natural knowledge of Indigenous peoples to become suppressed and neglected. This forces the contributions various Indigenous individuals made to paleontology to also become forgotten. Monkman states that prehistoric fossils were transported into museums and collections with “no acknowledgment of the Indigenous guides’ work or their peoples’ long interaction with fossils” (Monkman).

The second section of the 2022 exhibition, *Being Legendary*, by Kent Monkman, is called “Colonial Interruption.” Miss Chief sets the precedent for the second section by explaining that European settlers took the ‘âcimowin’ from Indigenous communities through the residential school system. Miss Chief continued, stating, “Some were able to escape, some

made it home, and those who did not are never forgotten” (Monkman). A piece in this series titled “Study for the Sparrow” confronts the implications of colonialism in the form of residential schools on the physical and mental well-being of Indigenous peoples. The painting exhibits a young child, presumably in the bedroom of a residential school. The cold-toned colour scheme within the room evokes a serious atmosphere. Additionally, a crucifix hangs on the wall, strategically placed in the middle, to immediately catch the viewer’s attention. The child, however, is drawn to the window as a sparrow sits on the mantle. As the child reaches toward the bird, it can be interpreted that their interaction is symbolic of an attempt to reconnect with Indigenous culture. Miss Chief provides context to this piece by stating, “Over time, some of our children have spent lifetimes trying to find themselves again” (Monkman). In addition to this piece, Monkman introduces an artwork titled “The Going Away Song.” Emotions in this piece are conveyed through the facial expressions of young Indigenous children, some being forcibly ‘ripped’ away from the comforting grasp of their mother’s arms. These feelings are juxtaposed with the serious and authoritative nature of colonists and nuns, individuals who aid in the operation of residential schools. Miss Chief claims Monkman’s piece reflects the true events of the Battleford Industrial School in 1885 (Monkman). The children in the painting represent the young Indigenous youth who were gathered and forced to watch their relatives be wrongfully hanged for transgressions they did not commit (Monkman). Thus, through these art pieces, Monkman can draw attention to the implications associated with colonial power in Canadian history and, further, tragedies that occurred within Canadian history that were intentionally concealed. Through this, the truths of Canadian history resurface.

To commence this section, Miss Chief states, “Our future ancestors light the path to living in a good way, with true connection” (Monkman). In this section, Monkman’s art is used to recognize that although many aspects of Indigenous culture were lost through colonization, much remains and is actively being rediscovered in the present (Monkman). As such, Monkman includes various portraits of impactful Indigenous figures, including himself. For instance, Grandmother Pauline Shirt is portrayed in a full-body portrait. Pauline Shirt is a guiding elder known as a knowledge and wisdom keeper. In addition, Pauline Shirt is the founder of Toronto’s first Indigenous-led school and is a current member of the Elders Council at the Urban Indigenous Education Centre (George Brown College). Shirt’s activism represents the voice of leaders as she pushes forward Indigenous stories and traditions. Ultimately, her presence within Monkman’s exhibit and others showcases Monkman’s optimism for the future of the teaching of Indigenous peoples in Canada.

Each of the three sections in Kentmonk’s exhibition aids in rethinking and revisiting the dominant narrative of history and natural science and further contemplates how

museums can stay relevant in the 21st century. Monkman explains that through his exhibit, he was “outlining the museum’s future while wrestling with its past (Monkman). Museums, to Monkman, are places committed to growth and evolution, yet lack the ability to recognize and engage with colonial roots. Thus, the creation of Miss Chief aided in showcasing how art could be understood using Indigenous narratives and perspectives. Historically, museums were created to showcase the strength of ‘colonial’ findings and identities (Monkman). Along with this, museums also contributed to reinforcing the stereotypical view of Indigenous communities and culture. That said, inaccuracies regarding representation, in turn, result in history becoming misinterpreted. Thus, “misguided assumptions about vanishing, stasis, and nature have proven to have a perniciously strong lasting power in settler societies, like Canada” (Monkman).

With that in mind, Monkman’s exhibit prompts viewers to question logic individuals may view as ‘common sense’ and, instead, consider an Indigenous framework. Being of Cree descent, Monkman incorporates Cree worldviews into “Western museology and science” (Monkman). Thus, museums can stay relevant within the 21st century by shedding light on the influence of past colonial powers on commonly accepted histories or sciences by allowing other perspectives to enter the conversation.

In summary, the 2022 exhibition, *Being Legendary*, by Kent Monkman, is critical in examining the role of colonial institutions, such as museums, in reinforcing dominant narratives perpetuated by European settlers. Monkman’s exhibit, narrated by his alter ego, Miss Chief Eagle Testickle, uses visual art to revisit colonial beliefs, history, and science with an Indigenous perspective. In addition, Monkman’s exhibit addresses how museums can stay relevant in the 21st century by incorporating Indigenous beliefs into work that historically has ties to Indigenous populations.

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Joyce Wieland's Feminist Challenge: How Joyce Wieland's *O Canada*, 1970 and Other Artworks Ignited the Value of Women in Canadian Political and Cultural Society

Sabrina Kreyzerman

The notion of patriarchy is reflected and reinforced in many respects of Canadian nationhood; the very founders of Canadian independence are honoured as the Fathers of Confederation. Joyce Wieland, a late Canadian experimental and mixed media artist (Sloan), is commemorated for her work that transcended the closed-minded values of her time by womanizing the symbols of Canadian heritage that were founded on patriarchal narratives. Wieland's depiction of the "intersection of femininity and traditional Canadian nationalism" (Kreyzerman 11) in her work complicates these narratives by presenting a feminist perspective that cultivates a cognitive dissonance in the context of nationalism. As one of Joyce Wieland's most memorable pieces, *O Canada* carved a feminist presence in the "imagined community" (Anderson 50) of Canadian men and traditional Canadian nationalism, ironically playing on the stereotypical domesticity of women in her time. This laid the groundwork for a firm case for the recognition and value of women in Canadian society and inherently strengthened the notions of community in the anthem.

Joyce Wieland's 1970 *O Canada* was created on a lithographic stone as Wieland recited the lyrics of the Canadian national anthem, pressing her lips against the surface at every syllable (Siegel). Using red lipstick as paint, Wieland represented passion and womanhood, while simultaneously illustrating the tangible role of nationalism in Canadian culture. From a young age, citizens are subjected to processes of socialization and interpellation by which they learn to respect and honour all symbols of their nationality, including the national anthem. Often performed in public schools, at sporting events, and cultural festivals, the Canadian national anthem aids in fostering a sentiment of "unisonance" (Anderson 145), characterized by Benedict Anderson as an imagined sound that bonds citizens on the basis of commitment to our shared nationhood. However, it can be argued that the former lyrics of the anthem insinuated that this community was particularly restricted to Canadian men. Wieland's *O Canada*, which was completed three years after the official recognition of the anthem (Sloan), fills the lyrical void left by the patriarchal notions of the song, which, at the time, read: "O Canada! Our home and native land! / True patriot love in all thy sons command" ("Discover Canada" 40).

The 1960s and 1970s were marked by tremendous new heights in Canadian independence. Briefly, 1965 was the year that the maple leaf flag, still representative of Canada to this day, replaced

the British-affiliated Red Ensign, and *O Canada* was affirmed as the country's national anthem in 1967 (O'Flynn 4). That being said, Wieland's work consistently articulated that there was more to be done in defining a significant position for women in Canadian society. Stewart (62) speculates that the specification of "thy sons," made in the anthem in 1913, may have stemmed from contestation of the women's suffrage movement as a way of communicating a firm opposition to the participation of women in Canadian politics. Simultaneously, Janovicek and Thomas (170) posit that the gradual recognition of women in Canadian society, particularly in terms of suffrage, may have been more of a political strategy for electoral processes than it was centred around the principle of acknowledging women as equal counterparts with equal rights to those of men. Evidence of this can be found in that, despite women's suffrage and other rights having been granted to women in the 1900s, the "all thy sons" lyric in the national anthem remained until 2018 (Tasker).

Amid many official tried and failed attempts to rid the anthem of its gender-based distinction and distasteful neglect of Canadian women (Tasker), Wieland made an effective and remarkable impact, not in a federal legislative capacity, but through her art, inviting all Canadians to interpret the national anthem through a feminist lens. In a period when the exclusion of women from Canadian political and cultural societies was normalized, Joyce Wieland's history-making *True Patriot Love* exhibition at the National Gallery of Canada in 1971 (O'Flynn 4) was monumental. *True Patriot Love* centralized femininity in Canadian nationalism and offered a platform on which the contributions of women in Canadian society, particularly in the art industry, could be recognized and honoured. Many of Wieland's other pieces featured in her exhibition at the National Gallery of Canada emulated traditional femininity, such as Wieland's *Reason over Passion* and *I Love Canada* quilts, as well as her sculpture *Arctic Passion Cake*, which replicated the impressive baked Alaska, photos of which are all attached and cited below. Wieland illustrated various aspects of Canadian nationalism in her work through crafts that were stereotypical of the female lifestyle.

As opposed to blindly abiding by the national anthem's commands, Wieland's *O Canada* prompts us to reflect on the values of nationalism that we are expected to hold as Canadian citizens. There is no exclusion in Wieland's piece; everyone who sees *O Canada* engages with it, reciting the national anthem while attempting to mimic the lip shape of each syllable, arguably deepening the feeling of harmony and togetherness that the national anthem aims to stimulate among the nation's community of citizens.



Joyce Wieland, *O Canada*, 1970
Lithography in red on wove paper, 57.4 x 76.4 cm
National Gallery of Canada, Ottawa



Joyce Wieland, *Reason over Passion*, 1968
Quilted cotton, 256.5 x 302.3 x 8 cm
National Gallery of Canada, Ottawa



Joyce Wieland, *I Love Canada—J'aime le Canada*, 1970
Cotton and metal link chain, 153.1 x 304.7 cm
MacKenzie Art Gallery, Regina



Joyce Wieland, *Arctic Passion Cake*, 1971
Mixed-Media Construction
National Gallery of Canada, Ottawa

Figure 1. Joyce Wieland, *O Canada*, 1970. Figure 2. Joyce Wieland, *Reason Over Passion*, 1968. Both reproduced in: Johanne Sloan. *Joyce Wieland: Life & Work. Keyworks*. Art Canada Institute. <https://www.aci-iac.ca/art-books/joyce-wieland/key-works/>

Figure 3. Joyce Wieland, *I Love Canada—J'aime le Canada*, 1970. Figure 4. Joyce Wieland. *Arctic Passion Cake*, 1971. Both reproduced in: Johanne Sloan. *Joyce Wieland. Activism & Nationalism*. Art Canada Institute. <https://www.aci-iac.ca/art-books/joyce-wieland/significance-and-critical-issues/#activism-and-nationalism>

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Annihilation and Restoration: The Unforgiving White Gaze in Austin Clarke's "Canadian Experience" and the Compassionate Black Gaze in Dionne Brand's "Blues Spiritual for Mammy Prater"

Ayesha Noon

Both Austin Clarke's "Canadian Experience" and Dionne Brand's "Blues Spiritual for Mammy Prater" possess an obsession with vision, sharing a central emphasis on the nature of gazing. Each work is built upon the perception of Black bodies: a body experienced through the gazes of others, a body understood through visions in conflict. There is, however, a stark difference between the manners in which Clarke's unnamed Black protagonist views his own Black body and how Brand's poetic speaker views the body of Mammy Prater, an ex-slave, upon seeing a photograph of her, in which she is 115 years old. Clarke's protagonist morbidly berates himself as he obsesses over his image, submerging himself in the view of his reflection, deriding himself because "[h]is image [is] incorrect" (Clarke 31). For Brand, however, Mammy Prater's image is anything but—the bygone Black body in an image from the past is enshrined and whole. Mammy Prater's Black body is admired, revered, and imbued with revolutionary intention. As Brand writes, Prater had "waited until it suited her/ to take this photograph" (Brand lines 16-17).

The photograph is a spiritual sight for the poet as she exalts Mammy Prater's image with words of commendation, bestowing upon Mammy Prater virtues of patience, resilience, and fortitude. Such reverence of the Black body stands in sharp contrast with the disdain Clarke's unnamed protagonist has for his own body. In Brand's enlivening poem, the Black body is restored from the dead and afforded deep admiration; in Clarke, it is brutally annihilated, as the unnamed protagonist, in despair of his severe, dehumanizing economic status of poverty, kills himself by jumping in front of an oncoming train. It is this opposition I evaluate in my essay, exploring how the unforgiving, racist White gaze fragments, breaks apart, and annihilates the Black body in Clarke's "Canadian Experience" and how the compassionate Black gaze in Brand's "Spiritual Blues for Mammy Prater" puts it back together and revives it, and honours it with agency and strength.

In Clarke's "Canadian Experience," the racist White gaze subjects the Black body to extreme scrutiny. The protagonist is always painfully aware of his image as a Black man. He is hyper-conscious of and extremely disappointed by the image he knows he must be projecting—his is an image that communicates both lack and incorrectness. When viewing his reflection in the mirror, he derides himself for his "incorrect" image (Clarke 31). He sees himself as incorrect for he views himself through the White gaze. Clarke's protagonist has been made to believe that to see him(self)

is to see his Blackness and to see his Blackness is to perceive incorrectness. The protagonist's body is not only rejected by the White gaze but broken apart by it. As Clarke's protagonist is about to enter the building for a potential job interview for which he does not at all qualify, lacking "Canadian experience," the building, "built almost entirely out of glass," "tears him into strides and splatters his suit against four glass panels, and makes him disjointed" (42). Here, the glass of the building is akin to the White gaze—like a destructive mirror, it subjects the Black body to cold exposure and severe judgement and decimates it. The glass destroys, and therefore, de-constructs the Black body, cutting it up and splattering it. Such violence reads like retribution: the image the Black body projects is unforgivable. In no way can it be accepted; thus, it must be torn, splattered, and disjointed. The White gaze tears the Black body apart and exposes its lack—here is a fragmented man, it says, a lacking man, a crippled man.

Always, the Black man traverses under the White gaze in his colonial society. In *Black Skin, White Masks*, Franz Fanon establishes that such a society, one in which the colonized must always wearily wander under the colonizer, is, ultimately, a "society of comparison" (Fanon 165). In it, a Black man, "[w]henver he comes into contact with someone else, the question of value, of merit, arises" (163). Every contact with the colonizer—the one who is above him—incites in the Black man the question of his worth. He is forced to ask himself: Am I good enough? And "good enough" of course means being up to par with the White man. In this way, the Black man is always "contingent on the presence of the [White] Other" to recognize him, to validate him, and to assure him of his worth (163). Fanon reminds us that as the Black man acknowledges the White man and recognizes his "superiority," so would the Black man like to be acknowledged by the White man. However, as Fanon elaborates, leaving aside superiority, the neurotic Black man would settle for mere acknowledgement from the White man, because to him, mere acknowledgement is the equivalent to the awarding of real worth and value. Fanon calls such a need the need for "reciprocal recognitions" (170). Every time Clarke's protagonist seeks out eye contact in the short story, he is seeking out Fanon's "reciprocal recognition." For the White eyes to meet his eyes and acknowledge his presence would be to recognize his existence as a Black man and to reassure him that he is not "incorrect" (Clarke 31). Of course, in Clarke's short story, such reciprocity is never awarded. When Clarke's protagonist tries to initiate eye contact with a lady on the subway platform, she turns away from him and "drops her eyes into the pages of a thick paperback book," and when attempting to meet the gaze of a blue-eyed lady in the building where he is to have his job interview, the elevator doors "like a shutter, [take] her eyes from his view" (41;44). Again and again, Clarke's protagonist tries to be acknowledged by the White gaze and fails.

Thus, he decides to “flee [his] blackness,” and so, avoid rejection at all costs (Fanon 166). In the station, near the end of the story, he decides that “he wants no one else to see him” (Clarke 50). He now desires that his previous fragmentation and disjointedness turn into full invisibility. No one should view his “incorrect” Black body any longer. As he is about to jump before an oncoming train, however, the protagonist “makes his own eyes pierce through that weaker brightness and fixes them on the driver, dressed in a light-brown uniform” (Clarke 51). Fixing his gaze upon the driver, he sees “his own eyes, and the driver’s, make four” (51). At last, Clarke’s protagonist has succeeded in making eye-contact. He has achieved what he wanted—recognition. Furthermore, he has attained recognition from a man like him, for the driver is dressed in a “light-brown uniform” exactly like Clarke’s protagonist was a few pages back. And second: I assume the driver is in a similar economic status as that of Clarke’s protagonist’s and so, perhaps, similar in race. Here, then, is a man, similar to the protagonist, awarding him what he has desired all along—recognition. Such an incident spells out solidarity. Why then does the story end in a brutal death and utter annihilation?

To answer this, I turn to Fanon’s chapter “The Fact of Blackness,” in which he writes, “I am being dissected under white eyes, the only real eyes” (Fanon 87). White eyes are “the only real eyes” to the oppressed colonized—true recognition and affirmation can only come from the White gaze. No one else can award it. Fanon’s notion is deeply internalized by Clarke’s protagonist. Thus, when he meets the gaze of one like him, that gaze does not count. It is not a “real” gaze as it is not from “real eyes”, and it is not from “real eyes” because it is not from White eyes. This gaze does not award him what he truly desires: not simply recognition, but recognition from the White man, from his colonizers. The gaze of a man in a similar status to him does not reward him with anything—it does not make him as equal as the White man. The White man’s recognition counts for something; the Black man’s does not.

The tragic protagonist has decided that destroying the image of Blackness is not enough; the body that projects such an image must also be annihilated. And so, we have the eradication of not image, but of the entire body itself. Christina Sharpe, in her book *In The Wake: On Blackness and Being*, writes on such annihilated Black bodies: “What would it mean to stay safe and to defend the dead...those who are actually dead...those whom the state persists in choking the life out of?” (Sharpe 108). “[T]o defend the dead” is to award, or perhaps re-award, recognition to the Black body, recognition that had been denied under the White gaze. Sharpe asks: Can we re-view the Black body? Can we perceive Black bodies outside of and away from the brutal gazes of subjection they are always under? The critic propositions that yes, we can do so; the work of “defending the dead” can be done by “keep[ing] breath in the Black body” (109). She uses Philip’s *Zong!* as an example, a

text which uses the breath to subvert “the broad-brush brutalizing where people just get reduced to Negro man, Negro woman, and ditto, ditto, ditto” (109). By listing the “lost souls in the footnote,” Philip “keep[s] the breath in the Black body” and thus, restores it and keeps it alive (109). Sharpe further notes Philip’s own quote: to subvert the “broad-brushing brutalizing” we must “pay attention to one” and “[take] care with just the one” (109). Brand, in her poem “Blues Spiritual for Mammy Prater”, does exactly what Sharpe and Philip have proposed. She “keep[s] the breath in the Black body” of Mammy Prater, restores it and imbues it with life, actively working against the “broad-brush brutalizing [of Black individuals]” (109). Indeed, Brand even goes beyond what Sharpe and Philip put forward—she reconstructs the dead Black body, as opposed to Clarke’s de-construction, and goes so far as to even award the dead with agency.

In contrast to Fanon’s “dissect[ion] under white eyes” and the unforgiving White gaze, Brand’s poem utilizes a compassionate Black gaze to put the Black body back together (Fanon 87). Unique to Brand’s poem, we have a Black-on-Black gaze—one Black individual looking at another. Brand’s Black gaze first awards recognition to the Black body for the hardship it has had to endure. The Black gaze recognizes various positive aspects of Mammy Prater’s life: her “will,” her “meticulous account,” and her “patience” (Brand lines 40;12;38). Instead of dissecting—as Fanon puts it—and thus, breaking the Black body apart and annihilating it, Brand puts the Black body back together. In the second stanza of her poem, Brand singles out each of Mammy Prater’s body parts: “her shoulders,” “her legs,” “her feet,” “her heart,” “her eyes” (lines 20-30). Brand’s eyes roam over each of these body parts and we must note that she detaches them to peer closer. However, there is no sense of fragmentation—there is none of the violence of Clarke’s tearing apart and splattering. Brand detaches so as to gaze with more attention, so as to award recognition to every part, so as to see the Black body in its unity of wholeness. No body part stands alone, apart, or fragmented; each distinct part of Mammy Prater does not “lose her image” (lines 8-9). And with each body part mentioned, a little bit more of Mammy Prater is restored. Part by part, Brand’s speaker and her compassionate Black gaze reconstruct Mammy Prater. Brand detaches only so that she may gaze with more attention and more compassion.

Each body part arrives with a phrase attached to it that imparts its specific significance: Mammy Prater’s pose was “[perfect],” “sculpted” over her “shoulder of pain” and the “gait of her legs” was “etched” with her work on “the fields, the ones she ploughed” (Brand lines 20-30). Each of Mammy Prater’s parts serves to tell a story, reveal a bit more about her life and character. They come together to declare her life as one of purpose, patience, and persistence. And with Brand, we too are

led to award recognition to the Black body and to view it with compassion. Our gazes are corrected. We realize that Mammy Prater is the sum of her linked parts, not the lack of her detached fragments.

Under Brand's compassionate Black gaze, the Black body also becomes a body with agency—Mammy Prater had set this day aside, come with years of preparation to have her image composed, to communicate “across a century” “a pact of blood” (line 38). “[S]he waited for her century to turn/she waited until she was one hundred and fifteen/ years old.../ she waited until it suited her/ to take this photograph and to put those eyes in it” (lines 1-3;16-17). She had planned everything: “planned it down to the day, / the light, / the superfluous photographer, / her breasts, / her hands, /... / her eyes” (Brand lines 43-50). She has “perfected [her] pose,” “sculpted it,” and it is complete “over a shoulder,” with “the gait of her legs,” “her black dress, white collar, / white handkerchief, her feet...turned to marble / her heart burnished red, / her eyes” (lines 20-30). She is whole, completely whole. Whereas the sights Clarke presents of the Black body in “Canadian Experience” are fatalistically fractured, forced to see the Black body as anything but whole—lacking, disjointed, deteriorating, disorienting—Brand's vision restores the Black body to its wholeness: appreciates it, reveres it, and enshrines it. Brand returns hope to the former disjointed and fragmented Black body. The poet grants that the Black body can be viewed as whole, as enough, so that when it is acknowledged, it does not have to be annihilated. “Blues Spiritual for Mammy Prater” brazenly declares that even those annihilated have the opportunity of being brought back to us—restored from the dead, lacking nothing, worthy of our sight and time.

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Contributors

Sydney Benjamin is a third-year student double-majoring in political science and Criminology & Sociological Studies. Her research interests include topics concerning how marginalized groups are treated in the criminal justice system, and the intersections between politics and criminal justice. Sydney hopes to continue her studies by pursuing a career in public policy, ideally in the criminal justice sector.

Daya Kaur Charchun is a recent graduate of the University of Toronto, where she majored in Criminology & Sociological Studies and political science. She currently works as a research assistant in the Department of Religion, contributing to projects that explore the intersections of religion, identity, and social justice, with a particular focus on the institutional histories of colonialism and their ongoing impacts. Her academic research has been shaped by both scholarly inquiry and her lived experiences as a mixed-race Punjabi and Ukrainian Sikh woman. These perspectives were central to her decision to submit the paper titled “Unpacking the Continuous Passage Law and the Rejection of South Asian Immigrants in Canada: The 1914 Case of the Komagata Maru,” which critically examines Canada’s exclusionary legal and historical treatment of South Asian immigrants. She believes it is essential that racist policies like the Continuous Passage Law and their enduring legacies are brought to light and challenged within academic spaces. In the fall, she will begin her Master’s in criminology at Simon Fraser University, where she plans to continue exploring the enduring impact of colonial legacies and the barriers to equitable access to justice in Canada.

Elissa Chrapko is a recent graduate of the University of Toronto where they double-majored in economics and public policy. Growing up in rural Northern Alberta, Elissa fostered a strong commitment to place-based and historically informed policymaking. Elissa’s research focuses on improving the well-being of rural communities and small businesses, with particular attention to the anticompetitive and sociopolitical barriers that can hinder their development. They are especially interested in challenging the notion that “growth” must equate to urbanization, advocating instead for development strategies that reflect the unique needs and histories of rural and Indigenous communities. Elissa is eager to contribute to ongoing research aimed at supporting more equitable and context-sensitive rural policy.

Karissa Comeau is a fourth-year student majoring in political science and history. She is pursuing her M.A. at the University of Ottawa’s Graduate School of Public and International Affairs starting this fall. Her research interests include human rights, government interaction with conflict, and the role of public policy in advancing international cooperation and justice.

Alia Eiras is a second-year student double-majoring in criminology, sociological studies, and sexual diversity studies with a minor in art history. Alia’s studies and extracurricular involvement reflect a commitment to combatting sexual and gendered violence and amplifying queer voices. Her research interests surround the relationship between sexuality and the state, with a particular interest in control and resistance, as expressed within and outside of the parameters of Canadian law. Alia hopes to

pursue graduate studies in related fields, ultimately contributing to discussions surrounding sex, gender, queerness, and the state.

Niamh Ellwood is an undergraduate student at the University of Toronto, double-majoring in human geography and political science. She grew up on a farm in Sarnia, Ontario, in what is known as Canada's Chemical Valley. She has an interest in bogs and wetlands as a neglected and misunderstood ecosystem. She also has an interest in how labour, power relations, and the environment interact to reproduce life and institutions. Her essay was submitted in an effort to educate a wider audience about the capabilities of the undisturbed bog and the human systems that make the bog vulnerable to damage and destruction. The Ring of Fire is another example of a common phenomenon wherein the bog is inserted into the system of capital accumulation in an effort to develop seemingly green technologies. Similar projects to place the bog into production can be found across the globe in efforts to build wind turbines on the bog or drain the bog for agricultural developments. Niamh has written another essay on the subject of bogs, featured in the 2025 edition of *Landmarks: The Journal of Undergraduate Geography*, focused on the colonial history and rhetoric tied to the development of the bogs in Ireland. She wishes to pursue a Master's degree in this field of inquiry.

Irish Gaitan is a fourth-year undergraduate student at the University of Toronto, majoring in history with double minors in Contemporary Asian Studies and Asian Canadian Studies. Her work is grounded in a deep interest in Asian Canadian history, with a particular focus on the Filipino diaspora in Canada, exploring themes of gendered migration, diasporic identity, and transnational belonging. Drawing on both personal experience and scholarly research, Irish hopes to contribute to broader conversations about the experiences of Filipino Canadians within the context of Asian Canadian studies.

Mia Galitsiadis is a second-year undergraduate student at the University of Toronto, double-majoring in Canadian Studies and political science. She is keenly interested in Canadian politics, Indigenous relations, and Canadian art. Her written work explores the intersection between art and Canadian history, particularly pertaining to Indigenous narratives. Her motivation for submitting to the journal reflects a continued interest in exploring how art can challenge dominant narratives and misconceptions and create space for new perspectives.

Sophia Goold is currently pursuing a major in literature and critical theory as well as minors in history and French. She has a particular interest in Canadian social history on both local and national levels. Sophia loves researching and learning about all things related to museums and archives, and she is interested in working in the heritage sector after graduation. Outside of class, she is an editor for the *Trinity Times* student newspaper and an executive member of the university's French Course Union.

Rebecca Herlich is entering her third year as an undergraduate student at the University of

Toronto, majoring in Canadian Studies with minors in Writing and Rhetoric, and Drama, Theatre, and Performance Studies. Her academic interests lie in exploring nationalism, pluralism, and multiculturalism within Canadian society, particularly how these elements shape cultural identity and belonging. She is passionate about understanding the complexities of Canada's evolving social landscape through her studies.

Hannah Kim-Cragg (she/elle) is a recent alumnus of Victoria College. During her undergraduate career, she studied French language learning, history, and education. She credits her interest in Canadian oral and visual history as a motivator to join *ImagiNATIONS*' plethora of featured writers. This fall, Hannah will continue her learning as a teacher candidate in the Master of Teaching (MT) Program at OISE. In her free time, she enjoys spacing out (swimming), reading books with friends, and trying to replicate her mom's homemade food. Last, Hannah extends her deepest gratitude to Dr. Funke Aladejebi for her guidance and encouragement throughout the process of writing her essay for this journal, from research to publication.

Sabrina Kreyzerman is a second-year undergraduate student at the University of Toronto. As a political science student in pursuit of a career in law, as well as a visual artist since the age of 10, Sabrina never expected that there would be a space for her passions for both art and writing to intersect; that is, until Dr. Siobhan O'Flynn introduced this year's CDN197 Inventing Canada class to the work of late Canadian experimental artist Joyce Wieland. Inspired by Wieland's artistic activism through which she sought to bring Canadian women into the scope of Canadian national identity and influence, Sabrina wrote her short essay to bring attention to the value of Wieland's innovative and meaningful art, as well as the ongoing effort to recognize female contributions in Canadian history and nationhood. Sabrina would like to express her sincerest gratitude to Dr. O'Flynn for having integrated the ever-significant art of Joyce Wieland into her course and presenting her with the opportunity to have her essay featured in the University of Toronto's Canadian Studies *ImagiNATIONS* Undergraduate Journal.

Briallen MacNeill is currently a fourth-year student at the University of Toronto pursuing a double major in criminology and sociology. She recently worked alongside Professor Patrick Watson on the *Charting the "Reasonable Officer"* project at the University of Toronto. Within this project, her research specifically focused on how the SIU conceptualized plainclothes status within the context of excessive force inquiries. She is now looking to further pursue her interests in criminology by researching the history of criminal gangs in the Maritime provinces.

Ayesha Noon is a student of English literature at the University of Toronto. She has thus far loved almost everything she has read, but the authors she feels most drawn to are George Herbert, Virginia Woolf, and Ralph Waldo Emerson. She also has a great interest in Canadian literature, as she believes in knowing the art that is produced around you.

Tisya Raina is a student at the University of Toronto specializing in Peace, Conflict & Justice Studies. Her academic and research interests focus on the evolving legal frameworks surrounding the regulation of misinformation, disinformation, and malinformation (MDM), as well as privacy law in

Canada and globally. She has conducted extensive research on the legal challenges posed by information disorders, with the goal of contributing to effective and equitable policy development. Tisya is currently the program editor of the Centre for Disinformation Studies at the NATO Association of Canada, where she leads analysis and outreach on the threats MDM poses to democratic institutions and national security. She is also a researcher with the United Nations High Commissioner for Refugees (UNHCR), contributing to the development of an index assessing the inclusion of refugees in national education systems across West and Central Africa. A policy brief based on this work is currently in the press. Previously, Tisya served as co-chair of Executive Summit Studies at the G20 Research Group, the world's leading independent source of analysis on G20 Summits. She attended the 2023 G20 New Delhi Summit in India and the 2024 G7 Apulia Summit in Italy, where she presented research emphasizing the urgent need for global action against the information disorder.

Chloe Rockwood is a 2025 University of Toronto graduate, with a major in history and a double minor in Canadian studies and the French language. In the summer of 2024, she researched the history of the Toronto Port Lands for Professor Siobhan O'Flynn's course CDN355: Digital Media, Digital Makers. The project focuses on the restoration and naturalization of the Port Lands after decades of man-made pollution and construction. After being a resident in the city for four years during her undergraduate studies, Chloe is passionate about the community's continued efforts to strengthen their relationships with the indigenous people of Turtle Island and their maintenance of the natural resources surrounding the concrete jungle of Toronto.

Cody Stipelman is a fourth-year student at the University of Toronto. Growing up in the highly multicultural city of Toronto, to Cody it was always clear that the idea of Canada meant different things to different people, or a mosaic as the Canadian sociologist John Porter famously phrased it. Cody's upbringing ignited his interest in studying Canada at university, but also made it difficult to define what exactly Canada is. As a student in both history and Canadian studies Cody has always been interested in how studying Canadian history can function as a means to understand Canada as it currently is. In light of recent changes in the Canada-United States relationship and the feelings it has sparked around what exactly it means to be Canadian, Cody finds it useful to turn to similar episodes in our history, namely the 1970 October Crisis that he writes about here.

Willow Teter is a Public Policy and Economics major at Trinity College at the University of Toronto. She previously researched land use economics and sustainable planning at the UofT School of Environment. She spent the 2024-2025 academic year studying abroad at the University of St Andrews in Scotland, where she supported research into foreign policy and leader personality at the School of International Relations. The work published here captures her interest in sustainability, policy, and practical solutions to real-world challenges.

Olivia Wall is a recent graduate of the University of Toronto. She achieved an Honours Bachelor of Arts degree, specializing in English, minoring in Religion, and completing a Certificate in Black Canadian Studies. During her final year of study, Olivia took courses in the Canadian Studies

department and presented one of her papers at the annual undergraduate conference. She wrote about the geographies of colonialism and anti-Black racism that manifest in museum spatial arrangements and the geographies of Black resistance and social protest that have emerged in response. She also has evaluated the high school English curriculum and how it can be reimagined through an Afrofuturist framework that champions inclusivity, empathy, and a richer understanding of the world. Olivia looks forward to contributing to discussions on these topics while pursuing her Master of Arts in English at the University of Toronto.

Editors*

Hannah Brett is a fourth-year student specializing in history and law, with a minor in African Studies. In the upcoming fall, she will be pursuing her M.A. in history at Western University. Her research interests include the development of human rights, legal agency, historical memory, and legal-historical analysis, with a focus on exploring the intersection of law, gender, and societal change.

Alisha Aslam is a third-year undergraduate student in the international relations specialist program. While her studies focus on the international economy, she takes strong interest in furthering Canadian academia and research. She feels Canadians and non-Canadians alike can learn so much from what Canadian culture and discovery has to offer, and that it should always be celebrated, especially within academic institutions. At the University of Toronto, Alisha is also a journal analyst for the *Messages in the Media* journal on European Studies, a compliance analyst at the G7 Research Group, and a lead analyst at the G20 Research Group.

Sophia Goold is currently pursuing a major in literature and critical theory as well as minors in history and French. She has a particular interest in Canadian social history on both local and national levels. Sophia loves researching and learning about all things related to museums and archives, and she is interested in working in the heritage sector after graduation. Outside of class, she is an editor for the *Trinity Times* student newspaper and an executive member of the university's French Course Union.

Kamilla Bekbossynova is an undergraduate student at the University of Toronto, majoring in English. Her academic interests include literary analysis, editorial work, and exploring the intersections of art, culture, and history. She has contributed to various editorial projects and is passionate about fostering thoughtful engagement with literature and the arts.

**Not all biographies were submitted.*