

RECONCILIATION AFTER GENOCIDE IN CANADA

Towards a syncretic model of democracy

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Abstract

Despite recent claims by Saul (2008) that Canada's federal and provincial systems of government, including its justice systems, have been strongly influenced by Aboriginal peoples, this article advances that any influence has been largely coincidental. A detailed critical appraisal of Saul's work reveals a romanticized glossing over of Aboriginal-settler history rather than a detailed engagement with it. Taking Saul's purported goals rather than his analysis as a starting point, this article seeks to examine ways in which provincial and federal government legislative institutions might better incorporate (some) Aboriginal conceptions of power, justice, and decision-making. In so doing it argues for a process of "syncretic democracy", which includes symbols, ceremonies, guaranteed Aboriginal seats in existing institutions, potentially new institutions, and a much larger process of deliberation around how best to indigenize (and change) Canada's institutions.

Keywords

reconciliation, genocide, First Nations, Canada, power-sharing, colonialism

What is a syncretic democracy?

A "syncretic democracy", as conceptualized in this article, is a process of attempting to create a balance between current institutional forms

(European style parliamentary democracy) and traditional Aboriginal understandings of the world and methods of collective governance. Used to describe forms of religious fusion, the term has wider applicability and can be used

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1 to better understand the blending together
 2 of different forms of culture and governance.
 3 In contrast to “conversion”, which implies
 4 “missionary zeal” and the dismissal of the
 5 belief-systems encountered, syncretism implies
 6 “mutual respect and reciprocal exchange of
 7 values and beliefs”, rather than the denigration
 8 of one by the other (Balme, 1996, pp. 10–12).
 9 Unfortunately, Canada confronts ongoing dis-
 10 parities between average national standards of
 11 living and the disproportionately low economic,
 12 social, and political status of Aboriginal peo-
 13 ples: First Nations, Métis, and Inuit. How best
 14 to address these inequalities has been the topic
 15 of political and scholarly debate since at least
 16 the 19th century.

17 Promoting syncretism offers the potential
 18 to overcome the “modern-traditional” dichot-
 19 omy where one “civilization” is falsely seen as
 20 superior to others. A syncretic approach sees
 21 democratization and regime legitimation as
 22 ongoing polyvalent (and contested) processes
 23 rather than as accomplished facts (Magnussen,
 24 2002, pp. 175–176). This is consistent with
 25 some newer theories of democracy which stress
 26 democracy as dynamism, change, and adaption
 27 (Held, 2006). It is also consistent with views of
 28 the state which make distinctions between state
 29 institutions and the ongoing discursive practices
 30 which are central to the legitimation of state
 31 power (Migdal, 2001, p. 16).

32
 33

34 **Saul and “métissage”**

35

36 John Ralston Saul, essayist and author, presi-
 37 dent of PEN International, and husband of
 38 former Governor General Adrienne Clarkson,
 39 is an influential voice amongst Canada’s liter-
 40 ary and cultural elite. His 2008 book *A Fair*
 41 *Country* laid out a new vision of what Canadian
 42 identity represented and could represent into the
 43 future, an identity based on partnership between
 44 Aboriginal peoples and settler Canadians. Saul’s
 45 work, however, reveals fundamental misunder-
 46 standings about Aboriginal–settler relations

in Canada, and much of this book lays out a
 dubious myth of historical partnership, while
 glossing over the reality that many Aboriginal
 peoples have been subject to genocide in the
 Indian Residential Schools system, and remain
 subject to the vicissitudes of settler colonialism.

After offering a summary and critique of
 Saul’s work, I then move to examining how to
 achieve some of the “métis” ideals he tacitly
 embraces, but seems unable to articulate. Saul
 promotes what one might call a form of pseudo-
 syncretism, or syncretism in reverse. Canada,
 he argues, is actually based on a long history
 of Aboriginal–settler partnerships, which cre-
 ated forms of “métissage”—political and social
 cultures that amalgamate many ways of know-
 ing and being. The key to a successful future,
 Saul holds, is for Canadians to rediscover and
 celebrate this shared past.

He leads off the book with this assertion:
 “Whatever our family tree may look like, our
 institutions and common sense as a civilization
 are more Aboriginal than European or African
 or Asian, even though we have created an elabo-
 rate theatrical screen of language, reference
 and mythology to misrepresent ourselves to
 ourselves” (Saul, 2008, p. 3). Our default posi-
 tion is a form of “Aboriginal egalitarianism”,
 he stresses, where we live “comfortably with
 diversity”, have a “non-racial” and a “non-
 linear, even non-rational” ideal of civilization
 which embraces diversity and new cultures
 (Saul, 2008, p. 135).

Among Saul’s arguments are that legal aid,
 minority rights, and a host of other Canadian
 institutions are the product of a genuine but
 forgotten Métis tradition (Saul, 2008, p. 69).
 He points to our “superior” approach to food
 banks, and our “single-tier health-care” which
 emphasizes “balance of community responsibil-
 ity with individual independence and dignity”,
 neither of which, he claims, have much to do
 with British, French, or American traditions
 (Saul, 2008, p. 60).

Similarly, our political institutions are trace-
 able to First Nations “protocols” which stress

balance, dialogue, and continual renegotiation. Saul concludes: “It sounds just like Canadian federalism” (Saul, 2008, p. 51). Canada’s military strategy is also born of Aboriginal worldviews, with our attitude to war being “minimal impairment”, and an emphasis on negotiation (Saul, 2008, p. 89). Peace-keeping and the North Atlantic Treaty Organization (NATO) too appear to reflect Aboriginal ideals of compromise, meeting an opponent half way, and so on (Saul, 2008, pp. 93–94). Saul also charts the not so hidden aspects of Aboriginality that pervade our daily lives, such as the Aboriginal names of “our provinces, cities and towns, our rivers and lakes ... our animals, birds, fish, pieces of clothing and means of transport”. He highlights “an Aboriginal presence in the cadence of much of our popular music, particularly in Acadie and Quebec”, and claims them as “the marks of our reality” (Saul, 2008, p. 40).

Despite this wonderful inheritance, Canada’s problem is one of denial: we fail to recognize where our political culture comes from. Indeed, “there is scarcely a nod, let alone a meaningful nod, in the direction of the First Nations, the Métis, the Inuit” (Saul, 2008, p. 4). Saul sees this inability to recognize the Aboriginality of our society as a form of self-loathing, mixed with guilt. We know we have done wrong to Aboriginal peoples, so to engage them fully is to admit the mistakes of the past (Saul, 2008, p. 5). We feel embarrassed and ashamed about our theft of the land, about the half-baked racial theories that were used to alienate Aboriginal peoples from their lands and cultures.

But this pattern can conceivably change. Fortunately: “We are gradually returning to attitudes that predate the racially based, European-driven divisions of the late nineteenth century” (Saul, 2008, p. 20). To achieve this new vision, Saul proposes that we present a new, more inclusive narrative of Canada’s past and present, one which places in centre stage “those tens of thousands of experiences of métissage and their influence ... [as well

as] the long history of Aboriginal ideas and ways of life mixing in with those who arrived from the sixteenth century on”. This would include not looking to Europe for political, artistic, or philosophical advice but instead deferring to the words and ideas of “the Brants or Johnsons or Hardistys or Douglas or Big Bears or Poundmakers or Dumonts” (Saul, 2008, p. 20).

In this exuberant and erudite monograph, Saul raises several useful points. We do need to recognize periods of sharing and cooperation with Aboriginal peoples. We do need to recognize that our Canadian civilization, such as it is, needs Aboriginal knowledge and culture to ground our society (Saul, 2008, pp. 23–24). Saul also rightly observes that the promotion of Aboriginal languages is crucial, in that the loss of language breaks our vital link with Aboriginal cultures, traditions, and ways of knowing (Saul, 2008, pp. 236–237).

However, there are problems with Saul’s vision of the past, a past which is tinged with nostalgia and romanticism. His desire to forge a common society, for example, is premised on a “*return* [emphasis added] to the balanced relationship that had developed through the first centuries of our shared history” (Saul, 2008, pp. 23–24). This romanticism elides much of the negative history of Canada, and tacitly undermines and invalidates Aboriginal critiques of the continued colonization of Turtle Island, or critiques that posit that the relationship was never that particularly close.

Saul’s inclusive nation-building project at one level seems to put Aboriginal people at the centre: “We are a people of Aboriginal inspiration organized around a concept of peace, fairness and good government” he argues (Saul, 2008, p. xii). Yet one wonders if phrases such as this are designed to praise Aboriginal people, or laud our current political institutions. Saul sees a political culture so strongly influenced by Aboriginal traditions that it is alien to other Western countries: “Frankly, once you get below the surface, I see very little in the way

1 we use all of these that would ring familiar bells
 2 in Britain, France or elsewhere in Europe or in
 3 the United States” (Saul, 2008, p. 3). Indeed,
 4 despite what many of us may think, Saul argues
 5 that the “artificial Europeanization of Canada”,
 6 while certainly destructive, “was never com-
 7 plete” (Saul, 2008, p. 9). In short, Canada has
 8 *gone native* and has always been native—that
 9 is the natural state of our political culture, and
 10 any belief that the country is a colonial con-
 11 struction, is misguided.

12 Certainly, the myth of *métissage* could have
 13 important redemptive qualities for Canada,
 14 allowing us to overcome the cognitive dis-
 15 sonance under which many of us have been
 16 operating. Rather than feel badly about having
 17 effected the erasure of much of the Aboriginal
 18 presence, Saul argues that our relationships with
 19 Aboriginal peoples for the past four centuries
 20 have been formative to our national identity,
 21 and that much of what we are as Canadians,
 22 “the roots of how we imagine ourselves, how
 23 we govern, how we live together in communi-
 24 ties—how we treat one another ... is deeply
 25 Aboriginal” (Saul, 2008, p. 3).

26 Where Saul falls rather short of historical
 27 accuracy, however, is in his remarkably white-
 28 washed view of Canada’s past, which stresses
 29 the joining and the sharing, but downplays the
 30 racism and the persecution, including the Indian
 31 Act, which had little if anything to do with
 32 Aboriginal culture and far more to do with the
 33 need to dominate and colonize (Milloy, 2008).
 34 The key to actually achieving Saul’s dream of
 35 *métissage*, however, is not to pat ourselves
 36 on the back by teasing out ersatz elements of
 37 Aboriginality in our colonial institutions. It
 38 lies in facing the truth: that we have sought
 39 for over two centuries to destroy Aboriginality
 40 by imposing a foreign, colonial system in this
 41 country. It is only once we recognize this that
 42 we can go forward to create the sort of syncretic
 43 institutions Saul would most likely advocate,
 44 alongside many Aboriginal leaders.

45 There is some, but not much mention of the
 46 Indian Residential Schools and their central role

in understanding Aboriginal–settler relations
 today, and nothing on their genocidal implica-
 tions (MacDonald & Hudson, 2012). Saul is
 silent about the trauma and abuse we inflicted,
 deliberately and maliciously on Aboriginal peo-
 ples, for over a century. He is silent about the
 embedded racism of many of Canada’s institu-
 tions. The most worrying thing perhaps, is that
 he is silent about Aboriginal voices themselves.
 It is largely irrelevant if Europeans find aspects
 of our culture alien. What do Aboriginal people
 think? Do they recognize, in colonial institu-
 tions, echoes of their traditions and ways of
 knowing and being?

Colonial Canada

There are two ways to critically approach Saul’s
 claim of *métissage*. First I explore the counter-
 narrative from a pro-European perspective, that
 Canada’s much vaunted institutions are in fact
 derived from Europe. I then look at Aboriginal
 critiques of Canada as a colonial country. Rather
 than promote a myth of *métissage*, Philip Resnick
 makes the more convincing argument that Canada
 was founded by Europeans, its institutions were
 created by Europeans, its immigration laws were
 designed to keep non-Europeans out, and its social
 programmes, far from being first or better than
 their European counterparts, were largely derived
 from them. Canadians, as Resnick has observed,
 remain “European in their sensibilities and will
 continue to be the more European part of North
 America into the foreseeable future” (Resnick,
 2005, p. 19). If we consider our immigration
 laws for example, which were geared towards
 creating a racialized colonial system, “bohunks
 and members of mongrel races” were emphati-
 cally not welcome (Resnick, 2005, p. 25).

As for our social programmes, most of them
 were derivative. Germany under Bismarck had
 old-age pensions 40 years before we did in 1926,
 and unemployment insurance,

introduced in 1940, was adopted well after Roosevelt's New Deal. Insofar as other social programmes were concerned, it was popular approval of the British "Beveridge Plan" that led to the Marsh Report, which laid the basis for us to copy the United Kingdom after World War II (Resnick, 2005, pp. 49–50). Regarding NATO, Canada's middle power approach has been a factor of its balancing its identity as a European and North American power, acting as a pro-Atlanticist bridge during the Cold War (Resnick, 2005, p. 78). Of course Canada too never really sought to sit on the fence during the Cold War. We were solidly on the Atlanticist side from the beginning, and remained there until the end.

As for legal aid and the common law, it would be foolish to argue that our justice system was based on Aboriginal tradition. Indeed, Justice Sinclair, chair of Canada's Truth and Reconciliation Commission (TRC), has observed that the "long and often bitter relationship" Aboriginal people have had with the "Euro-Canadian justice system" has to do with its adversarial structure. As he argues: "The very premises upon which the system is based do not accord with Aboriginal values and culture" (Sinclair, 1994, p. 21).

So what precisely is Saul doing? Arguably, he is seeking to rewrite history, rescripting it as one of original partnership and *sui generis* harmony. In short he is promoting what nationalism theorist Anthony Smith has called a "golden age". Central to most successful national experiments, myths of a golden age set a standard which frames what the nation is all about, and engenders an inspirational narrative for where it should be going. Nations which wish to succeed must be able to "unfold a glorious past, a golden age of saints and heroes, to give meaning to its promise of restoration and dignity" (Smith, 1983, pp. 153–154). Golden ages certainly seek to inspire and to create new and potentially better realities for national adherents. Unfortunately, creating a new golden age can also imply considerable forgetting.

Canada as a colonial country

Back in 1822, Ernest Renan famously observed that "the essential element of a nation is that all its individuals must have many things in common but it must also have forgotten many things" (Buckley-Zistel, 2006, p. 132). More recently, Cohen has noted that societies deliberately forget uncomfortable knowledge, a form of "social amnesia", or "a mode of forgetting by which a whole society separates itself from its discreditable past record" (Buckley-Zistel, 2006, pp. 133–134). In a very real sense, this is what Saul proposes to do, by urging us to forget that Canada remains a colonial entity, at least for many of the Aboriginal peoples who live there.

That Canada remains colonial is palpable in the contributions of recent Aboriginal theorists. Battiste uses the term "cognitive imperialism" to describe how Aboriginal peoples have been obliged to internalize the worldviews of the "dominant society", a view that runs diametrically opposed to Saul's argument that the dominant society is at its very core Aboriginal (Rice & Snyder, 2008, p. 55). Furniss reasons that we cannot be post-colonial because we have not even tried to be. We have *not* attempted to decolonize; the culture remains predominantly European, as does the "structure of political authority" which assumes that settler practices are the norm, the default position of society which needs little defence other than that it functions as the status quo (Furniss, 1999, pp. 11–14).

Resnick's perspective of Canada as a deeply European country resonates far more strongly with what Aboriginal theorists observe. Docker has described Canada alongside Australia, New Zealand, and the United States as a "settler colony" that is "a colonial society where the indigenous population was reduced to a small or tiny proportion of the overall population, whose majority population becomes composed of colonizers/migrants" (Docker, 2004, p. 2). If we adopt Wolfe's observation that "settler

1 colonialism destroys to replace” (Wolfe, 2006,
2 p. 388), then what happened in Canada makes
3 sense. The larger logic of settler colonialism is
4 lost on Saul, which consists of destroying what
5 came before, and replacing it with the institu-
6 tions of the settler.

7 So what does colonialism mean in Canada?
8 At the most obvious level, we have Queen
9 Elizabeth II as our head of state, English as the
10 primary official language, Westminster style
11 legislatures at the federal and provincial levels,
12 the British common law (except in Quebec), a
13 European-derived educational system, towns,
14 cities, rivers, streets, and so on named after their
15 European counterparts (think of Stratford, on
16 the Avon River for example, or London, on the
17 Thames—previously known as Askunessippi, or
18 “the antlered river”, before being renamed by
19 John Graves Simcoe) and of course European-
20 based culture as the norm, with the majority of
21 active and assertive Canadians, in politics, the
22 economy, education, and the arts coming from
23 European backgrounds.

24 25 26 **Genocide and the clash of collective** 27 **memories**

28
29 There are fundamental perceptive differences
30 between many Aboriginal peoples and settler
31 Canadians. A central divide concerns how
32 understandings of history are differentially
33 embedded in the collective memories of both
34 peoples. Razack has termed settler history a
35 “fantasy” (Razack, 2002, p. 2) insofar as we
36 tend to disavow notions of conquest, inva-
37 sion, and genocide, promoting instead myths
38 of peaceful settlement and colonization. Ladner
39 has noted: “For Indigenous peoples, the story of
40 Canada is one of myth, magic, deceit, occupa-
41 tion, and genocide. For Canadians, the story is
42 one of discovery, lawful acquisition, and the
43 establishment of peace, order, and good govern-
44 ance” (Ladner, 2009, p. 279).

45 Ladner’s view encapsulates the percep-
46 tion gap between many Aboriginal and settler

peoples. There have been polyvalent, but none-
theless, concerted and organized attempts to
destroy Aboriginal cultures, languages, reli-
gions, and ways of knowing and being in the
colonization of this country, with some of the
most grievous violations of human rights occur-
ring in the Indian Residential Schools system,
a network of some 125 schools that ran for
over a century in Canada, where over 100,000
Aboriginal children were forcibly assimilated,
a process which included forcible conversion,
the suppression of their languages and cultures,
and alienation from their families and commu-
nities (Miller, 2004, p. 84). As I discussed in a
recent article (MacDonald & Hudson, 2012),
there seems to be clear evidence of intention
to commit cultural genocide at least, through
the outlawing of traditional customs like the
Potlatch and Sundance, through the pass system
which kept First Nations people on reserves,
and through strict policies promoting forcible
assimilation, including denigration of tradi-
tional languages and religious practices.

Since 2009 Canada’s TRC has been investi-
gating the staggering array of crimes committed
against several generations of young Aboriginal
children in Canada’s residential schools. TRC
officials, Chief Commissioner Justice Murray
Sinclair, Assembly of First Nations national
chief Shawn Atleo, and a large number of aca-
demics have argued that genocide as defined
under the 1948 United Nations Genocide
Convention (UNGC) has been committed in the
residential schools (see Cardinal, 1969/1999;
Chrisjohn, Young, & Maraun, 1998, pp. 2–6,
33–35; Davis & Zannis, 1973, pp. 175–176;
Grant, 1996, pp. 69, 270–271; Haig-Brown,
1988, p. 11; MacDonald & Hudson, 2012;
Neu & Therrien, 2003). Genocide need not
imply mass killings. According to the UNGC,
it can also refer to attempts to prevent births
within a targeted group, including steriliza-
tions (Article 2(d)), as well as forcibly removing
children from one group and transferring them
to another group (Article 2(e)) (Power, 2007,
pp. 59–62). Even if few children were *killed* in

the schools, their identity as Aboriginal peoples was purposefully destroyed by the four mainline churches and the federal government (TRC, 2012, pp. 1, 85–86).

Genocide may be a central claim of the TRC’s final report in 2014, since a key TRC goal is to represent what many Indian Residential School (IRS) survivors feel about their experiences. Should this be the case, the nation will then be in a similar position to that of Australia in 1997, when the Australian Human Rights Commission’s report on the Stolen Generations, *Bringing Them Home*, argued that the UNGC was indeed violated (specifically Article 2(e)), in that somewhere from 10% to 30% of Aboriginal children were forcibly separated from their families between 1910 and 1970 (MacIntyre, 2003, p. 154).

Detractors have asserted that the application of the UNGC here potentially dilutes the term, and ignores the argument that the life chances of individual children improved as a result of the removals (Van Krieken, 2010, pp. 129–130, 136, 139–147). It is beyond the ambition of this article to debate these contentions, except to say that it was clear for the creator of the term “genocide”, Raphael Lemkin, that forcible transfers fit the bill. In 1951, he averred that “genocide can be committed either by destroying the group now or by preventing it from bearing children or keeping its offspring” (Lemkin, 1951, n.p.). Further, Article 2(e) has been upheld in international law and by legal scholars as being a key aspect of genocide. Mundorff, for example, notes both the physical and biological aspects of forced transfer: “biologically, by preventing children from reproducing within the group, and physically, by discouraging children from returning to their group” (Mundorff, 2009, p. 117).

Discussions of genocide as an aspect of the colonial process are taking a more central role in deliberations about the relationships between Aboriginal peoples and the crown. Nevertheless, it is by no means certain that the Canadian public would accept a finding of genocide. We have

been in denial about the state of Aboriginal peoples for too long. As Joseph posits, colonial states often engage in various forms of denial, including “interpretive denial”, where authorities may recognize facts, but refuse to interpret them in the same ways as indigenous peoples. Another form of denial common amongst settler societies is “implicatory denial”, a situation where even if the facts and the interpretation are acknowledged, “the observer denies, rather, the psychological or moral implications that might follow from the facts. Any obligation to make a moral response is evaded by justification (they are getting what they deserve) and/or indifference (I know what’s happening but it does not bother me) to various forms of accommodation and normalization ...” (Joseph, 2008, pp. 208–209).

In 2011, Aboriginal Affairs Minister John Duncan refused to acknowledge the label cultural genocide, instead arguing that the residential schools were “education policy gone wrong” (Kirton, 2011). But even without genocide, the federal government has admitted that the IRS system should never have been established. In 2008, Prime Minister Harper apologized for the residential schools, which alone can constitute the basis for rethinking the nature of our relationship with Aboriginal people as long as we see this as just the first step in a larger process of reconciliation. From a cynical (or maybe realistic) perspective, apologies are often seen as vacuous. This is especially so when the institutions committing the crimes in the first place remain intact and in positions of influence (Chrisjohn & Wasacase, 2009, p. 219).

We can’t tell Aboriginal peoples we are sorry, and leave the past behind us. A process of conciliation means bringing the past forward, walking with the past into the future, and ensuring that the past is used as a means of reflecting, reforming, and reconstructing. Llewellyn has done some useful work on restorative justice. For her, the focus is on restoring harmed relationships, seeking to apply a “relational view of

1 the world” to recognize the “fundamental inter-
 2 connectedness of people through webs of social
 3 relationships”. That is, wrongs are not experi-
 4 enced only individually and cannot be redressed
 5 solely at the individual level either. Broken
 6 relationships can never be fully healed; the eggs
 7 cannot be put back into the shell. However, the
 8 goal of the process is “the creation of a different
 9 future founded on relationships of equal con-
 10 cern, respect, and dignity” (Llewellyn, 2008,
 11 pp. 188–189).

14 **Why syncretism? Some pragmatic** 15 **considerations**

16
 17 How then can we get to a balance, a real sense
 18 of *métissage*? It will not come from strate-
 19 gic forgetting, but from a concrete attempt to
 20 *change* current institutions. Institutions can
 21 prove central to any process of societal change.
 22 Institutions and discursive practices can be said
 23 to be co-constitutive; that is, institutions can
 24 change behaviour and beliefs, as well as percep-
 25 tions of interests, while the reverse is also true.
 26 As Hodgson (2006) articulates:

27
 28 In part, the durability of institutions stems
 29 from the fact that they can usefully create
 30 stable expectations of the behavior of oth-
 31 ers. Generally, institutions enable ordered
 32 thought, expectation, and action by imposing
 33 form and consistency on human activities.
 34 (pp. 2–3)

35
 36 So how can institutions become more syncretic?
 37 We need to ground Canada in a new version of
 38 bi-nationalism, centred on partnership between
 39 Aboriginal and settler peoples. As Maaka and
 40 Fleras (2005) point out, a bi-national rela-
 41 tionship will inevitably imply a reworking
 42 of dominant institutions and narratives (not
 43 merely accepting them as they are, which Saul
 44 seems to propose), since bi-nationalism seeks
 45 to “restructure the constitutional core to fos-
 46 ter power sharing”; “provides a constitutional

framework for engaging indigeneity as a
 majority-to-majority partnership”; “is con-
 cerned with the sharing of sovereignty between
 two dominant cultures in complementary co-
 existence”; and “acknowledges the necessity to
 stand apart before the possibility of belonging
 together differently” (pp. 275–276).

It is not enough to create myths of bicultural-
 ism between two white European cultures, then
 add multiculturalism to the mix and only later
 include Aboriginal peoples as an afterthought.

Imagining what might have been is a norma-
 tive project, an essential component for getting
 restorative justice on track. We need to imagine
 what might have happened if the steamroll-
 ers had not razed much of Aboriginal society.
 In Canada, we essentially eliminated from
 political competition a crucial pressure group
 which could have had enormous influence on
 settler governance and culture, which could
 have helped develop a form of consociational-
 ism. Here, different peoples rule together with
 shared institutions that represent a compromise
 of different cultural traditions of governance
 and philosophy (Lijphart, 2004). So the exercise
 consists of taking First Nations as they might
 have been, had the land thefts not occurred,
 and had the IRS system not been created; they
 would have a very different bargaining position.
 How could things change?

Recognize and promote Aboriginal ***languages***

A genuine recognition of bi-nationalism, unlike
 Saul’s ersatz form, would insist that the diver-
 sity of Aboriginal peoples be acknowledged.
 Rather than talking about a “third founding
 people”, we need to recognize that relative
 to Aboriginal people, the differences between
 English and French cultures, and especially
 the languages, are not that different, relative
 to the differences between Aboriginal peoples
 in Canada. A genuine bi-nationalism would
 insist that settler and immigrant peoples learn
 Aboriginal languages as well as European ones,

taught in schools to all children. Such languages could also be made official languages in provinces and school children would learn local Aboriginal languages that were indigenous to their region.

Unfortunately, little has been done to preserve First Nations languages, many of which are on the brink of collapse (Galley, 2009, p. 243). By contrast, the government continues to promote French language education, which shows clearly that the myth of two founding European nations, in practical policy terms, remains the focus of government efforts. This is a major problem because Aboriginal culture has been largely transmitted through the language, which not only signifies what exists in the world, but frames how Aboriginal people should understand and relate to the world as well (Cuthand, 2007, p. 62).

Promote Aboriginal self-government

This could include forms of dual citizenship and passports, as well as other measures for Aboriginal entities seeking to assert their right to be recognized as self-governing nations. Alfred puts it that the best way to decolonize is for Aboriginal people to re-establish their ties to land, which will allow them to connect “to land-based cultural practices and the reestablishment of authentic indigenous community life” (Alfred, 2009, p. 43). In practice, this would create forms of multi-layered and overlapping sovereignty, although pragmatically, most if not all of it would be within the Canadian state (Maaka & Fleras, 2005). This is complicated, since the structures of tribal government are determined by the Indian Act, and not by the history of tribal entities. Further, the Indian Act mandates who does or does not have status, who is or is not an Indian (Furniss, 1999, pp. 22–23).

The legal underpinnings of Aboriginal sovereignty are proceeding in fits and starts. Section 35 of the 1982 Canadian Constitution Act recognizes that “Aboriginal and treaty rights

are recognized and affirmed”, meaning that Aboriginal title has been recognized alongside some non-territorial Aboriginal rights (Bell & Napoleon, 2009, p. 486). In practice, Aboriginal peoples have encountered difficulty with the courts, particularly because courts have applied stringent tests before being willing to entertain the application of section 35. Aboriginal title, for example, now requires groups to prove exclusive and original occupancy prior to “transfer of sovereignty to the Crown”, while rights to various powers of self-government often requires groups to show that specific practices were integral to their culture, something extremely difficult to do (Ginsburg & Dixon, 2011, p. 175). A positive aspect, however, has been the “duty to consult”, tied with conceptions of the “honour of the Crown”, principles which have flowed from various section 35 based court decisions. This has in effect allowed for more First Nations’ input into industrial development, and even the halting of some forms of economic activity, deemed to be detrimental to the “exercise of key lifestyle activity” (McHugh, 2011, pp. 150–154). Precisely how section 35 challenges in the courts will play out in future remains to be seen.

Promote Aboriginal representation in existing institutions, while changing these institutions to better reflect Aboriginal governance traditions

Self-determination, increased representation and changes to existing institutions constitute a complementary process of empowering Aboriginal peoples using multiple channels. This reflects what Murphy calls a “relational model of self-determination”. This can be described as having “multiple points of access to political power and decision-making”. While autonomous self-government would help some Aboriginal peoples empower themselves, Murphy argues persuasively that “indigenous representatives may also need an effective voice in local, regional, and national institutions

1 that have the capacity to influence their indi-
 2 vidual and collective futures” (Murphy, 2008,
 3 pp. 197–200).

4 Halting Aboriginal sovereignty at the bor-
 5 ders of reserves denies the reality that these
 6 lands represent only a small fraction of the
 7 land Aboriginal peoples once controlled. As
 8 Borrows puts it, “Why should an artificial line
 9 drawn around my reservation bar me from a
 10 relationship with the vast areas my ancestors
 11 revered?” Further, there are growing numbers
 12 of urban non-status Aboriginal peoples who are
 13 not tied to any specific reserve or treaty who
 14 also need representation as Aboriginal peoples
 15 in institutions (Borrows, 2007, pp. 151, 157).
 16 Many have been subject to the “Sixties Scoop”
 17 (the forced transfer of children away from their
 18 families), and currently some 27,000 Aboriginal
 19 children are in institutional or foster care. It
 20 is clear that for the foreseeable future, urban
 21 Aboriginal people will be subject to Canadian
 22 and provincial laws and political decisions,
 23 whether or not they have any direct input
 24 (Murphy, 2008, p. 185).

25 To reflect these realities, institutional changes
 26 could include first, adopting a form of propor-
 27 tional representation, a system which is poorly
 28 understood in Canada, and given short shrift in
 29 political debates and media analysis. However,
 30 the system is more representative, more trans-
 31 parent, and more progressive for the most part,
 32 and “can facilitate representation of spatially
 33 dispersed minorities” (Linz & Stepan, 1996,
 34 p. 33). Second, guaranteed seats for Aboriginal
 35 peoples in both houses of Parliament would
 36 increase their visibility and power. Three well
 37 known formulae include New Zealand’s sepa-
 38 rate Māori electoral districts with guaranteed
 39 Māori seats; separate chambers for indigenous
 40 peoples in Finland, Sweden, and Norway; and
 41 the example of Maine in the United States,
 42 where there are guaranteed seats for representa-
 43 tives of the Penobscot (indigenous peoples of
 44 Maritime Canada and northern United States)
 45 and the Passamaquoddy (indigenous peoples
 46 of Maine and New Brunswick, Canada). The

Royal Commission on Aboriginal Peoples
 (RCAP) in 1996 also outlined a blueprint for
 a “House of First Peoples” which would com-
 prise Aboriginal representatives. This third
 level of government, however, would act only
 in an advisory capacity, similar to the Sámi
 chambers in Nordic countries (Schmidt, 2003,
 pp. 1–6). None of these solutions are ideal, but
 of them, the New Zealand system appears the
 most progressive, since it has been followed
 with the introduction of the Mixed Member
 Proportional (MMP) electoral system and the
 rise of Māori-based political parties which have
 been in coalition with successive governments.

Infuse the country with coherent Aboriginal worldviews and narratives

We need to go further than simply ensure that
 Aboriginal peoples are represented in our colo-
 nial institutions. If Canada’s political system is
 like a game of scrabble, we must do more than
 simply give Aboriginal people a few more let-
 ters. We need to deliberate over what game we
 should be playing and the parameters of that
 game. Eurocentric institutions are not inher-
 ently bad (they work rather well in practice
 according to the measure we political scientists
 use to evaluate them), but they are very differ-
 ent to what Aboriginal cultures have promoted
 for millennia. I don’t feel it incumbent on me to
 describe what sort of “traditional” governance
 institutions should be established, although this
 is a topic I want to explore in future research.

Symbols matter because they send a message
 that the default cultural settings are changing,
 that we are eroding “cognitive imperialism”.
 Aboriginal languages should become a feature
 of the deliberations process. The structure of
 Parliament could change. The names of both
 houses could change to a House of Chiefs for
 the Senate. The changing structure might not
 have much of an influence in terms of policy
 and policy practices immediately, but it would
 reframe the nature of the deliberation process.
 Surrounded by symbols and ceremonies of First

Nations, Métis, and Inuit, the Council would make it clear that Canada pays homage to its indigenous present and future.

The Anishinaabeg's seven fundamental laws of creation could serve as a key reference point for deliberations within Parliament. Let us inscribe them into the archways over the main doors, so that Members of Parliament can remember them: "*Nbwaakaawin* (wisdom), *Zaagidwin* (love), *Mnaadendimowin* (respect), *Aakwade'ewin* (bravery), *Dbaadendiziwin* (humility) *Gwekwaadiziwin* (honesty), and *Debwewin* (truth)" (Borrows, 2008, p. 9). Another way of looking at the creation of public policy is in the manner some Navajo theorists do. The role of the Peacemaker is to avoid distinctions between good and bad. Rather, the role implies asking whether something is *hashhkeeji* or "moving towards harmony" or *hozhooji* "moving towards disharmony". The emphasis is on direction, movement, change. There are no static activities, no static individuals. There is no neutral bystander position. We either help or hinder, we cannot sit on the fence. We encourage or discourage harmonious relationships by contributing positively or negatively (Ross, 2006, pp. 127, 152). We are at a stage perhaps where we are moving towards harmony, after a very long history of the reverse.

In 2005, Prime Minister Paul Martin did a smudging ceremony in the House of Commons. Elmer Courchene, senior elder of the Sagkeeng First Nation, performed the ceremony. Martin argues that he wanted it to be more than "just symbolism" and writes in his memoirs: "I wanted Aboriginal Canadians to see that they were an integral and important part of our society", in a relationship based on "partnership". Martin recounts how in the aftermath of the smudging, he received "hundreds of appreciative letters" from Aboriginal school children (Martin, 2008, pp. 256–257). Martin's short premiership was far from ideal, mired by scandal. But in this one respect at least, his leadership marks an important symbolic contribution to

reconciliation and there is good in Martin that has been deliberately ignored by the popular press. Smudging and other Aboriginal practices need to be incorporated into Parliament.

Conclusions

A recognition that we need to decolonize constitutes a useful step from where we can begin to think creatively about how to reframe our understanding of Canadian history, moving from dominant European views to a more bi-national framework which grounds Canadian history, politics, languages, and cultures in a power-sharing arrangement with Aboriginal peoples. A recognition of genocide too would help ensure that the losses suffered by Aboriginal peoples are not taken for granted. A reconciliation process which does not recognize genocide refutes the collective memory and experiences of many Aboriginal people who do believe that genocide occurred, and will be perceived as being based on misunderstanding and bad faith. Sadly, Saul's oeuvre, while far better marketed than anything published by comparable Aboriginal academics, merely implies that we have already brought about some sort of syncretism or soft decolonization, if only we would realize it. As I have sought to demonstrate, this thesis is misleading both in terms of where we are, and where we have come from.

For all of us treaty people, the future may lie in embracing the recognition that Canada needs to decolonize. The fact that we committed genocide increases the moral imperative to do what we can to initiate this important process. Ideally, those interested in an Aboriginal future for Canada would be better served to leave Saul aside and work to ensure that a genuine bi-nationalism between Aboriginal and settler peoples recognizes the inherent rights of Aboriginal people.

1	Acknowledgments		métissage	cultural blending between
2				First Nations and settlers
3	The author would like to acknowledge		mnaadendimowin	Anishinaabeg term for
4	the invaluable help of the Social Science and			respect
5	Humanities Research Council of Canada, and		nbwaaakaawin	Anishinaabeg term for
6	advice from Chelsea Gabel, Graham Hudson,			wisdom
7	Mike Cachagee, Harvey Trudeau, Jim Miller,		Passamaquoddy	indigenous peoples of
8	Mike DeGagne, Jon Dewar, Rupert Ross, Kiera			Maine (United States) and
9	Ladner, and the reviewers at <i>AlterNative</i> .			New Brunswick (Canada)
10			Peacemaker	indigenous leader seeking
11				to create peace between
12	Glossary			indigenous peoples
13			Penobscot	indigenous people of
14	aakwade'ewin	Anishinaabeg term for		Maritime Canada and
15		bravery		northern United States
16	Anishinaabeg	indigenous peoples of	Potlatch	ceremony where wealth
17		central Canada and the		was redistributed within
18		northern United States		a community, prominent
19	dbaadendiziwin	Anishinaabeg term for		amongst First Nations in
20		humility		British Columbia
21	debwewin	Anishinaabeg term for truth	Sagkeeng	First Nation near Lake
22	First Nations	indigenous peoples of		Winnipeg in Manitoba,
23		Canada		Canada
24	gwekwaadiziwin	Anishinaabeg term for	Sundance	ceremony common to Plains
25		honesty		First Nations, where
26	hashhkeeki	Navajo term meaning		songs, dances, prayers
27		moving towards harmony		and offerings are made to
28	hozhooji	Navajo term meaning		the creator
29		moving towards	Turtle Island	the name for the landmass
30		disharmony		of Canada, named after
31	Inuit	indigenous peoples of		a First Nations creation
32		Canada's north		story
33	Métis	descendants of First Nations	zaagidwin	Anishinaabeg term for love
34		and French settlers		
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