

Violence Against Indigenous Women in Canada: A Colonial Legacy or Tragedy?

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We acknowledge the presence of Wilfrid Laurier University on the traditional territories of the Neutral, Anishnaabe (Ojibway, Chippewa, Algonquin, Mississauga), Wendat (Huron) and Haudenosaunee (Iroquois Confederacy – Mohawk, Oneida, Cayuga, Seneca, Onondaga, Tuskarora) peoples.

Abstract:

In 2015 the Canadian government launched its National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIW) (2015), identifying that it was one of the most urgently important issues facing Canadian society. This inquiry marks a pivotal moment in Canadian history where either a true reckoning may begin with regards to the imbedded colonial legacy of violence against Indigenous women in Canada or the status quo upheld. This paper will use Sherene Razack's research on violence against women (2016) and the concepts of gendered disposability and Indigenous dysfunction to explore this topic. It will examine the murder of dozens of women in the Downtown Eastside of Vancouver, and the lack of attention given to their plight by the police, as an example of gendered disposability. As Amber Dean (2015) argues, the Downtown Eastside provides a clear example of how disposability and dysfunction work to sanction the physical violence many Indigenous women experience. Ultimately, the three goals portrayed as solutions to the problem of colonial violence are simple. Primarily, to identify measures that will eliminate violence against Indigenous women and girls, to provide justice, and lastly to incorporate practices that address the systemic violence these women face. However, achieving them is the part that remains complex. Can Canada learn about its colonial history and still be doomed to repeat past injustices?

On December 8th, 2015 it was announced that Canada's Liberal government would launch a National Inquiry regarding Missing and Murdered Indigenous Women and Girls (Patrick, 2016, E78). Launching an inquiry acknowledged missing and murdered Indigenous women was one of the greatest issues facing Canadians today. Often, "When one thinks of women's human rights issues, one usually thinks about violence against women and not about poverty, housing, unemployment, education, water, food security, trade and other related economic and social rights issue" (True, 2012: 17). In studying the colonial legacy of violence against Indigenous women in Canada it becomes evident that there is a relationship between economic and social issues that sanction the physical violence the women experience. The deep connection between economic and social issues is at the core of the legacy colonialism continues to leave behind. First an understanding of Razack's (2016) definitions of Indigenous dysfunction and gendered disposability will be established, which will be supported by an in-depth analysis of the Downtown Eastside of Vancouver. Finally, the story of Sarah de Veris will be shared to explain where the demonstrated theories of a colonial legacy continue to have serious individual implications.

Two key scholars that deal with the colonial legacy of violence against Indigenous women are Sherene Razack and Amber Dean. Both scholars work with the idea of a colonial legacy to advocate for women's rights and determine what must happen in the future. The opposing side to both the arguments that Razack and Dean make would be that of "Indigenous dysfunction" as opposed to the "story of colonial violence and dispossession" (Razack, 2016: *iv*). The concept of Indigenous dysfunction has been constructed and maintained from the beginning of the colonial period and persists into the

twenty-first century. The truth behind this statement can be understood by analyzing how the concept of Indigenous dysfunction has been constructed and how the legacy of colonialism allows Canadian society to place less value on its Indigenous populations, specifically Indigenous women. To begin, Razack's concept of gendered disposability in relation to the concept of Indigenous dysfunction will be deconstructed alongside a study of the treatment of Indigenous women during the colonial period. The goal is to better understand the lingering implications and mentality that surrounds Indigenous women in Canada today.

What does it mean to be disposable? Razack (2016) answers this question with three definitions. First, it is defined as something that is thrown away after it has been used such as a disposable camera. A second definition explains disposability as something that is available in plenty to be used and consumed such as disposable income. Lastly, the third meaning is less used and "indicates something more active, as in when one is disposed to do something or one disposes of, or gets rid of, something [in which women, specifically prostitutes are] available for libidinal excess as well as being discardable object" (300). Razack (2016) explains who is disposable and what it means to be disposable as the premise of the fabrication of 'otherness' that is seen many times throughout history (286).

For example, a white settler society depended on a fabrication of 'otherness' in order to force assimilation and nearly extermination of Indigenous peoples living on the land desired land for settlement (Bourgeois, 2015, 1445). The result was taking extreme measures such as establishing the residential school system that separated families and aimed to ensure assimilation. It is understood "this historical trauma has contributed to

social issues that have resulted in increased crime, substance abuse, and the normalization of violence and sexual abuse in [Indigenous] communities” (Bourgeois, 2015, 1439). The only way such extreme practices could be justified was through the concept of disposability that dehumanized Indigenous communities. It is clear that the mistreatment of Indigenous communities is not exclusive to women. However, there continues to be a lingering sexist stereotype of Indigenous women being dirty, promiscuous and deviant that allows women, in particular, to be easily disposable (Bourgeois, 2015, 1442).

Who becomes disposable connects to the racial hierarchy that underpins colonialism or more widely a hierarchy of marginalization that decides the value of one's life. Razack (2016) explains this through prostitution whereas “race and gender, operating through each other, mark colonized and racialized women (although not exclusively) as being disposable and available for consumption in prostitution” (302). If the women are white and involved in prostitution she then becomes removed from her race and therefore does not benefit from the systemic legal advantages other white women may benefit from (Razack, 2016, 302). It is clear that in this system Razack's ideas of disposability and Indigenous dysfunction work together in maintaining a colonial legacy of violence against Indigenous women in Canada.

The concept of Indigenous dysfunction suggests the idea of Indigenous women and the population as a whole being dysfunctional as opposed to being oppressed (Razack, 2016, 900). This concept alongside the understanding of gendered disposability and the racial hierarchy that underpins colonialism brings to light why Canadians are able to deny a colonial legacy surrounding the violence against Indigenous women. When

violence is not named as racism or as a potential legacy of Canada's colonial past what argument can be made to justify the dozens of missing and murdered Indigenous women? The argument left is of dysfunction because Indigenous populations inflict much of this violence upon themselves. It is therefore justified for the rest of Canadian society to block out areas of the country such as the Downtown Eastside, The Highway of Tears and the Red River in Winnipeg as someone else's problem. This damaging narrative "has resulted in generations of sexual violence and abuse continuing outside the law, as though it was not illegal to rape or batter an Indigenous woman" (Bourgeois, 2015, 1442). As Razack (2016) states the legal system, therefore, perpetuates gendered disposability by forming a grey legal area in which sexual violence is permitted (291).

Furthermore, understanding how Canadians are able to remove themselves from what is going on in their own country makes it easier to understand why so many believe that colonialism has left no legacy within Canada. Dean (2015) points out a statement that at the time Prime Minister Stephen Harper made in 2009, it reads, "Canada has no history of colonialism" (149). Not only is it important to interpret what caused Stephen Harper to believe this but also it becomes important to understand why this statement caused little outcry within the country. Dean believes that silence speaks loudly for the perception that many non-Indigenous Canadians have for colonialism as something of the past. It is therefore problematic when one tries to advocate for violence against Indigenous women and "persuade a wider public that the present-day violence directed at Indigenous women is tied indelibly to an unsettled history of injustice" (Dean, 2015: 149).

Instead of simply acknowledging past injustices, such as Prime Minister Harper did with the residential schools in 2009. Perhaps it is time to consider how “the past lives on in the present” (Dean, 2015: 151). The concern is not that if one does not learn history, it will be doomed to repeat but rather that Canada can learn about its colonial history and yet still repeat its damaging effects (Dean, 2015: 150). The question remains whether Canada is willing to reckon with it’s past and acknowledge its implications to the present and future or continue the trend of addressing individual cases based on what was stated as Indigenous dysfunction and gendered disposability. This is critically important as Canada moves into an inquiry into the Missing and Murdered Indigenous Women and Girls of Canada.

The legacy of colonialism assists in constructing of the concept of Indigenous dysfunction, which can lead women into difficult circumstances. It was understood previously that Indigenous women were seen as promiscuous beings. This was often termed by using the degrading word “squaw” (Bourgeois, 2015, 1442). It is important to make the connection between a perception of Indigenous women that started in the 1800’s as “squaws” and the way they are often understood now as being dysfunctional. It demonstrates and justifies to the wider public that the definition of what it means to be an Indigenous women has virtually never changed. Violence against Indigenous women is not unique to one specific area of Canada and in fact, this is not even unique to Canada itself. Based on many countries shared colonized histories it is seen throughout North America and the rest of the world.

The Downtown Eastside of Vancouver epitomizes the complex nature of violence against Indigenous women and is a very useful example to understand Canada’s current

situation that has caused demand for an inquiry. The Downtown Eastside is particularly relevant because of a similar inquiry conducted surrounding the case of Robert Pickton. The goal was not to investigate Pickton's six murder convictions and nearly fifty allegations but rather the police conduct to try and determine how it was able to happen (Collard, 2015, 779). Pickton is also relevant as a key example of how Razack's concept of disposability is used. His method consisted of bringing his victims to his farm where he murdered, dismembered, and disposed of them by feeding the remains to his pigs (Razack, 2016, 296). Allegations suspect he accomplished this nearly fifty times. Pickton creates a clear example of the racial hierarchy that underpins violence against Indigenous women. Most of his victims came from the Downtown Eastside. Although, they were not all Indigenous each woman belonged to various groups marginalized by society. The women lose the privilege their race may have offered in front of the law and are simply defined by their marginalization whether be it because of race, prostitution, drug addiction, alcoholism or a combination.

In regards to the inquiry conducted surrounding police conduct it was concluded that "the police failed to investigate adequately and systemically performed 'faulty stereotyping of street-involved women' [and] the inquiry did not link these failures to racism or colonialism" (Razack, 2016, 296). As a result, many critiqued if the inquiry played any role in creating change and ensuring the cycle was stopped. As murders continue to occur, specifically to women perceived to be involved in prostitution, the justice system often does not take the cases seriously. The argument is that, "violence is simply a by-product of a "high-risk" lifestyle of prostitution" (Razack, 2016, 296). The word 'prostitution' is then only adjusted to another type of 'high-risk' lifestyle to justify

the disengagement of law enforcement. Understanding the case of Robert Pickton brings forward evidence of how the legacy of colonialism is supported through the construction of Indigenous dysfunction and the ease of disposability, which ultimately sanctions extensive violence against Indigenous women.

The Downtown Eastside of Vancouver solidifies this argument but in order to understand how, it is first important to understand its historical context. Vancouver's Downtown Eastside "has become a stand-in for urban poverty, drug use, disease, 'degeneracy', and a host of social ills" not only among Vancouver but known around the world (Dean, 2015: 33). The question remains, why? Going back to the 1800's it is understood that the British colonized British Columbia and Vancouver was a very important location because it was and still is a port. Before colonialism and during its early stages the area now known as the Downtown Eastside was "travelled across, lived on, and occupied primarily by Coast Salish First Nations" (Dean, 2015: 43). At the time of settlement the coastal area of British Columbia was deemed as "vast, empty, rugged wilderness". Of course it is now understood that the area was indeed not empty at all and had many Indigenous people living on it (Dean, 2015: 43). This reproduced narrative is damaging because for one it is not true but also it sets the framework for non-Indigenous Canadians to deny the past injustices and remove themselves from the realities of the current situation.

By 1877, a large majority of the Indigenous population from these lower mainland areas were moved northwards to reserves (Dean, 2015, 43). At this time the population of Indigenous peoples still outnumbered that of white settlers. An interesting relationship dynamic was then established where based on the scarce numbers of

European women mixed-raced relationships were crucial if the settlers hoped to grow the colony. It is stated, “such efforts constituted and sanctioned a particular understanding of Indigenous womanhood, one that is indelibly bound to the violence directed at Indigenous women in the Downtown Eastside (and across Canada more broadly) today” (Dean, 2015, 44). The reality of this relationship was not the vision the settlers had of their colonized society. Various tensions were raised, which resulted in the building of more policy to isolate the Indigenous population and discourage mixed race relationships. Another key way these relationships were discouraged was through the use of language and imagery that over time transformed the words “Indigenous” and “prostitute” into synonyms (Dean, 2015, 45).

The Downtown Eastside has gone through various changes over the years. In fact, it was only labelled the Downtown Eastside in 1973 when an organization called the Downtown Eastside Residents’ Association was formed with hopes of breaking down the negative perceptions associated with the area. Before 1973 the downtown area was referred to as ‘Skid Road’ (Dean, 2009, 107). This term dates back to an important part of Downtown Eastside history during its boom as a logging town. The term is used to describe “the corduroy roads along which fallen trees were ‘skidded’ to the mill” but was adapted to the area of the Downtown Eastside based on its “agglomeration of bars, hotels and bordellos that sprang up near logging camps and mills to service their workers” (Dean, 2009, 107). A key term in that quote is the idea of servicing the workers. Bordellos or more commonly referred to as brothels became important because logging was a field dominated by men who were living in a city that did not have many women. Therefore women were brought in to serve their needs. In that respect, in current time the

Downtown Eastside resembles a sense of containment that can be related to the reserves that were developed and still remain today throughout Canada. The popular understanding of reserves and the Downtown Eastside create a sort of dichotomy where being “being Indigenous and being urban are mutually exclusive”(Dean, 2009, 122). Although this is not true it is through the perception that both the Downtown Eastside and reserves should be cleaned up because the colonial idea space is not being used to its full potential. The idea that the area is dirty is obtained through the creation of a perception that the residents of this area often live “pathetic” and “wasted lives” much like the settlers believed when they insinuated that the area was empty (Dean, 2015, 47). The Downtown Eastside has even been referred to as an ‘urban reserve’ based on the idea of containment it evokes (Farley et al., 2005: 257). The exact boundaries of the Downtown Eastside are often debated depending on who is being asked. It is often defined as a border where Hastings Street divides the degeneracy and disease of the Downtown Eastside and the rest of the residents of Vancouver. Division allows the rest of Vancouver and the rest of Canada the ability to remove themselves of the reality and severity of the situation. Demonstrating again the common theme of disposability. By feeling removed from the situation a grey area is presented that allows violence. It is targeted as Indigenous dysfunction and not generations of systemic practices that leave Canada’s Indigenous population more susceptible to violence.

Unfortunately, the oppression towards Canada’s Indigenous population is not often considered as a colonial legacy but rather events that are “tragically arising from a series of missteps or poor choices to explain this heightened vulnerability” (Dean, CMHR ,2015, 149). Victims are left categorized as the agent of their own unfortunate situation.

Women are ultimately blamed for their own suffering. In the case of the Downtown Eastside, Collard (2015) explains that within these cases of the missing and murdered women that “simply being in the space was taken as evidence of their degeneracy” (781). The article brings forward devastating stories where police are degrading women explaining, ‘they had it coming’ and that they by no means deserved extra police protection because when they entered street-level sex work they were to assume the allocated risks (Collard, 2015, 781). In the 1990’s Dean (2015) explains how women from the Downtown Eastside were very often described as ‘transient’ and ‘mobile’ and ultimately this was used as defence for persuading a wider public that there was no need to look for these women because they were not missing or murdered they had just moved (49). The concept of the occupants being ‘transient’ and ‘mobile’ alongside a perception that the area is ‘empty’, in terms of the colonial thought of “highest and best land use”, promotes a label of gentrification of the area as vast unused space (Kenny, 2016, 188). This ideology is used to naturalize and justify the disappearance of low-income populations as a whole, many of which are Indigenous and women (Kenny, 2016, 188). It is important to understand specifically in the case of the Downtown Eastside that colonial underpinnings in a society render some lives more vulnerable to violence than others (Dean, CMHR, 2015, 149).

The Downtown Eastside continues to be intimately associated with poverty. For women residing within there often poverty is closely linked to prostitution (Farley et al., 2005: 257). The Downtown Eastside raises many questions of race but an interesting and difficult one to address is “how is prostitution always about race, class, and gender, even when the prostitutes are white?” (Dean, 2015, 49). It is

understood that the Downtown Eastside is not just populated with Indigenous women but it is a social hub for many people in poverty many of which suffer from various types of addictions. Prostitution in the area, however, raises an interesting dynamic that supports the argument of a colonial legacy. Dean (2015) explains that inner-city spaces that are racialized can often be described using the same method of a frontier that was used during colonialism and first contact with the Europeans (50). As a result, the historical realities of what it means to be a woman from the Downtown Eastside sets the framework for allowing tragedies such as the Robert Pickton case and many others to occur. The implications of colonialism are still present not only because there has been no reckoning with the past but also the marginalization of women living in the area continues to allow them to be vulnerable to violence. It is debated that the inquiry within British Columbia did not successfully address or assist in preventing further violence and therefore as Canada enters a pivotal moment with its nation wide inquiry it is very concerning that it might result in the same outcome.

After critically addressing the concepts of gender disposability and Indigenous dysfunction and the role they play in Vancouver's Downtown Eastside it is also important to acknowledge specific women who have been affected. The challenge is to address the tragic loss in a manner that advocates for them and all the other women who have been or will be affected. It must be accomplished in a way that addresses the unique and difficult struggle of each individual person but also reaches some sort of common ground that allows this issue to be seen beyond individual cases but rather for the systemic practices that have allowed them to happen. The difficulty in doing these cases justice is the reality that information surrounding them does not exist in great detail. The

women in the Downtown Eastside have entered a colonial space whereas Indigenous or not, a sex worker or not, a drug addict or not they live in a space where they become vulnerable to marginalization and ultimately more susceptible to violence.

Marginalization targets many women and the more marginalized groups you are a part of, based on the cycle of a colonial legacy, the more vulnerable one is to violence. This is precisely what makes the story of Sarah de Vries so important.

Sarah was adopted by a white middle class family in Vancouver in the 1970's as part of the 'sixties scoop'. The sixties scoop was a government effort to use "child welfare practices to remove Indigenous children from their birth families and place them in mainly white households under the" hopes of assimilation (Dean, 2015: 66). Sarah's biological mother was of European and African Canadian descent and her father was of Indigenous Mexican decent. It is evident that this cultural makeup and being brought up in a white family would make one's identity something very complex. In a diary entry before her death, Sarah stated, "I have no nation and I am alone" (Dean, 2015: 66).

Sarah's experience with the Downtown Eastside becomes very clear in her poem "Just another day/ Just another death":

*Women's body found beaten beyond recognition.
You sip your coffee
Taking a drag of your smoke
Turning the page
Taking a bite of your toast
Just another day
Just another death
Just one more thing you so easily forget
You and your, soft sheltered life
Just go on and on
For nobody special from your world is gone
(in Dean, 2015: 69)*

Sarah had last been seen in the Downtown Eastside of Vancouver on the 14th of April 1998. As a bystander who had worked in the sex trade industry, she watched as women were dying and knew that she was present in that vulnerable state where she could become victim. Sarah's poem exemplifies what struggle truly means when one is immersed in the Downtown Eastside. Her narrative is so important because it is not unique. Most women who are in the area find themselves there for a variety of reasons. There is a pull factor to the Downtown Eastside that draws people who are in tough situations based on the reality of its mild climate and cheap housing options. It is evident that the Downtown Eastside is dysfunctional. Women are missing and murdered, people are living in extreme poverty and suffering from dangerous addictions. The police of the area deal with these realities on a daily basis. It is also the situation the Royal Mounted Canadian Police were dealing with when the first cases of Robert Pickton were being brought to their attention. They did not see pass the state of dysfunction and act soon enough to prevent upwards of fifty women from dying. The question remains, what has changed? Unfortunately, this essay could not be written from a historical lens because the violence continues to persist.

The overall issues that surround the Downtown Eastside are deep-rooted. These issues are not just that of violence against women but also a wide range of socioeconomic issues that require a lot of research and willingness to begin addressing. The aim of this paper was not to bring attention simply to all of this but to address a particularly timely issue that is relevant not only in Canada but in many other post-colonial states. Specifically focusing on the Downtown Eastside and deconstructing the realities this country faces as it enters into its current inquiry into missing and murdered Indigenous

women and girls in Canada brought up many areas of concern. The Downtown Eastside exemplified what failure of the law looks like and shows how the status quo was kept after the inquiry. The story of Sarah de Veris brought attention to the true complexities people living in the Downtown Eastside face and her story was important in situating the reader in what may seem to be a distant issue.

As Canada moves into its inquiry into the Missing and Murdered Indigenous Women and Girls the question remains whether the problem will continue to be seen as Indigenous dysfunction or if Canada will see itself, its authorities its systemic practices and marginalization as a the non-mended relationships colonialism has left behind. The inquiry calls for justice and is an attempt to build trust between Indigenous populations and the government in order to begin a healing process. Critics say that it must not simply stop at the failure of law enforcement but it must look into the interpersonal issues such as “mental health issues, drug and alcohol misuse, unemployment, social isolation, low income and a history of experiencing disrupted parenting and physical discipline as a child” (Patrick, 2016, E78).

The three goals are simple in theory but will require commitment and time to achieve. They are, to identify measures that will eliminate violence against Indigenous women and girls, to provide justice, and to incorporate practices that address the systemic violence these women face (FAFIA et al., 2016, 411). The acknowledgment of these three goals is an extensive step forward but not the final solution. They insist on a move away from the government’s acknowledgment of these situations as Indigenous dysfunction while acknowledging the systemic practices that are in place and perpetuate violence. Identifying this alongside its colonial legacy “brings us closer to ending a

violence that is surely a slow genocide in progress” (Razack, 2016, *ii*). In Canada “rates of missing person reports and homicide are disproportionately higher among Indigenous women and girls than in the non-Indigenous female population” and while female homicide rates have diminished within Canada, the rate within the Indigenous community has not changed (Patrick, 2016, E78). These facts demonstrate why this is one of the most pressing issues facing Canadians today. On December 8th, 2015 Canadians became hopeful that a rightful step forward for feminism was being made and only time will tell if this indeed is the beginning of a mended relationship or as Sarah explains will this be *Just one more thing you so easily forget.*

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