

The Canadian Genocide: Colonial Legacies and Sexual Violence against Indigenous Women

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## **Abstract**

This paper examines the role of sexual violence as a tool of genocide against Indigenous women in Canada. By examining key concepts such as genocide, colonialism, and the Canadian legal system, the paper argues that sexual violence has been systematically used to perpetuate the erasure and marginalization of Indigenous peoples. A historical timeline of sexual violence as a genocidal instrument is constructed, starting with European settlement and the erosion of Indigenous societal structures. The paper investigates the impact of the Indian Act on Indigenous women's legal rights, and explores the intergenerational trauma caused by sexual violence in residential schools. The paper also address the issue of forced sterilization, environmental pollution, and their consequences on Indigenous women's reproductive health. Furthermore, it explores the Missing and Murdered Indigenous Women and Girls crisis, emphasizing the ongoing threat of sexual exploitation and trafficking of Indigenous women. By connecting historical and contemporary forms of violence, the paper ultimately aims to raise awareness of the overrepresentation of Indigenous women as disposable victims and call for the need to confront and address these systemic colonial legacies to promote healing and justice.

## **Land Acknowledgement**

I would like to acknowledge and honour the traditional territories of the peoples of the Treaty 7 region in Southern Alberta, which includes the Blackfoot Confederacy (comprising the Siksika, Piikani, and Kainai First Nations), the Tsuut'ina First Nation, and the Stoney Nakoda (including the Chiniki, Bearspaw and Goodstoney Nations) and the Metis.

In writing about this Indigenous topic, I understand the importance of acknowledging and honouring those who have lived before me and who have carried the stories of generations. The Indigenous peoples were caused profound harm with policies of assimilation and colonization constituting genocide. Unfortunately, we have not learned from our mistakes and heartbreaking history and Indigenous people continue to be exploited and marginalized in North America.

I recognize that the land on which I was born, raised, and educated in Calgary, Alberta, specifically at Mount Royal University, forms part of the traditional territories of these Indigenous peoples. I express my gratitude for the opportunity to live, work, and learn on this land. As I move forward in my endeavors I strive to build respectful relationships with Indigenous peoples, learn from their wisdom, and commit to the ongoing process of reconciliation.

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## Introduction

The experiences of Indigenous peoples in North America are marked by a history of sexual violence, abuse, and coercion, which has left lasting impacts on their communities. Beginning with the first contact between Indigenous peoples and European settlers, sexual violence played a significant role in colonial domination, establishing patterns of exploitation that have persisted through subsequent generations.

This pattern of violence and abuse persisted with the establishment of residential schools, where widespread sexual abuse occurred within these institutions. The forced assimilation and mistreatment endured by Indigenous children in these schools have had intergenerational effects, eroding Indigenous cultures and identities.

The coercive sterilization of Indigenous women represents another genocidal practice aimed at controlling their reproductive rights and perpetrating cultural genocide. Cultural genocide is defined as the destruction of practices and structures that allow a group to survive (Truth and Reconciliation Commission of Canada [TRC], 2015, p. 1). This form of reproductive violence has had severe consequences for Indigenous communities, contributing to a loss of cultural identity and decreased population growth.

The ongoing issues of Missing and Murdered Indigenous Women and Girls (MMIWG) along with the Highway of Tears reflect the enduring impact of colonial violence. The failure to adequately address these issues underscores the need for a deeper examination of sexual violence as a tool of both historical and contemporary colonial control.

Sexual exploitation and trafficking of Indigenous women are inextricably linked to the marginalization and poverty that colonialism has forced upon Indigenous communities. These practices expose Indigenous women to significant physical, psychological, and emotional harm while perpetuating the colonial agenda of control and subjugation. Each instance of Indigenous women

facing sexual violence is a perpetuation of colonial terror (Razack, 2016). The persistent sexual violence against Indigenous women, as exemplified by their sexual exploitation and trafficking, as well as the prevalence of sexual violence in work camps, serves as a continuous manifestation of colonialism's destructive and violent legacy. These contemporary issues demonstrate that the historical patterns of sexual violence against Indigenous women have not only endured but also evolved to reflect modern contexts.

The continuous sexual violence inflicted upon Indigenous women in Canada aligns with definitions of genocide, as recognized in legal frameworks such as the United Nations Genocide Convention. The strategic utilization of sexual violence throughout history and into present times has systematically undermined Indigenous women's physical, psychological, and cultural well-being. Recognizing these contemporary manifestations of sexual violence against Indigenous women as part of a broader pattern of colonial oppression is crucial for developing effective strategies to address and prevent further harm.

To effectively address these issues, a comprehensive approach is required, which integrates the unique perspectives and experiences of Indigenous women to ensure their needs and aspirations are at the forefront of our efforts. By centering Indigenous women's voices and resilience, we can work towards achieving justice and foster healing in their communities. This project aims to address the critical need to recognize and redress the historical and contemporary employment of sexual violence as a tool of genocide against Indigenous peoples in Canada. By examining a range of historical and contemporary examples, this thesis contributes to a broader understanding of how sexual violence has functioned as a genocidal strategy in Canada.

### **Research Questions & Aims**

The central objective of this thesis is to investigate and analyze the role of sexual violence as a tool for committing genocide against Indigenous women in Canada. By analyzing historical and

contemporary examples, this research seeks to understand how sexual violence has been used as a colonial tool and its ongoing impact on Indigenous communities. Addressing this issue is of utmost importance for government accountability and responsibility.

Throughout the research process, several key questions were used to guide the analysis, with the most significant being:

- How has sexual violence been used as a tool of genocide throughout Canadian history?
- What is the impact of sexual violence on the victims and survivors of genocide?
- How does sexual violence contribute to the destruction of a targeted group?

These questions served as a foundation for exploring the topic thoroughly and authentically, facilitating engagement with various academic sources to seek insightful answers to deepen understanding of this critical issue.

### **Methodology**

This research paper explores the historical and current oppression and marginalization Indigenous women and communities have faced due to colonization. Utilizing an integrative literature review methodology, I synthesized existing studies and diverse viewpoints to address my research questions effectively. This approach is ideal for examining and integrating multiple perspectives on sexual violence against Indigenous women throughout Canadian history as a genocidal process.

To gather relevant scholarly articles, I primarily utilized databases such as the MRU Library database, MRU Library and Google Scholar.

The databases used for article selection included: Academic Search Complete; Canadian Reference Centre; CRKN Elsevier Additional Journals; CRKN Open Access Journals List; Criminal Justice Database; DOAJ Directory of Open Access Journals; Ebook Central Academic Complete - ProQuest; ProQuest; Project Muse Premium Collection; SocINDEX; Taylor & Francis CRKN

Social Science and Humanities; JSTOR Archival Journals and Primary Sources Collection; JSTOR EBA; JSTOR Books Open Access; and Sage CRKN Collection.

### **Data Collection Methods & Sources**

My research data was sourced from published scholarly and grey literature in the form of government reports and non-government organizations.

Keywords for my searches included “Indigenous”, “Indigenous Women”, “Sexual Violence”, “Canada”, “Colonial Violence”, and “Genocide”. These search terms aided in focusing my investigation and ensuring the collection of pertinent data for a comprehensive analysis of sexual violence against Indigenous women within the context of Canadian history and colonialism.

Abstracts of scholarly literature, summaries of grey literature of government and non-government reports, were meticulously screened to assess their relevance and applicability to the research topic, ensuring a focused and comprehensive analysis. Any literature deemed unrelated to the research focus was excluded and not referenced or incorporated into the analysis.

### **Data Analysis**

I employed a thematic analysis approach to identify key themes across the literature, focusing on the connection between colonization, colonial violence, and sexual violence against Indigenous women in Canada as a form of genocide. The process involved reviewing and selecting relevant articles that explore these topics while eliminating any that do not align with the research focus. I employed a matrix table to organize important quotes and excerpts, as well as any gaps in the literature and further questions.

The inclusion criteria for articles were based on their discussion of the following topics:

- a) The role of colonization and colonial violence in creating an environment that perpetuates sexual violence against Indigenous women in Canada.

- b) The use of sexual violence against Indigenous women as a form of genocide in Canada.
- c) Comparative studies examining similar patterns of colonial violence and sexual violence against Indigenous populations in other regions of the world.

This comprehensive and focused approach enabled a detailed understanding of the systemic factors that contribute to the perpetuation of sexual violence against Indigenous women in Canada, while also providing a global context for this issue.

### **Overview**

In this paper, sexual violence as a colonial tool perpetuating genocide against Indigenous women in Canada is investigated. To address the central questions, the various interconnected themes and historical events are explored, demonstrating how sexual violence has been systematically employed as a genocidal tool.

First, I analyze the concept of genocide and its application to the Indigenous peoples of Canada, examining legal criteria to determine whether this genocide constitutes a crime and warrants justice. I then discuss colonialism to contextualize the use of sexual violence during genocide.

A timeline is constructed of sexual violence being used as a genocidal tool, starting with European settlement and the subsequent erosion of Indigenous societal structures. The Indian Act's impact on Indigenous women's legal rights is investigated, as well as the intergenerational trauma caused by sexual violence in residential schools. The paper also addresses forced sterilizations, environmental pollution, and their effects on Indigenous women's reproductive health.

Contemporary issues, such as the Missing and Murdered Indigenous Women and Girls (MMIWG) crisis, are examined to shed light on the ongoing sexual violence against Indigenous women and the perpetuation of disposable victims. Lastly, the growing threat of sexual exploitation and trafficking of Indigenous women is explored to understand their overrepresentation as victims.

By analyzing these interconnected themes, as I aim to reveal how sexual violence has been systematically employed as a tool of genocide against Indigenous women in Canada. Through this comprehensive examination, the urgent need to confront and address the legacies of colonialism is emphasized, seeking justice and promoting healing for Indigenous communities.

## **Genocide**

### **Understanding Genocide and its Application to Indigenous Peoples in Canada**

Defining the concept of genocide is essential for understanding and addressing the systemic violence experienced by Indigenous women in Canada. The term “genocide” evokes a specific context of deliberate and systematic destruction, which is critical when discussing the historical and ongoing oppression of Indigenous peoples.

The concept of genocide, defined by the United Nations in 1948 in the aftermath of World War II and the atrocities committed during the Nazi regime, serves as a standard for countries to uphold human rights. This phenomenon has recurred throughout history, leaving lasting impacts on affected communities, their cultures, and the world. Notable instances include the genocides in Rwanda, Bosnia, and Darfur.

Genocide is defined as the deliberate and systematic eradication of a racial, political, or cultural group (United Nations, 1948). Understanding genocide within this framework is crucial for examining Canada’s historical policies toward Indigenous peoples. Applying the definition of genocide establishes a standard for conviction and punishment for countries committing such atrocities. The National Inquiry into Missing and Murdered Indigenous Women and Girls (2019) expands on this definition, identifying the intent of genocide is to eradicate a group through physical-biological destruction or by dismantling the group as a "social unit" (p. 21). Examples of biological genocide against Indigenous peoples include forced child removal from communities and forced sterilizations (National Inquiry into Missing and Murdered Indigenous Women and Girls,

2019). These acts targeted Indigenous children and Indigenous women's reproductive capacities which have diminished the Indigenous population over time.

Genocide against Indigenous peoples occurred through colonization and assimilation processes, as recognized by the National Inquiry into Missing and Murdered Indigenous Women and Girls (2019). This report identifies the systemic and targeted nature of violence experienced by Indigenous women and girls, rooted in Canada's colonial history and ongoing colonial structures. Recognizing genocide as a fundamental factor underlying this crisis emphasizes the need for a comprehensive approach to address intergenerational trauma, systemic oppression, and social inequalities faced by Indigenous communities.

Historically, judicial examinations of genocide have primarily focused on instances of physical destruction carried out through deadly force, such as the Holocaust or the Rwandan genocide. However, genocidal policies in Canada's colonial history have often involved both lethal and non-lethal methods (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). These tactics, aimed at assimilating and eradicating Indigenous populations, highlight the complex and insidious nature of genocidal practices within the context of colonialism.

There is a significant connection between religion and genocide, as religious language and teachings have often been used to validate the destruction of certain groups as a fulfillment of divine will or purpose (Temoney, 2016). The articulation of acts that would otherwise be deemed "intolerable or unspeakable" becomes permissible when framed within religious contexts (Temoney, 2016, p. 11). A recurring theme in genocide is the "dehumanization of fellow human beings" (Temoney, 2016, p. 7), which is reinforced by patriarchal religious structures. These structures perpetuate the view that women are inferior to men, rendering them vulnerable to abuse and perceiving them as "sacrificial victims" (Temoney, 2016, p. 16).

The study of genocide further emphasizes the importance of upholding human rights, fostering cultural understanding, and working towards a more peaceful and inclusive world. By acknowledging the broader scope of genocidal actions, including those beyond direct physical violence, the experiences of Indigenous peoples can be understood and effective strategies can be developed to prevent and address such atrocities. This requires a commitment to dismantling colonial structures, fostering meaningful reconciliation, and centering Indigenous voices in policy-making and social change efforts.

The 2019 report titled "Reclaiming Power and Place" classifies the crisis of missing and murdered Indigenous women as a "Canadian genocide" (McGruder, 2022, p. 127). The report exposes the historical and ongoing injustices faced by Indigenous women, including the recurring disregard for calls for justice to address this human rights emergency. To pursue accountability, justice and transformative change, the report stresses the need to amplify Indigenous voices while addressing the root causes of violence, such as colonialism and systemic racism. This approach prioritizes Indigenous experiences and resilience in developing meaningful solutions, ultimately supporting self-determination and reconciliation to ensure the safety and well-being of Indigenous women and their communities.

### **Genocidal Criteria**

Canada's commitment to addressing genocide is underscored by its status as a signatory of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide. This convention defines genocide as acts aimed at eradicating a specific national, ethnic, racial, or religious group, including the killing of group members (McGruder, 2022). Additionally, the Declaration on the Rights of Indigenous Peoples outlines fundamental rights such as the right to life, physical and mental well-being, and personal security for Indigenous peoples (McGruder, 2022). These international treaties underscore Canada's legal obligations to prevent and address acts of



genocide, protect Indigenous peoples' rights, and work towards ensuring their safety and well-being per international human rights standards.

The United States Proxmire Act (1987) offers another legal perspective on genocide, emphasizing the role of intent. The United States Genocide Convention Implementation Act of 1987, or Proxmire Act, characterizes genocide as the deliberate and targeted eradication, either entirely or in significant part, of a national, ethnic, racial, or religious group during times of peace or war (Eboe-Osuji, 2012). This definition highlights the important role of intent in distinguishing genocide from other forms of mass violence.

Genocide can be categorized into three primary forms: physical genocide, involving direct physical annihilation of a group; biological genocide, targeting a group's reproductive capacity; and cultural genocide, aimed at eradicating the cultural identity and practices that enable the group's existence (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019).

Understanding these dimensions of genocide emphasizes the multi-faceted and systemic nature of violence inflicted upon targeted groups, stressing the need for comprehensive measures to prevent and address such atrocities.

The ad hoc tribunals have expanded the scope of prohibited actions to include both physical and psychological measures (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). Physical measures may involve acts such as sexual mutilation, forced sterilization, coerced birth control, segregation of sexes, and the prohibition of marriages (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). Conversely, mental measures could entail inflicting traumatic experiences that lead to victims refusing to reproduce (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). The Akayesu Trial Chamber, for instance, clarifies that rape can be considered a measure aimed at hindering reproduction when survivors choose not to procreate as a result of trauma (National Inquiry into Missing and Murdered

Indigenous Women and Girls, 2019). Similarly, group members might be coerced or manipulated through threats or psychological harm into avoiding procreation (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). This broader interpretation of genocidal acts emphasizes the importance of considering both physical and mental aspects when addressing the complex nature of genocide.

A genocide may involve a combination of various acts, including killings, rape, and other forms of violence (Eboe-Osuji, 2012, p. 175). Establishing responsibility for rape as an act of genocide requires demonstrating that the accused either directly perpetrated, ordered or instigated the sexual violence (Eboe-Osuji, 2012, p. 175). This legal standard underscores the importance of recognizing rape as a weapon of genocide and holding perpetrators accountable for their roles in orchestrating or carrying out such atrocities. The use of the term "epidemic" to describe the pervasive violence experienced by Indigenous communities, according to Deer (2015), serves to "depoliticize rape" and disregards the colonial roots of the issue (p. x). Labelling the crisis of sexual violence and genocide faced by these communities as an 'epidemic' can deflect responsibility from the state and perpetrators who have contributed to this situation, ultimately neglecting the systemic and targeted nature of the violence.

Genocidal methods are not restricted to immediate lethal actions but may also involve tactics that gradually inflict physical harm on targeted groups. Examples of these non-immediate methods include providing only a minimal diet, withholding adequate healthcare, systematically evicting group members from their homes, and fostering conditions that contribute to a slow death, such as depriving them of essential resources like food, water, shelter, clothing, sanitation, or subjecting them to excessive labour or physical strain (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). These insidious strategies ultimately aim to eradicate the group through a

slower, indirect process, emphasizing the need to recognize the complex nature of genocidal violence.

Rosenberg (2012) conceptualizes genocide by attrition as a prolonged process of destruction that involves the gradual extermination of a protected group, as opposed to an immediate and violent onslaught of death (p. 19). This form of genocide aligns with the historical experiences of Indigenous peoples in Canada, where a systematic annihilation process has taken place. Genocide by attrition typically encompasses elements such as forced displacement, the denial of healthcare and food, and the perpetration of sexual violence (p. 20).

The distinguishing feature of colonial genocide, carried out by a state through the implementation and perpetuation of policies over extended periods, is its "slow-moving" nature (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019, pp. 9, 17). This protracted process involves a continuous cycle of "domination and dehumanization" that fosters an environment in which numerous genocidal acts can take place (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019, pp. 9, 17). This highlights the need to scrutinize long-term state policies and practices that may contribute to systemic oppression and the eradication of targeted groups.

While determining the occurrence of genocide often involves meeting specific criteria and definitions, imposing a "numeric threshold" to define genocide can lead to challenges and limitations in recognizing and addressing this crime (Eboe-Osuji, 2012, p. 172). Focusing solely on quantitative measures may neglect the broader context and intent behind violent acts, potentially trivializing the gravity of the situation and hindering preventive measures. To effectively address genocide, a more holistic approach is necessary, ensuring that victims' experiences are not minimized and that perpetrators are held accountable.

## **Government Accountability**

In 2019, Canadian Prime Minister Trudeau's administration acknowledged in a report that the widespread disappearances and killings of Indigenous women and girls in Canada constitute genocide, holding the Canadian government accountable for this crisis (McGruder, 2022). The report identifies the connection between state actions and inactions rooted in colonialism and the systemic violence experienced by Indigenous peoples, emphasizing the need for comprehensive measures to address these issues.

The incremental and covert ways in which Indigenous populations have been subjected to genocidal practices, along with the absence of a single, centralized national policy orchestrated by a totalitarian leader, distinguish colonial genocide from conventional perceptions of genocide (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). These unique characteristics have contributed to a general dismissal of Canada's colonial policies as merely racist and misguided, rather than explicitly genocidal, which has impeded efforts to address the persistent effects on Indigenous communities (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). This limited understanding underscores the need for increased public awareness and education on the subject.

Canada's past and current colonial policies, actions, and inactions toward Indigenous peoples constitute genocide (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). This assertion underscores the urgent need to acknowledge the genocidal nature of these practices and to implement comprehensive measures aimed at addressing their enduring consequences and fostering reconciliation between Indigenous communities and the Canadian government.

## **Mens Rea & Actus Reus**

The legal definition of genocide consists of two key components: actus reus (the objective element) and mens rea (the subjective element). Actus reus involves two elements: the prohibited actions outlined in the definition, such as killing or causing severe physical or psychological harm, and the existence of a protected group targeted by these acts (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). Mens rea, in contrast, refers to the intent behind the crime, which includes both the general intent to engage in the prohibited actions and the specific intent to eradicate, either wholly or partially, the targeted protected group (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). This distinction between actus reus and mens rea emphasizes the importance of examining both the actions committed and the underlying motives when determining cases of genocide.

According to the Supplementary Report by the National Inquiry into Missing and Murdered Indigenous Women and Girls (2019), protected groups encompass national, ethnic, racial, and religious groups, which may include Indigenous peoples due to their unique cultural identities, languages, spiritual practices, and traditional connections to ancestral lands (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). Recognizing Indigenous communities within these categories highlights the necessity of safeguarding their rights and well-being, given their unique vulnerabilities and historical experiences with genocide and colonial violence.

The specific intent of genocide can be determined by evaluating the systemic targeting and persistent discrimination against a group, along with the magnitude of atrocities committed (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). These criteria align with Canada's Indigenous peoples, who have long been the target of violence and assimilationist policies (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). By examining the intent behind these historical policies and practices, we can expose the racist and destructive

nature of the Canadian government and society, underscoring the systemic nature of the injustices inflicted upon Indigenous peoples.

Premeditation is not a requirement when establishing the *actus reus* of genocide (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). This suggests that the primary focus when determining genocide lies in the actual acts committed against a protected group, rather than the pre-planning of these actions. The absence of premeditation as a necessary component signifies the importance of considering the broader context and consequences of the acts committed, instead of focusing solely on deliberate intent.

In the context of individual culpability, *mens rea* (intent) associated with the crime of genocide consists of two components. First, a general intent to carry out the specific acts associated with genocide must be present (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). Second, a specific intent to annihilate, either wholly or partially, the targeted group must also be established (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). This duality of intent highlights the importance of examining not only the actions committed but also the motivations and goals underlying those actions when prosecuting individuals for genocide.

The intent of the state, or *mens rea*, can be ascertained by examining its official policies and practices (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). Analyzing these aspects of state action aids in revealing the motivations and objectives of those in power, unveiling the underlying intent that drives the state's decisions and actions. This understanding is crucial in establishing accountability for state-orchestrated atrocities, such as genocide.

Accountability for actions of genocide can also be determined by the failure to prevent or stop genocidal actions from taking place. Temoney (2016) asserts that the condoning of genocide,

whether through actions or by remaining silent, is as complicit in the acts of genocide. Similarly, through the lens of actus reus, the “failure to act” can also contribute to complicity in genocidal crimes (Wakeham, 2022, p.345).

Examples of actus reus of genocide in an Indigenous context, are demonstrated in child welfare and forced removal of children demonstrated in 60’s Scoop, forced relocation, physical, sexual and mental abuse in state-run institutions (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). The challenge in tracing the ‘paper trail’ of colonial genocide arises from the fact that these acts were often perpetrated across numerous political administrations. As a result, it can be difficult to identify and substantiate a continuous state intent to eradicate a protected group (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). The lack of concrete evidence linking state policies and practices to genocidal outcomes against Indigenous peoples complicates efforts to establish the state's culpability and impedes the pursuit of justice for the affected communities.

Prosecuting historical sexual assault crimes can be legally complex due to several factors, including faded memories, lack of evidence and witnesses, and insufficient laws that fail to provide a legal basis for holding perpetrators accountable (Thielen-Wilson, 2014). These challenges, coupled with the legal system's inadequate response to addressing abuses and violence experienced in residential schools, have allowed the Canadian state to evade responsibility and accountability for the genocidal practices perpetrated during that era. The legal complexities around prosecuting historical sexual assault crimes, coupled with the Canadian state's evasion of responsibility for genocidal practices in residential schools, not only perpetuates systemic injustices faced by Indigenous peoples but also contributes to the reassertion of sovereignty, dominance, and control over Indigenous lands and resources and dehumanizing Indigenous individuals (Thielen-Wilson, 2014). Consequently, this

legal landscape further exacerbates the systemic injustices faced by Indigenous peoples and hinders efforts to seek justice and healing for survivors and their communities.

Eboe-Osuji (2012) reflects on the Rukondo case to demonstrate the role of *actus reus*, or the physical act of a crime, in determining if sexual violence committed during genocide also constitutes proof of “serious bodily or mental harm” (p.160). The case highlights the importance of establishing a clear connection between the actions of an individual and the resulting harm to the victims in cases of genocide-related sexual violence. By examining the Rukondo case, Eboe-Osuji (2012) emphasizes the need for a thorough examination of the actions and intentions of the perpetrators to hold them accountable for their crimes and provide justice for the victims.

It is also important to acknowledge and understand the “oppressive circumstances” that the victim of sexual violence experience during genocides these can significantly impact their experiences and recovery (Eboe-Osuji, 2012, p.161). These circumstances can be characterized by system power imbalances, discrimination and targeted violence. These intersecting layers of oppression highlight the role of genocidal systems in perpetuating sexual violence against targeted groups. Sexual violence is not a byproduct of war or political unrest, but rather a deliberate strategy to terrorize and dehumanize the victims. This injustice is also demonstrated by discrediting Indigenous people and their memory of their experiences, including the signing of treaties and land and resources agreements, which only reasserts the colonialist sovereignty and dominance over Indigenous people and land (Thielen-Wilson, 2014). By understanding the systemic nature of this violence, victim-blaming narratives can be challenged and perpetrators can be held accountable for their role and actions.

### **Sexual Violence against Indigenous Women**

A recent report reveals that 46% of Indigenous women have experienced sexual assault during their lifetime (Heidinger, 2022, p.5). This alarming statistic emphasizes the urgent need to



address the systemic issues that perpetuate sexual violence against Indigenous women. National Inquiry into Missing and Murdered Indigenous Women and Girls (2019) recognizes that acts targeting specific genders, such as women, exacerbate the devastation inflicted upon a targeted group. This recognizes the importance of considering the gendered dimensions of violence and genocide. This finding supports the observed difference in how Indigenous men and women do not experience sexual violence in the same way (Smith, 2005). Sutton (2023) demonstrated that Indigenous men and boys are not subjected to the same high rate of non-lethal violence as Indigenous women and girls. The recognition of this disparity highlights the importance of understanding and focusing on the unique challenges faced by Indigenous women to effectively combat sexual violence and promote safety and well-being.

### **Historical Context of Sexual Violence and Colonialism**

Historically, sexual violence has been employed as a “weapon of war” against Indigenous communities, emphasizing the targeted nature of sexual violence against Indigenous women (Temoney, 2016, p.3). The strategic use of sexual violence aims to maximize a group’s destruction by inflicting significant physical and psychological harm.

Within the context of colonialism, sexual violence has been systemically used to assert dominance, dismantle Indigenous communities, and inflict enduring trauma on generations of Indigenous peoples. Deer (2015) illustrates the direct and substantial relationship between rape and colonialism, asserting that in this context, “rape is a crime against humanity” (p.x). Similarly, Smith (2005) argues that sexual violence was used as a tool for the elimination of Indigenous bodies by colonizers, leading to the labelling of Indigenous bodies and land as “violable” (p.12). This intersection between the invasion of Indigenous lands and bodies remains an ongoing challenge, which will be covered later in the paper.

The concept of ‘rape-able bodies’ can be traced back to the colonizer-imposed notion of ‘Dirty Indian’, which perpetuates the idea that Indigenous bodies are not entitled to “bodily integrity” (Smith, 2005, p. 10). This historical context demonstrates how sexual violence against Indigenous women is rooted in colonialism, with a long-lasting impact on their safety and well-being.

While gender violence may have occurred before colonialism, Smith (2005) explains that the punishment for such offences was severe, often resulting in the loss of respect and status within Indigenous communities. This is important to understand, as it demonstrates the significance of the role of the colonizer, through the use of sexual violence, in destroying Indigenous communities and their structures.

Sexual violence has been a destructive instrument of genocide against Indigenous peoples in Canada. Sexual violence has been used and continues to be utilized as a means of conquest and subjugation (Smithers, 2021). Colonizers recognized early on that controlling Indigenous women was key to controlling Indigenous communities (Smith, 2005). Razack (2016) further emphasizes that sexual violence is “key to how colonial regimes engage in gendered disposability” (p. 300).

Understanding the historical context of sexual violence and its connection to colonialism is crucial in acknowledging the experiences of Indigenous women and communities. This awareness will support the work needed to prevent harm and promote healing within Indigenous communities.

### **Normalization and Consequences of Sexual Violence**

Due to the alarming rate of sexual assaults in Indigenous communities, it has become disturbingly “normalized” (Deer, 2015, p.5). The normalization of sexual violence in these communities leads to underreporting and fosters an environment where victims may not recognize their victimization (Heidinger, 2022). The consequences of this normalization have significant implications for the safety and well-being of Indigenous women.

The entrenched objectification and hypersexualizing of Indigenous women have cultivated a culture of gendered, ableist and racialized violence (de Finney, 2022). Deer (2015) notes that “Indian bodies are inferior bodies. Indian women’s bodies are rape-able bodies. Indian bodies do not belong to Indians, but to those who can lay claim to them by violence” (p.9). This statement emphasizes the dehumanization of Indigenous women, which has rendered them disposable and their suffering negligible in the public consciousness. Dehumanization, a recurring component of genocide, enables the perception of individuals as objects, making them more vulnerable to sexual violence (Temoney, 2016).

Addressing the normalization and consequences of sexual violence necessitates the recognition of its colonial roots and the implementation of strategies to challenge and transform the harmful narratives surrounding Indigenous women. Through understanding and confronting these issues, work towards promoting justice, healing and the restoration of bodily autonomy for Indigenous women can happen.

### **Contemporary Examples and Systemic Neglect**

Current events continue to perpetuate the labelling and identification of Indigenous women as ‘disposable’. A recent example can be found in Winnipeg, where an ongoing search of landfills aims to locate Indigenous victims of violence perpetrated by a serial killer. As of this writing, the bodies of four Indigenous women - Mercedes Myran, Morgan Harris, Rebecca Contois, and Ashlee Shingoose - have been recovered (Gowriluk, 2025; Shebahkeget, 2025).

Details of these tragic deaths reveal the killer, Jeremy Skibicki, specifically targeted Indigenous women because of their vulnerability and disposed of their bodies in garbage bins, ultimately leading to their discovery in the landfill (Gowriluk, 2025). These disturbing cases exemplify the ‘disposable’ label assigned to Indigenous women and demonstrate the heightened vulnerability and danger they face.

The systemic neglect experienced by Indigenous women further demonstrates the insufficient response to these heinous crimes. The search for the victims in the Winnipeg landfill highlights the broader issue of societal indifference and inadequate support for Indigenous communities. A comprehensive approach to addressing this crisis must involve bringing perpetrators to justice and combat the underlying factors that make Indigenous women more vulnerable to violence.

### **Psychological, Spiritual & Generational Trauma**

Canada contends that cultural loss and other forms of violence, aside from sexual violence, have had a more profound impact on the lives of Indigenous survivors than sexual abuse alone (Thielen-Wilson, 2014). The historical “abuse of bodies” has led Indigenous people to internalize self-hatred, as body image is connected to self-esteem (Smith, 2005, p.12). This internalization of self-hatred can exacerbate the psychological trauma inflicted by sexual violence, which is recognized as the most “severe type of violence a person can suffer” (Temoney, 2016, p.15).

Connection to the land has always been important to the Indigenous belief system and way of life. Displacement and “alienation from one’s homeland provide a strong foundation for sexual victimization” (Deer, 2015, p.xv). Displacement has been shown to increase the prevalence of sexual violence, particularly among women and children (Rosenberg, 2012). This connection between displacement and sexual violence demonstrates the vulnerability of Indigenous women, who have been subjected to forced relocation and loss of land throughout history.

The generational trauma experienced by Indigenous communities significantly influences the continued use of sexual violence against Indigenous women, which attacks their spirits and souls. Unresolved trauma may result in mental and physical health problems, substance abuse and addiction (Deer, 2015, p.11). The harm caused by sexual violence is both physical and spiritual and has been described as “soul and/or spiritual murder” (Deer, 2015, p.11). This reflects the ongoing

reality of violence that Indigenous women and communities face. Deer (2015) poignantly reflects on this reality:

Imagine living in a world in which almost every woman you know has been raped. Now imagine living in a world in which four generations of women and their ancestors have been raped. Now imagine not a single rapist has ever been prosecuted for these crimes. That dynamic is a reality for many Native women. (p.12)

This powerful statement emphasizes the enduring intergenerational trauma impact of sexual violence on Indigenous women and their communities.

### **Colonialism**

Colonialism is a system of political, economic and cultural domination where a foreign power asserts control over a territory and its Indigenous population, exploiting resources and establishing systemic structures that disregard traditional cultures and knowledge systems. It involves displacement, oppression, and exploitation of Indigenous peoples with long-lasting implications for these communities.

### **Settler Colonialism in Canada**

Settler colonialism is defined as the forced takeover of lands by settlers, done in the name of “progress and civilization” (Monchalin, 2016, p.71). Settler colonialism also includes eradicating the identity of the land’s original inhabitant, as experienced by Indigenous people through the attempted and forced elimination of their unique identities, histories, traditions, cultures and voices (Monchalin, 2016).

In the Canadian context, colonizers sought to erase Indigenous culture, language, and existence. This was demonstrated with the disruption and displacement of Indigenous peoples from their ancestral lands, coercing them to live under the governance and authority of European settlers (Monchalin, 2016). The connection between colonization and conquest can be seen through

“dispossession, racialized power, and racialized privilege” (Petoukhov, 2023, p. 742). The interconnected nature of violence inflicted on Indigenous peoples involves a network of actors within the settler collective, including state agents, citizens, and those in authority positions such as teachers, nurses, police, clergy and government officials (Thielen-Wilson, 2014). This systemic violence continues to impact Indigenous communities, emphasizing the need for collective action and accountability by the Canadian government and society.

### **Elimination and Exploitation**

Settler colonialism operates under two logics: “exploitation and domination” and “elimination” (Petoukhov, 2023, p.738). The logic of exploitation and domination is rooted in gender, racial and state power to maintain unjust relations between colonizers and the colonized (Petoukhov, 2023). The logic of elimination seeks to extinguish Indigenous peoples as distinct societies by destroying their political, legal, economic, and cultural systems (Petoukhov, 2023). The ‘othering’ of Indigenous peoples further marginalizes them as “inferior, uncivilized, and weak” (Petoukhov, 2023, pp.739).

Colonialism creates a power imbalance between colonizers and Indigenous peoples. This relationship can be characterized as: “Indian identity itself is under the control of the colonizer and subject to challenge or eradication at any time” (Smith, 2005, p.12). Colonizers use their power to “dispossess, marginalize, and subjugate the colonized” (Petoukhov, 2023, p. 738). Driven by the exploitation of resources, land and people, colonization aimed to eradicate Indigenous peoples and culture through genocidal practices and sexualized relationships (Smith, 2005).

### **Consequences of Colonialism**

Although some reparations have been made, it can be argued that individualizing reparations for victims disregards the collective violence and “conceals the magnitude of atrocities” (Petoukhov, 2023, p.740). This approach obscures the violence inflicted upon Indigenous peoples and the full

extent of atrocities committed, hindering efforts to address the harm and move towards reconciliation.

Historical Indigenous gender roles have been described as being “complementary”, and not hierarchical (Indigenous Foundations, n.d.). Colonialism, which introduced patriarchy to Indigenous peoples, eroded the traditional and respected role that women played in Indigenous communities (FemNorthNet, 2016). Through the patriarchal perspective, Indigenous women who participated in ‘male work’ would be considered treated as inferior to men, neglecting to account for Indigenous women’s “power and agency” (Indigenous Foundations, n.d.). As a result, Indigenous women struggle with their identity, as they also struggle with the sexism, racism and marginalization they face in society (FemNorthNet, 2016).

The consequences of colonialism are far-reaching and persist to this day. The intergenerational trauma experienced by Indigenous communities exemplifies the enduring impact of colonial practices. The harmful effects of colonialism are manifested in the mistreatment and marginalization of Indigenous peoples and communities, reflecting the ongoing nature of these historical injustices.

The legacy of colonialism is evident in various aspects of Indigenous life, including disparities in health outcomes, economic opportunities, and social well-being. These contemporary issues underscore the urgent need to address the root causes of these systemic issues and prioritize healing, reconciliation and justice for Indigenous peoples. A comprehensive approach that addresses the effects of colonialism, requires recognizing and understanding the historical and present-day implications, as well as committing to dismantling the structures that perpetuate inequality and injustice.

## Settlement and Status

This section explores the historical and legal factors that shaped the relationship between Indigenous peoples, their lands, and the enduring violence experienced by Indigenous women. The Doctrine of Discovery and the concept of terra nullius (translates to: “land that belongs to no one”) were used to justify the colonial acquisition of Indigenous lands, which disregarded Indigenous sovereignty (Vowel, 2016, p.236). The colonizers arrived with the belief of terra nullius, whereby the land is viewed as empty and therefore free to take and possess (de Finney, 2022). Colonizers used this concept as a justification for taking control over the Indigenous land and people, as Indigenous culture did not view land as private property (Thielen-Wilson, 2014).

The Proclamation of 1763 further recognized colonial control by denying Indigenous peoples territorial rights over the lands they inhabited and promoting treaty-based land acquisition (McGruder, 2022). This would lay the foundation for the ongoing legal barriers Indigenous peoples face when challenging land claims and seeking to preserve their cultural practices, by having to demonstrate a continuous connection to the land (Thielen-Wilson, 2014). The colonial control remains with the Canadian Federal government being responsible for administering services to Indigenous peoples and their communities (Vowel, 2016).

Colonizers employed various tactics to rationalize the exploitation of Indigenous peoples, including portraying Indigenous peoples as “savages” and “heathens” in need of religious salvation from Christian missionaries (Smithers, 2021, p.255). The derogatory term, “squaw”, emerged as a means to dehumanize and objectify Indigenous women (Smithers, 2021). The settler colonial agenda sought to label Indigenous women as “available for consumption and annihilation” (Razack, 2016, p.298), perpetuating the cycle of exploitation and violence. These terms and labels were used as tools by the colonizer to “demonize” the Indigenous women contributing to the colonizer's control



over Indigenous women and communities (Smith, 2005, p.21). The significance of these terms is fully realized when they are still used in contemporary society to describe Indigenous peoples.

Extractive violence inflicted upon the land mirrors the treatment of Indigenous peoples as disposable entities (de Finney, 2022). This parallel between environmental and human exploitation within colonialism is evident in historical incidents such as the distribution of smallpox-infected blankets, in the 1700s, and the eradication of the Beothuk people by the 1820s (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019, p.24).

The interconnected nature of colonialism, resource exploitation and violence against Indigenous women must be acknowledged to develop effective strategies that promote safety, justice and healing for Indigenous communities. Addressing the lasting impacts of colonial doctrines and laws is essential for dismantling the systemic barriers and establishing an equitable society.

### **Political Erosion of the Status of Indigenous Women through Colonial Policies**

The introduction of colonial systems disrupted the traditional matrilineal structure in Indigenous communities, which placed women as the decision-makers. Matrilineal communities operated with women as “spiritual, political and military leaders” (Smith, 2005, p.18). Smith (2005) describes patriarchal gender violence as the process where colonizers force “hierarchy and domination” on Indigenous communities (p.23). The colonial system introduced patriarchal and oppressive structures which would create power imbalances and shifts in societal norms.

The settler colonial agenda fundamentally hinges on power dynamics that actively dispossess, marginalize and oppress colonized populations (Petoukhov, 2023). The colonial legal system forced upon the Indigenous communities stripped the “women-centred societies with patriarchal, oppressive structures that condone and thrive on violence as a way to control and oppress members of marginalized communities” (Deer, 2015, p. xiv). Smithers (2021) draws a parallel between the exploitation of Indigenous lands and the objectification of Indigenous women, asserting that

“Indigenous bodies, like Native homelands, were stripped of sovereignty, stolen, beaten, and raped” (p.257). This connection emphasizes the interrelated nature of colonialism’s impact on the environment and the well-being of Indigenous peoples, particularly women. The erosion of traditional values, customs and identities further exacerbates the vulnerability of Indigenous women.

Indigenous women were “sacred beings” and were respected by their communities and would speak on behalf of them (FemNorthNet, 2016). Due to the misogynistic and patriarchal colonial mindset, settlers would ‘insist’ on dealing only with men (FemNorthNet, 2016). Smithers (2021) highlighted the detrimental effects of colonization on Indigenous communities, stating that “colonization has involved their removal from positions of power, the replacement of traditional gender roles with Western patriarchal practices, the exertion of colonial control over Indigenous communities through the management of women’s bodies, and sexual violence” (p.262). The parallel between the exploitation of Indigenous lands and the objectification of Indigenous women is evident in Deer’s (2015) assertion that it was easy for colonizers to shift from “raping of a woman to the raping of a country to the raping of the world” (p.xv).

### **The Impact of the Indian Act**

The Indian Act was a policy that stripped rights and power from Indigenous women in their community and throughout Canada. With its implementation, Indigenous women would lose their legal status if they married outside of their community, while lawful marriage to a man with “Indian Blood” granted them rights under the act (Indian Act, RSC, 1985, c I-5, s 3). This policy led to a loss of legal status and identity for Indigenous women, exemplifying state-sanctioned practices used as tools of oppression and genocide. The Indian Act would also challenge traditional gender roles in Indigenous communities, as colonial patriarchy introduced in the Indian Act would remove Indigenous women’s rights, as women were less than men, and were unable to hold positions of respect (FemNorthNet, 2016).

From 1857 to 1985, Indigenous women's status was determined by marriage, either based on whether they married a man from a different community, as well as children born from an Indigenous mother and non-Indigenous man, were also denied status (Amnesty International, 2004, p.8). This systematically discriminated against Indigenous women and aimed to dissolve their rights and status, demonstrating the political erosion of Indigenous women's power within their communities. The colonial gain of these strategic clauses, within the Indian Act, was to reduce the number of Indigenous peoples with Indian status, thus resulting in cultural genocide and the elimination of the unique Indigenous identity (FemNorthNet, 2016).

The Indian Act granted Indian agents significant power over Indigenous peoples, enabling them to assess Indigenous women's "good moral character" (Indigenous Foundations, n.d.). This power permitted Indian agents to police and penalize those who did not adhere to colonial norms and expectations. The agents' authority extended to incarcerating Indigenous peoples who were deemed non-conforming (Indigenous Foundations, n.d.). This control demonstrates how the Indian Act served as a tool to regulate Indigenous lives, specifically Indigenous women, in enforcing assimilation, and patriarchal and colonial ideologies.

Addressing the erosion of Indigenous women's status and the gendered and sexualized violence they have faced as a result, demonstrates the ongoing effects of colonialism, challenging patriarchal norms, and prioritizing Indigenous women's safety, sovereignty and well-being. By recognizing the interconnectedness of colonialism's impact on Indigenous land and women's bodies, we can better understand the complex challenges faced by Indigenous peoples today. This understanding is essential to addressing the systemic barriers and creating meaningful change that promotes justice, equity and respect for Indigenous rights.

## **Residential Schools**

Residential schools, which existed for nearly 150 years, played a significant role in Canada's settler colonial infrastructure. Their primary objective was to eradicate Indigenous communities as distinct and autonomous societies (Petoukhov, 2023). Understanding the profound impact of residential schools on Indigenous peoples is crucial for recognizing their role in perpetuating systematic oppression and violence against these communities.

Smith (2005) observes that violence was first introduced to Indigenous communities by colonizers, and residential schools serve as another manifestation of this violence. This connection highlights the relationship between state violence and interpersonal violence, as the Canadian government's policies enabled the establishment and operation of these institutions (Thielen-Wilson, 2014).

By exploring the historical context and the enduring consequences of residential schools, we can gain insight into the complex challenges faced by Indigenous communities today. This understanding is essential for addressing systematic barriers and fostering healing, justice, and reconciliation for Indigenous peoples.

### **Religion as a Tool for Assimilation and Moral Justification**

Indian Residential Schools sought to assimilate Indigenous children by instructing them to "think, act, and believe as civilized Christians" (Petoukhov, 2023, p.742). Temoney (2016) argues that religion, in conjunction with state authority, holds the unique power to provide moral justification for violent acts. As a potent societal institution, religion can mould ethical frameworks and shape individuals' perceptions of right and wrong, thereby playing a pivotal role in either promoting or discouraging violence.

Depending on the context and interpretation of moral principles, religious institutions and beliefs can act as both catalysts and barriers to violent behaviour. In the context of Indian

Residential Schools, religious teachings were used as a tool for assimilation, contributing to the erosion of Indigenous unique identities and the perpetuation of violence against Indigenous children (Petoukhov, 2023).

Understanding the multifaceted role of religion in shaping moral perceptions and its potential for misuse in perpetuating violence is crucial. By examining this dynamic in the context of colonialism and residential schools, we can acknowledge the complex interplay between religious institutions, state power, and their effects on Indigenous communities. This understanding can help inform efforts to challenge and deconstruct the harmful legacies of colonialism and work toward fostering reconciliation and healing.

### **Institutes of Genocide**

Residential schools were state-sanctioned institutions designed to forcibly assimilate Indigenous children by eradicating their cultural identities, reflecting the Canadian government's objective of eliminating the "Indian problem". Scholars recognize the genocidal aspects of residential schools linking them to the goal of extinguishing Indigenous identity through forced assimilation (Petoukhov, 2023). This eradication effort can be described as cultural genocide, as these schools systematically dismantled Indigenous cultures, traditions and identities (Vowel, 2016).

The Indian Act enabled and supported the establishment and operation of residential schools (Thielen-Wilson, 2014). Canada's Indigenous policies aimed to ignore Indigenous rights, promote assimilation and eliminate Indigenous communities as distinct groups. Shaheen-Hussain, Lombard, and Basile (2023) describe residential schools as "institutes of genocide" (p. 1764), while Thielen-Wilson (2014) argues that these schools were a form of genocide, involving "cultural annihilation, ethnic cleansing, or forced assimilation" (p.182).

The gradual process of annihilation employed by residential schools can be characterized as a form of structural violence due to its systemic oppression and enduring harm inflicted upon Indigenous communities (Petoukhov, 2023). Residential schools forcibly removed Indigenous children from their homes and families. By isolating Indigenous children from their families, culture, language, and identity, residential schools facilitated abuse and trauma (Thielen-Wilson, 2014). Residential schools served to assimilate Indigenous children by teaching content that aimed to remove Indigenous culture and language, forcing them to conform. The Indian Residential School system placed Indigenous children at significant economic, social, and cultural disadvantages, as it failed to meet educational standards (Amnesty International, 2004). As de Finney (2022) describes, these institutions functioned as “internment camps” (p.475), emphasizing their role in confining, controlling, and forcibly assimilating Indigenous peoples in a systematic effort to eradicate their cultural identities.

Acknowledging the genocidal aspects of residential schools is crucial for understanding the scope and impact of these state-sanctioned institutions within the context of subjugation and colonization.

Despite the compelling evidence of genocidal practices in residential schools, the Canadian government remains reluctant to officially recognize these institutions as instruments of genocide. This resistance perpetuates the “denial and depoliticization of violence” committed against Indigenous communities (Petoukhov, 2023, p. 749). As a consequence, the criminal justice system often “revictimizes and discriminates” against survivors of the residential school system, further compounding their trauma (Petoukhov, 2023, p. 749).

Although the House of Commons acknowledged the Indian Residential Schools (IRS) as cultural genocide in 2022, this recognition is not legally binding. However, it could potentially

impact the pursuit of restitution for survivors and contribute to a broader public understanding that genocide occurred in these schools (Olaewaju, 2023).

Acknowledging the harmful consequences of the Canadian government's denial of genocide in residential schools is crucial for promoting accountability and justice. Recognizing the systematic oppression and violence perpetrated in these institutions is vital for fostering healing and reconciliation with Indigenous communities.

### **Sites of Abuse, Neglect and Medical Experimentation**

Residential schools were not only institutions for forced assimilation but also served as sites for medical experimentation, with Indigenous children as the test subjects. In some cases, healthy children were intentionally exposed to tuberculosis, leading to a staggering 30 to 60 percent mortality rate (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019, p.25). These schools also witnessed various injustices, including “starvation, deliberate infection of diseases, beating, torture, rape, solitary confinement, assaults and ill-treatment (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019, p.24,25).

Throughout their time in residential schools, Indigenous students faced numerous injustices, such as malnutrition, inadequate medical care, and physical and sexual abuse by school staff members, including nuns, priests and teachers (Petoukhov, 2023, p.742). The Indian residential school system has been compared to “institutionalized pedophilia” due to the widespread sexual violence perpetrated but those in power (Thielen-Wilson, 2014, p. 187). The pattern of sexual violence continues to be perpetuated by agents of colonization in contemporary times, demonstrating the lasting effects of colonial practices on Indigenous communities.

The traumatic experiences of abuse, violence, and neglect in residential schools have resulted in lasting impacts on Indigenous communities, including the internalization of violence (Smith, 2005). The legacy of the Indian Residential Schools system has contributed to a range of ongoing

challenges for survivors and their communities, such as intergenerational trauma, domestic violence, parenting difficulties, increased suicide rates, and widespread substance abuse issues (Petoukhov, 2023, p.742). Moreover, Smith (2005) identifies the loss of language, religion, and culture, along with heightened rates of child abuse and post-traumatic stress disorder, as additional consequences of residential schools.

The perpetuation of harmful and abusive behaviours within Indigenous communities, as some survivors become perpetrators themselves, further fuels the cycle of harm and abuse (Smith, 2005). Recognizing the systematic nature of the violence inflicted by colonizers through assimilation and colonization is critical for addressing these issues.

Acknowledging residential schools as sites of abuse, neglect, and medical experimentation is crucial for understanding the deep-rooted trauma and systematic oppression faced by Indigenous peoples. Addressing these historical injustices and their ongoing consequences is essential for promoting healing, reconciliation and justice for Indigenous communities.

A comprehensive approach to healing and reconciliation must consider the ongoing effects of residential schools on Indigenous peoples and work towards fostering resilience, justice, and cultural revitalization. By recognizing the interconnectedness of colonial practices and their impacts on the lives of Indigenous peoples, we can support Indigenous communities in their efforts to overcome systemic barriers and build a more equitable future.

## **Reproductive Violence**

### **Legal Definition and Theoretical Framing of Reproductive Violence**

Reproductive violence, specifically targeting Indigenous women, has been employed as a means to eradicate their capacity to reproduce and, consequently, their identities as women. Forced sterilization and other practices aimed at controlling Indigenous women's reproductive health can be legally defined as genocidal acts. Article II of the UN Convention on the Prevention and



Punishment of the Crime of Genocide (1951) classifies any measure imposed with the intent to prevent births within a specific group as an act of genocide (Article II, ss.d).

Systematically targeting Indigenous women's reproductive capacity contributes to the broader goal of eliminating Indigenous populations and their distinct cultural identities. This genocidal agenda aligns with Shaheen-Hussain, Lombard, and Basile's (2023) definition of medical colonialism as being "rooted in systemic anti-Indigenous racism, [using] medical practices and policies to establish, maintain, and/or advance a genocidal colonial project" (p. 1763). This framework underscores the interconnected nature of medical violence and systemic colonial structures that seek to exert control over Indigenous bodies and lives.

### **Sexual Sterilization Acts**

The Alberta Sexual Sterilization Act (1928-72) and British Columbia's "An Act respecting Sexual Sterilization" (1933-1973) stands as historical examples of colonial obstetric violence, specifically targeting Indigenous women and girls (Canadian Institute for Critical Indigenous Studies, n.d.; Shaheen-Hussain, Lombard, and Basile, 2023). These legislations sanctioned reproductive violence as a means to control Indigenous women's bodies by limiting their ability to reproduce, aligning with the genocidal goals of the settler colonial agenda. Forced sterilization, which is recognized as a form of genocide under international law, exemplifies the severity of reproductive violence inflicted upon Indigenous women.

Indigenous women were denied the right to make decisions, as they were not seen as "legitimate choice-makers" (Smith, 2005, p. 99). These non-consensual sterilizations violated Indigenous women's reproductive rights, contributing to the disruption of Indigenous cultures' continuity. Smith (2005) shares instances in which Indigenous women were subjected to further cruel treatment, as anesthesia was withheld during their procedures as a form of "punishment for seeking abortions" (p. 97).

Sexual Sterilization Acts illustrate how reproductive violence against Indigenous women has been systematically employed as a tool of genocide and assimilation. By examining the lived experiences of Indigenous women who endured these atrocities, we can better understand the long-lasting impacts of colonial policies on Indigenous peoples. Recognizing and addressing the consequences of reproductive violence necessitates acknowledging its connection to broader patterns of colonialism, enabling the pursuit of justice, healing, and the restoration of Indigenous women's reproductive sovereignty.

### **Modern Medical Colonialism**

Shaheen-Hussain, Lombard, and Basile (2023) argue that modern medicine is inextricably linked to a history of colonialism, which involved the medical exploitation of Indigenous women. Advancements in medicine were often achieved through experimentation and exploitation of Indigenous bodies, perpetuating the cycle of colonialism aimed at controlling and eradicating Indigenous communities.

The medical exploitation of Indigenous women exemplifies the ongoing nature of colonialism and its focus on subjugating Indigenous peoples. Contemporary medical practices and policies must critically examine their roles in perpetuating legacies of reproductive violence against Indigenous women. This necessitates an awareness of the historical roots of medical colonialism and a commitment to dismantling its systemic impacts.

Addressing the current manifestations of medical colonialism calls for a transformation in the healthcare system that prioritizes Indigenous women's reproductive sovereignty and well-being. By acknowledging and challenging the colonial underpinnings of modern medicine, we can work towards creating more equitable and culturally sensitive healthcare practices that actively combat the ongoing violence inflicted upon Indigenous women.

## **Environmental Violence as a Form of Reproductive Harm**

Reproductive violence is not limited to direct surgical interventions but also includes environmental harm, which disproportionately impacts Indigenous women's health and fertility. Contemporary environmental issues, such as pollution, have significantly affected Indigenous communities and their relationship with the land. Smith (2005) discusses how environmental pollution has led to reproductive health problems within Indigenous communities, highlighting the interconnectedness of reproductive harm and ecological degradation.

Land and its connection to it are integral aspects of Indigenous ways of life. Smith (2005) argues that colonizers' relationship with the land is characterized by power and control over nature and **Indigenous** women's sexuality. The manipulation of Indigenous women's bodies by colonizers serves as a means to assert dominance over Indigenous communities and their territories (Smith, 2005).

Recognizing environmental violence as a form of reproductive harm is essential for understanding the complex interplay between colonialism, ecological degradation, and the infringement of Indigenous women's reproductive rights. By acknowledging the systemic nature of this violence, we can work towards addressing its root causes and ensuring the well-being of Indigenous women, their communities, and the lands they steward.

## **Missing and Murdered Indigenous Women and Girls (MMIWG)**

### **Statistical Overview of MMIWG and Highway of Tears**

In present times, the Highway of Tears in British Columbia and the ongoing MMIWG crisis across Canada continue to expose the pervasive violence against Indigenous women. The Highway of Tears, a section of Highway 16, has been the location of numerous disappearances and murders of primarily Indigenous women and girls.

A striking 17% of homicides involving Indigenous women occurred on public paths such as streets, roads, or highways, compared to only 1% for non-Indigenous women (Government of Canada, 2017). This disparity underscores the heightened vulnerability of Indigenous women to violence in these spaces. The alarming rates of violence along the Highway of Tears, coupled with the inadequate responses from the Canadian government and law enforcement, reveal a systemic failure to protect Indigenous women.

The MMIWG crisis further perpetuates this cycle of violence, as systemic inaction and indifference exacerbate the problem. By examining the statistics related to the Highway of Tears and the broader MMIWG crisis, we can better comprehend the magnitude of violence against Indigenous women and the urgent need for effective interventions and justice. Addressing these pressing issues necessitates acknowledging the systemic nature of the violence and implementing comprehensive strategies to ensure the safety and well-being of Indigenous women and girls.

### **Human Rights Framework and Government Responsibility and Accountability**

The crisis of missing and murdered Indigenous women in Canada must be recognized as a human rights violation requiring immediate attention (McGruder, 2022). Occurring within Canada's borders, this issue is exacerbated by a lack of government intervention and accountability. McGruder (2022) asserts that the MMIWG phenomenon should be acknowledged as a "Canadian genocide" (p. 115), emphasizing the systemic and targeted nature of violence against Indigenous women and girls. This framing challenges narratives that downplay the severity of these crimes and calls for a comprehensive response to address this ongoing human rights crisis.

As a signatory to international treaties, Canada has a responsibility to protect against human rights abuses. Canada has the responsibility to “prevent, investigate, punish and compensate violence against women” (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019, p.39). However, its failure to address the MMIWG crisis reflects a neglect of its

international obligations and a disregard for the basic human rights of Indigenous communities. To uphold Indigenous peoples' human rights, the Canadian government must take concrete steps to end this crisis, ensuring non-interference with the enjoyment of human rights and fostering an environment that values, protects, and respects the inherent dignity of Indigenous women.

Key to addressing the crisis is confronting the systemic discrimination and violence that have contributed to the marginalization of Indigenous women. This entails meaningful collaboration with Indigenous communities to develop culturally appropriate and effective solutions. By adopting a human rights framework, the Canadian government can work towards fulfilling its responsibility to protect Indigenous women and girls while promoting justice, equity, and healing for Indigenous communities.

### **Intersectionality of Vulnerability**

Indigenous women and girls face a disproportionately high risk of becoming victims of homicide, with a staggering six times greater likelihood compared to non-Indigenous individuals (Burczycka & Cotter, 2023). The actual count of Indigenous victims of gender-related homicide might be underreported due to the significant number of missing Indigenous women and girls, those who have died under questionable circumstances, or whose homicide cases remain unsolved (Sutton, 2023). These factors could lead to an underestimation of the true extent of gender-related violence within Indigenous communities.

A common theme among MMIWG cases is the victims' lack of connection to family, community, and culture (Amnesty International, 2004). This disconnection can be directly attributed to colonialism and assimilation policies, which have systematically marginalized and oppressed Indigenous communities. The loss of cultural ties contributes to struggles with belonging, identity, and self-worth, leaving Indigenous women in a vulnerable position to be exploited (Amnesty International, 2004).

The intersectionality of factors such as addictions, poverty, poor mental health, and physical health significantly increases the rates of violence experienced by Indigenous women (Burczycka & Cotter, 2023). By recognizing the interconnected nature of these vulnerabilities, we can better understand the complexity of the MMIWG crisis and work towards addressing the root causes of violence against Indigenous women and girls. This understanding is crucial for developing targeted interventions and advocating for systemic change to protect and empower Indigenous communities.

### **Police and Criminal Justice Failures**

Substantial evidence indicates that the criminal justice system discriminates against Indigenous women, as seen through inadequate policing, delays in police action, insufficient funding, and a lack of understanding of Indigenous people and communities (Amnesty International, 2004). The experience of Indigenous women within the justice system can be described as being "over-policed and under-protected" (Amnesty International, 2004, p. 18). This concept effectively captures the intersectionality of systemic discrimination and neglect that these communities face.

Recent data further highlights the disparities within the justice system, with 87% of homicides of Indigenous women and girls being solved, compared to 90% of non-Indigenous women and girl homicides (Burczycka & Cotter, 2023). This discrepancy demonstrates the ongoing challenges and biases that impede equal access to justice for Indigenous women.

To address these failures, it is crucial to critically examine the role of the police and criminal justice system in perpetuating systemic discrimination against Indigenous women. Implementing culturally sensitive policies, improving police response times, and increasing funding for investigations can contribute to better protecting Indigenous women and girls while holding perpetrators accountable for their actions.

## Case Studies

The tragic cases of Tina Fontaine, Helen Betty Osborne, and Cindy Gladue are just a few cases which exemplify the systemic failures of the Canadian criminal justice system in protecting Indigenous women and delivering justice. These cases reveal deep-rooted issues of racism, discrimination, and neglect that continue to plague Indigenous communities in Canada.

In the case of Tina Fontaine, a 15-year-old Indigenous girl whose body was found in the Red River in Manitoba in 2014, systemic issues within the criminal justice system were brought to light (CBC News, n.d.). Despite having contact with police officers, being admitted to the hospital, and being under the custody of Child and Family Services (CFS) shortly before her death, all of these systems failed to protect her (CBC News, n.d.). With the accused, Raymond Cormier, being acquitted of second-degree murder and no appeal pursued, this case demonstrates the lack of accountability and justice for Indigenous victims.

The cases of Helen Betty Osborne and Cindy Gladue further highlight the systemic injustices faced by Indigenous women. In 1971, 19-year-old Cree woman Helen Betty Osborne was brutally murdered, yet her case remained unsolved for over 15 years due to the criminal justice system's neglect and indifference towards Indigenous people (Hamilton & Sinclair, 1991). As an Indigenous woman, Osborne was targeted by a group of white men looking for an “Indigenous woman to party with” (Neustaeter, 2021, para.7). It was reported that the police were “aware of white men sexually preying on Indigenous women and girls in The Pas but did not feel that the practice necessitated any particular vigilance” (Amnesty, 2004, p.2). This case demonstrates the effect of systemic racism within the criminal justice system in determining which criminal cases are worthy of a thorough investigation. Unfortunately solving cases of extreme violence against Indigenous women has been and continues to not get the focus and police presence they deserve.

This inaction perpetuates a culture of impunity and denies Osborne and her family the justice they deserve.

Similarly, the case of Cindy Gladue, a 36-year-old Cree-Metis woman killed in 2011, exposed the dehumanization and discrimination of Indigenous women within the Canadian legal system (Barrera, 2021). The murder trial faced issues of prejudice, victim-blaming, and a lack of understanding of systemic factors contributing to Gladue's vulnerability (Barrera, 2021). The horrifying use of her removed vagina as evidence in court not only retraumatized and revictimized her body but also exemplified the violent objectification of Indigenous women in Canada (Barrera, 2021; Razack, 2016). The trial and acquittal of Bradley Barton in 2015 exemplify the injustice and systemic racist factors present in the Canadian justice system. In a second trial in 2021, on appeal from the Supreme Court of Canada, Barton was found guilty of manslaughter and is currently serving a 12-and-a-half-year sentence (Parsons, 2024). The case of Cindy Gladue serves as a reminder of the systemic failures and biases present in society and the systems constructed to protect the most vulnerable. These structures and systems must be challenged to ensure justice for all and for Indigenous women's voices to be heard and valued.

These cases underscore the urgent need to address systemic discrimination and violence against Indigenous women in Canada through comprehensive criminal justice reform, increased support for victims and their families, and a commitment to dismantling colonial structures that perpetuate marginalization. By acknowledging these failures and working towards meaningful change, Canada can move towards a more just and equitable society that respects and values the lives of Indigenous women.

## **Media Bias**

The disproportionate representation of Indigenous victims in MMIWG cases, compared to the media attention given to white victims, further underscores the systemic marginalization and



devaluation of Indigenous lives (Amnesty International, 2004). This lack of attention and respect has contributed to an overrepresentation of violence and victims across Canada, with the Highway of Tears serving as a prominent example. The Highway of Tears, a stretch of Highway 16 in British Columbia, has been the site of numerous disappearances and murders of primarily Indigenous women and girls.

The crisis of MMIWG and the Highway of Tears highlight the urgent need to address the ongoing violence against Indigenous women and challenge the colonial systems that enable it. By acknowledging the media bias and systemic neglect that perpetuates this violence, we can work towards amplifying the voices and experiences of Indigenous communities and advocating for meaningful change. This includes increased media attention and public awareness of MMIWG cases, as well as supporting grassroots efforts to honour and remember the victims.

A comprehensive approach to addressing the crisis must involve collaboration with Indigenous communities, law enforcement, and policymakers to develop effective strategies for prevention, intervention, and justice. By challenging the systematic marginalization of Indigenous lives, we can foster a more equitable and compassionate society that values and protects the well-being of Indigenous women and girls.

### **Critical Reflection**

This analysis has explored the devastating impact of violence against Indigenous women in Canada, with a particular focus on sexual violence as a tool of genocide. The historical and contemporary cases discussed, such as the Highway of Tears, demonstrate the systematic and targeted nature of this violence.

The disproportionate rates of violence against Indigenous women, particularly in cases of MMIWG, highlight the ongoing effects of colonial policies and practices that sought to control and eradicate Indigenous peoples. The role of the media and criminal justice system in perpetuating

these inequalities has also been examined. By acknowledging and addressing the systemic biases and failures within these institutions, we can work towards creating a more just and equitable society that respects and values the lives of Indigenous women.

The connection between sexual violence and genocide against Indigenous women cannot be ignored. As we have seen, sexual violence has been used as a deliberate strategy to assert power and control over Indigenous communities, to strip Indigenous women of their identities and reproductive capacities, and ultimately to contribute to the eradication of Indigenous peoples. By acknowledging and addressing this insidious form of violence, we can take a significant step towards dismantling the colonial structures that perpetuate it and create a safer, more equitable world for Indigenous women.

## **Sexual Exploitation and Trafficking**

### **Colonial Legacies and Vulnerabilities**

The sexual exploitation and trafficking of Indigenous women are inextricably linked to the poverty and marginalization forced upon Indigenous communities by colonialism. These harmful practices subject Indigenous women to significant physical, psychological, and emotional harm, further perpetuating the colonial agenda of control and subjugation. As Amnesty International (2004) notes, trauma can render individuals susceptible to sexual exploitation due to their lack of basic needs such as “safety, shelter, and sustenance” (p. 13).

McGruder (2022) defines sex trafficking as the "recruitment and exploitation of an individual through the use of threats, force, coercion, deception, or abuse of power" (p. 123). This definition highlights the tactics employed by traffickers to target and manipulate vulnerable individuals, particularly those who have experienced trauma and marginalization. Indigenous women, in particular, are at a higher risk due to the intergenerational trauma resulting from colonial policies and practices.

To address sexual exploitation and trafficking, it is crucial to consider the colonial legacies and systemic vulnerabilities that contribute to these issues. This entails implementing trauma-informed, culturally sensitive approaches that prioritize the safety, well-being, and self-determination of Indigenous women. Furthermore, addressing the root causes of marginalization and poverty within Indigenous communities is essential for dismantling the structures that enable sexual exploitation and trafficking.

By recognizing the intersections of sexual violence, colonial oppression, and systemic vulnerabilities, we can better support Indigenous women and challenge the ongoing violence that threatens their lives and well-being. This includes advocating for policy changes, increasing public awareness, and fostering collaborative efforts among Indigenous communities, service providers, and policymakers to create long-lasting, transformative change.

### **Systemic Bias and Marginalization in the Criminal Justice System**

The case of Robert Pickton, a serial killer responsible for the murders of numerous women, primarily sex workers in Vancouver's Downtown Eastside, exposes the systemic bias within the criminal justice system. Pickton managed to evade capture and conviction due, in part, to the marginalized status of his victims, who were mainly Indigenous women and sex workers. The inadequate response of authorities to these disappearances reflects discrimination towards these victims, further perpetuating the harmful notion that their lives held less value. Pickton's gruesome acts of killing, dismembering, and feeding his victims to pigs serve as a chilling example of the disposability of Indigenous women (Razack, 2016).

This case highlights the urgent need to provide equal protection under the law to all individuals, regardless of their lifestyle and demographic. It also underscores the importance of understanding the vulnerabilities of sex workers and marginalized groups, such as Indigenous

women, those facing addiction, and those living in poverty. Implementing adequate support systems is crucial to reduce vulnerability and exploitation, and promote safety and equality for all.

The numerous cases of violence against Indigenous women exemplify the "painful human cost of government failure" (Amnesty International, 2004, p. 21). This emphasizes the pressing need for the Canadian government to acknowledge its role in perpetuating systemic violence, take responsibility for addressing these injustices, and collaborate with Indigenous communities to create meaningful change. By confronting these issues and working towards justice, we can challenge the legacies of colonialism and build a more equitable and compassionate society for Indigenous peoples.

### **Governmental Response and National Strategy to Combat Human Trafficking**

The failure of authorities to adequately address the victimization of Indigenous women can be seen as a violation of their human rights (McGruder, 2022). This perspective emphasizes the systemic neglect and marginalization of Indigenous women's experiences within the justice system, stressing the urgent need for comprehensive action to ensure their safety and well-being.

In response to the ongoing crisis of violence against Indigenous women, the Canadian Department of Justice established the National Strategy to Combat Human Trafficking. This strategy aims to bolster Canada's response to human trafficking while supporting broader governmental commitments, such as preventing and addressing gender-based violence and promoting the safety and security of Indigenous peoples (McGruder, 2022). The approach acknowledges the disproportionate subjection of Indigenous women to exploitation and human trafficking due to systemic gender discrimination and increased vulnerability to violence.

While the development of initiatives like the National Strategy indicates that the Canadian government is beginning to acknowledge and address the pervasive injustices faced by Indigenous communities, it is crucial to maintain a sustained commitment and ensure continuous progress in

combating these pressing issues. This requires ongoing collaboration with Indigenous communities, monitoring and evaluating the strategy's effectiveness, and implementing necessary adjustments to achieve lasting change.

A critical analysis of governmental responses to violence against Indigenous women, such as the National Strategy to Combat Human Trafficking, sheds light on the potential for systemic reform. By holding the Canadian government accountable and advocating for the rights of Indigenous women, we can contribute to the dismantling of colonial structures that perpetuate violence and marginalization, ultimately fostering safer, more equitable communities for Indigenous peoples.

### **Sexual Violence in Work Camps and Sex Work**

The prevalence of sexual violence against Indigenous women in work camps reflects systemic failures to protect their safety and rights within male-dominated, transient work environments. The overrepresentation of violence against Indigenous women in 'man camps' associated with resource extraction industries exemplifies the ongoing impact of colonialism on gendered and sexual violence (de Finney, 2022). This issue underscores the enduring colonial power imbalances that continue to endanger Indigenous women's lives and well-being.

Many Indigenous women become involved in sex work due to a combination of factors, including the need to provide for themselves and their families, as well as coping with trauma and addiction (Amnesty International, 2004). This reveals the systemic marginalization and limited opportunities that drive some Indigenous women to the sex trade as a means of survival. A significant number of those involved in the sex trade have experienced physical and/or sexual abuse and often lack strong connections to their family, community, or culture (Amnesty International, 2004, p. 13). Loss of community ties can be detrimental to Indigenous individuals and communities

(Amnesty International, 2004). Indigenous women in the sex trade frequently face isolation, social marginalization, and heightened rates of racism and sexism (Amnesty International, 2004).

Cases of violence against Indigenous women in sex work are often disregarded due to the harmful assumption that violence is a "by-product of a high-risk lifestyle" (Razack, 2016, p. 296). This dismissive attitude perpetuates the victimization of Indigenous women and enables perpetrators to justify their actions (Amnesty International, 2004).

Many perpetrators of violence against Indigenous women hold damaging assumptions that Indigenous women are "promiscuous and open" and are "objects with no human value beyond sexual gratification" (Amnesty International, 2004, p. 17). These dangerous stereotypes contribute to the ongoing victimization of Indigenous women, reflecting the deep-rooted colonial attitudes and power imbalances that continue to endanger their lives.

Recognizing the systemic marginalization and harmful stereotypes that drive sexual violence in work camps and the sex trade is crucial for challenging these issues. This requires addressing the root causes of marginalization, implementing culturally sensitive policies and support systems, and fostering greater public awareness to combat pervasive stereotypes. By doing so, we can work towards ensuring the safety, well-being, and dignity of Indigenous women in various contexts.

### **Conclusion**

This research has addressed the central question of how sexual violence has been employed as toll of genocide against Indigenous women in Canada. Through a comprehensive examination of historical and contemporary contexts, we have established this persistent prevalence of sexual violence and its profound, lasting impacts on individuals, communities, and societies as a whole. By investigating the connection between colonization and sexual violence, our analysis highlights the systemic factors that perpetuate this issue.

In addressing our research aims, we have demonstrated the link between settler colonialism and sexual violence. Our analysis contributes to the existing body of knowledge by exploring the historical roots and ongoing manifestations of sexual violence as a means of genocide against Indigenous women. This understanding provides a foundation for developing targeted, decolonizing approaches to support healing, prevention, and justice.

The issue of sexual violence against Indigenous women, the National Inquiry into Missing and Murdered Indigenous Women and Girls (2010) identifies several Calls for Justice. These calls emphasize the importance of adopting a decolonizing approach, including the voices of families and survivors, promoting self-determined and Indigenous-led solutions, and implementing trauma-informed practices. Underlying these calls is the guiding principle that genuine reconciliation cannot be achieved without justice (The National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019).

A decolonizing approach acknowledges the detrimental impact of colonialism and strives to restore Indigenous ways of knowing, governance, and cultural development. This includes supporting Indigenous communities in revitalizing their traditions, languages, and identities (The National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019).

The inclusion of families and survivors is crucial in understanding the perspectives of Indigenous women, victims, and their families. Their insights are invaluable in shaping effective policies and societal changes to address violence against Indigenous women (The National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019).

Self-determined and Indigenous-led solutions and services promote the empowerment and well-being of Indigenous women by recognizing their agency in shaping policies and practices that affect their lives. Such approaches support Indigenous-led initiatives and foster the inclusion of

Indigenous voices within their communities (The National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019).

A trauma-informed approach is essential for seeking authentic reconciliation and healing within Indigenous communities. Recognizing and addressing the historical trauma faced by Indigenous peoples, particularly Indigenous women, is crucial in improving their lives and fostering well-being. A trauma-informed approach acknowledges and responds to the complex needs of Indigenous communities, contributing to a more just and equitable society.

The Calls for Justice emphasize the importance of centering Indigenous voices and experiences in addressing systemic issues that contribute to violence against Indigenous women. By embracing decolonizing, inclusive, and trauma-informed approaches, we can work towards creating lasting change and promoting healing and justice for all Indigenous peoples in Canada.

Policy implications of this research emphasize the need to listen to Indigenous women and their communities and seek pathways to reconciliation, restoring their equality and rights within Canadian society. The research also highlights the importance of understanding and acknowledging the vulnerabilities of Indigenous women and the need for policy change to protect, prevent and restore Indigenous peoples.

This research underscores the significance of centering Indigenous women's voices, experiences, and resilience in developing interventions and prevention strategies. Such an approach acknowledges the agency and expertise of Indigenous women and fosters opportunities for collaboration and partnership in pursuing justice, healing and societal transformation.

To achieve meaningful change, there is an urgent need to address sexual violence against Indigenous women at multiple levels, including government accountability. By critically examining the ways in which colonization has shaped and continues to influence policies and societal structures. We can challenge system carriers that perpetuate the marginalization and oppression of



Indigenous peoples. This includes advocating for trauma-informed practices, implementing Indigenous-led solutions, and fostering genuine collaboration between Indigenous communities, government and other stakeholders.

In conclusion, this paper had brought to light the devastating reality of sexual violence as a tool of genocide against Indigenous women in Canada. It is crucial that we recognize and address this issue not only as a historical injustice but as an ongoing threat. By promoting awareness, advocating for systemic change, and supporting Indigenous-led initiatives, we can work towards a future where Indigenous women are free from the threat of sexual violence and their rights, safety, and well-being are upheld.

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