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CANADA'S EMPTY PROMISE

A Critical Examination of Canada's Feminist International Assistance Policy in Relation to the Missing and Murdered Indigenous Women and Girls in Canada

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ABSTRACT

In 2017, Global Affairs Canada (GAC) passed the country's latest foreign policy entitled, Canada's Feminist International Assistance Policy (CFIAP). Individuals have praised this policy, claiming it as a "game changer in international development" (Marwah, "Canada's New", para. 12). However, some feminist scholars criticize the policy, arguing it "acts as a feminist fig leaf for major initiatives in other foreign policy areas (especially defense) that are not feminist" and therefore, lacks a foundational feminist framework (Brown and Swiss, "CFIAP: Game Changer or Fig Leaf", 129). It is crucial to ask whether this new feminist foreign policy is ultimately *feminist*, and question the actors who define that feminism.

Throughout this analysis, it is argued that Canada is failing to ensure adequate protections of vulnerable groups, both nationally and internationally. I conduct an examination of CFIAP to uncover whether the policy aligns with feminist reasoning and question if it is reflective of the situation within Canada's national borders. There is particular focus on indigenous women and girls, following the cases of the missing and murdered indigenous women and girls in Canada (MMIWG). This is done using a critical feminist lens, informed by intersectionality, feminist research ethics (FRE) and anti-colonial epistemology.

Keywords: Canada's Feminist International Assistance Policy, Foreign Policy, Feminism, Intersectionality, Canada, Missing and Murdered Indigenous Women.

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When I was brainstorming ideas for my master's thesis, my mom told me to write about something that makes me mad; so angry that I pour my heart and soul into this project. So that's what I did – *Thank you mom*.

This thesis is dedicated to the missing and murdered indigenous women and girls in Canada – May you rest in power. Canada has failed you and I am devoted to bringing light to the grave pockets of injustice that exist as a result of the nation's colonial legacy. This analysis is also dedicated to every person who has ever felt invisible or whose experiences have been invalidated by those in power. *I see you*. As a person of extreme privilege, this is my commitment to do better and decolonize myself while hopefully, inspiring others to do the same.

This year has been challenging – From Acqua Alta to COVID-19 – But it has also been wonderful because of the amazing people I met and the relationships I solidified. Despite many obstacles, I will always look back on this year with gratitude.

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strength and intelligence. This thesis is a partnership and I could not have done this without your

guidance.

TABLE OF ABBREVIATIONS

CCRF Canadian Charter of Rights and Freedoms

CEDAW Convention on the Elimination of Discrimination Against Women

CERD Convention on the Elimination of All Forms of Racial Discrimination

CDA Critical Discourse Analysis

CFIAP Canada's Feminist International Assistance Policy

CRC Convention on the Rights of the Child

FNMI First Nations, Métis and Inuit

FP Foreign Policy

FPA Foreign Policy Analysis

FRE Feminist Research Ethics

GAC Global Affairs Canada

GBV Gender-Based Violence

GDP Gross Domestic Product

GM Gender Mainstreaming

GOC Government of Canada

MMIWG Missing and Murdered Indigenous Women and Girls

NATO North Atlantic Treaty Organization

NWAC Native Women's Association Canada

RCMP Royal Canadian Mounted Police

SDGs Sustainable Development Goals

SWC Status of Women Canada

TRC Truth and Reconciliation Commission of Canada

UN United Nations

UNDRIP United Nations Declaration on the Rights of Indigenous Peoples

WPS Women, Peace and Security

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"Feminist politics aims to end domination, to free us to be who we are – To live lives where we love

justice, where we can live in peace. **Feminism is for everybody**." – bell hooks

CHAPTER ONE: Introduction to Feminist Theorizing and Key Themes

1. Introduction

National identity rhetoric has immense power and Canada's international reputation as a "do-gooder" nation directly impacts Canadian identity.[1] This sense of Canadian national identity is magnified when entering the global sphere. Despite Canada's overwhelmingly positive international repute, it is important to consider the nation's legacy of colonialism, gender inequality, xenophobia and racism, which are commonly ignored in global settings. As a result, the experiences of those in marginalized positions are oftentimes rendered invisible in international contexts.

As Canada was one of the first countries to both sign and ratify the Convention on the Elimination of Discrimination Against Women (CEDAW)[2] and participated in the First World Conference on Women,[3] the country gained a reputation for advancing gender equality across the globe. Moreover, Canada is oftentimes referred to as a "gender-conscious donor country,"[4] alongside the Nordic countries, Germany, Switzerland, and the Netherlands.

During the Mid-Decade World Conference of the UN Decade of Women,[5] Canadian delegates contributed to the development of several draft resolutions, including "Women and discrimination based on race,"[6] which shows promise of intersectional feminism prior to the development of the framework itself.[7] However, Canadian delegates abstained from voting for the Platform of Action, as they had intentions to appeal to the universality of women's rights and claimed the diversions made by Indian delegates contained certain political implications "regarding the

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[1] Lui, *Why Canada Cares*.
[2] CEDAW entered into force in 1979. Canada signed CEDAW in 1980 and ratified the convention in 1981. Canada became a member of CEDAW's Optional Protocol in 2002.
[3] World Conference of International Women's Year in Mexico City, 19 June-2 July 1975.
[4] Tiessen, "Gender Essentialism," 90.
[5] The Mid-Decade World Conference of the United Nations Decade of Women: Equality, Development and Peace in Copenhagen, 14-30 July 1980.
[6] Ibid, 94.
[7] Kimberlé Crenshaw first coined the term *intersectionality* in "Demarginalizing the Intersection of Race and Sex," 140.

elimination of Zionism,[8] which were known to be totally unacceptable to Canada, as well as to a good many other delegations."[9] The aforementioned statement suggests the Canadian delegation maintained a narrow understanding of women's rights in the global sphere.[10] During the Third World Conference,[11] the Canadian delegation's standpoint regarding the advancement of women's rights remained unchanged with a firm focus on political, social and economic rights of women.

The fourth and arguably most influential UN Conference on Women was the Beijing Conference,[12] which developed the Beijing Declaration and Platform for Action, a key global policy document on gender equality. Since the Beijing Conference, there have been reviews every five years to measure progress and identify new areas of concern. Despite its revolutionary potential, it was stated during the Beijing +20 meeting, "no country has achieved equality for women and girls and significant levels of inequality remain between men and women."[13] In March 2020, Canadian delegates contributed to the development of the Beijing +25 Political Declaration, which expresses grave concern with lack of progress twenty-five years after the Conference.[14] However, the document addresses structural barriers and multiple intersecting forms of discrimination, which is a considerable advancement.[15] This aspect of the declaration has the potential to generate radical political and social change, however, it is unknown whether the recommendations will become integrated into national and global policies.

Canada's national gender equality policies are numerous. In 2017, the Government of Canada adopted a National Action Plan informed by the UN Security Council Resolution 1325 (UNSCR1325)

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[8] According to Encyclopedia Britannica, *Zionism* is defined as "Jewish national movement that has had its goal the creation and support of a Jewish national state of Palestine, the ancient homeland of the Jews" (para. 1).
[9] UN General Assembly, *Copenhagen Conference,* 198.
[10] Ibid.
[11] World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace in Nairobi, 15-26 July 1985.
[12] Fourth World Conference on Women: Action for Equality, Development and Peace in Beijing, 4-15 September 1995.
[13] UN General Assembly, *Beijing Declaration,* para. 5.
[14] CSW, *Beijing +25 Political Declaration*, 3.
[15] Ibid.

on Women, Peace and Security (WPS).[16] This Action Plan is considered "Canada's feminist

commitment" to advance the WPS agenda,[17] which calls for increased participation of women in

conflict management and resolution in addition to identifying their special protections during armed

conflicts.[18] This strategy is used as a form of gender mainstreaming in international and national

policymaking. Despite its revolutionary nature, scholars Nicola Pratt and Sophie Richter-Devroe note,

it is crucial not only to press for the integration of gender in conflict policies and actions, but also

consider "*how* 'gender' is used and with what political implications."[19]

Moreover, Status of Women Canada (SWC), which is now a formal department in the

Canadian government, works to advance gender equality in three areas: Economic security, women's

leadership and democratic participation, and lastly, ending gender-based violence.[20] SWC uses

Gender-Based Analysis Plus (GBA+) to assess ways that diverse groups of men, women and non-

binary people experience policies, programs and initiatives.[21] This framework takes a fully

intersectional approach to issues of gender inequality, which Crenshaw argues to be the most effective

way to dismantle structural barriers and to attain full gender equality.[22] Additionally, the Government

of Canada uses Gender Results Framework (GRF) to track progress regarding gender equality as well

as uncover effective methods to address issues related to gender inequality.[23] Lastly, Canada's

National Gender Committee (CNGC) is a large contributor to gender equality initiatives. CNGC

hosted the 2019 Gender Delivers Conference and Mobilization Efforts to create inclusive

environments to address gender equality by discussing gender-responsive health systems, gender-

based violence, and women's economic empowerment.[24]

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[16] The UNSC Resolution 1325 draws on the Beijing Declaration, reaffirming the role of women in the prevention and resolution of conflicts (1). It encourages member states to utilize gender mainstreaming in all aspects of peace and security measures (2-3).
[17] Global Affairs Canada, *Canada's National Action Plan,* 1.
[18] Pratt and Richter-Devroe, *Critically Examining UNSCR 1325,* 496.
[19] Ibid.
[20] Government of Canada, "Status of Women Canada," 1.
[21] GOC, "Status of Women Canada - What is GBA+?" 2.
[22] Crenshaw, 140.
[23] GOC, "Status of Women Canada – GRF," 2.
[24] Women Deliver 2019, 3.

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In addition to women's rights, the Canadian government expresses its commitment to human rights both nationally and internationally, beginning with signing and ratifying a diverse array of international human rights legal instruments.[25] Furthermore, Canada is an active non-permanent member of the UN Security Council and the North Atlantic Treaty Organization (NATO), and has managed to establish and maintain relations with the majority of the most powerful[26] international organizations.[27]

Canada's national human rights framework begins with the development of the Canadian Charter of Rights and Freedoms (CCRF)[28] and later, the Canadian Human Rights Act (CHRA).[29] CCRF is arguably Canada's most profound advancement for human rights, as it is imbedded in the Canadian National Constitution, protecting nationals from rights violations committed by the state and state officials. It guarantees the right to equal treatment before the law, and ensures protections regarding a wide array of rights including freedom of expression and freedom of religion. On the other hand, CHRA protects citizens from discrimination committed by public and private companies. Canada's Citizenship Act (CCA)[30] follows along these lines and ensures protections regarding nationals' rights to citizenship. Lastly, the Canadian Multiculturalism Act (CMA)[31] provides protections concerning Canada's multicultural heritage and its role in shaping the nation's future. In addition to the aforementioned human rights legal instruments, Canada has a strong civil society[32] and

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[25] In addition to CEDAW, Canada has ratified the UN Convention on the Elimination of All Forms of Racial Discrimination (CERD), the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social, and Cultural Rights (ICESCR), the Convention Against Torture (CAT), Convention on the Rights of the Child (CRC), Convention of the Rights of Persons with Disabilities (CRPD), as well as become an unqualified supporter of the UN Declaration of the Rights of Indigenous Peoples (UNDRIP).

[26] In this context, power is in economic and political terms. The organizations with the most amount of influence are overwhelmingly situated in the Global North and are primarily in cooperation with the permanent members of the UN Security Council. This demonstrates the disproportionate levels of power dispersion in the international sphere, which are ever-present in international relations, global partnerships and law.

[27] GOC, "Partnerships and Organizations."

[28] The CCRF became part of Canada's Constitution in 1982. For more information, see GOC "Constitution Acts."

[29] The CHRA was implemented in 1977. For more information, see GOC "Canadian Human Rights Act."

[30] The CCA was established in 1946 and was replaced by a modified version in 1977. For more information, see GOC "Citizenship Act."

[31] The CMA was assented in 1988. For more information, see GOC "Canadian Multiculturalism Act."

[32] According to Embuldeniya, "Locally, nationally and globally, Canadian civil society organizations play a pivotal role in political, social and political life, including making and implementing public policy, and promoting and defending civilian interests" ("Exploring the Health," 1). Furthermore, it is stated that three quarters of Canadians believe that charities understand the needs of Canadians better than the government (Lasby and Barr, "Talking About," 10).

active Canadian Human Rights Commission (CHRC)[33] as well as various provincial and territorial human rights bodies.[34]

In 2017, Global Affairs Canada (GAC) passed the country's most recent foreign policy entitled, Canada's Feminist International Assistance Policy (CFIAP). Individuals have praised this policy, claiming it is a "game changer in international development."[35] On the other hand, some feminist scholars criticize the policy, arguing it "acts as a feminist fig leaf for major initiatives in other foreign policy areas (especially defense) that are not feminist,"[36] and that the policy lacks a foundational feminist framework. It is crucial to consider whether this FFP is *feminist*, and to critically examine those who define its feminism.

1.1 Defining Feminism

Language has an immense amount of power and the word feminism carries a lot of varied meanings. Many western feminists associate the movement with the suffragettes, who fought for the voting rights and the recognition of women as "persons." However, at the same time, these early women's rights activists openly discriminated against women of colour. This demonstrates the duality present within the movement – The suffragettes were heroes to some and oppressors to others. Feminism is historically linked to activism, which is typically located at the margins of society. In recent history, feminism has permeated mainstream society, however, it is important to question which women are represented in feminist discourse.

As noted by academic Mary G. Dietz, there is no consensus in feminist theory regarding the meaning and status of "women" and "gender." Dietz argues "feminist theory is a multifaceted, discursively contentious field of inquiry that does not promise to resolve itself into any programmatic consensus or converge onto any shared conceptual ground."[37] There is no explicit definition of what

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[33] The CHRC was established in 1977 and works as an independent complaints mechanism for human rights violations against the government, state actors and employers. For more information, see CHRC "About Us."
[34] These human rights bodies apply the same principles as the CHRA. For more information, CHRC "Provincial and Territorial Bodies."
[35] Marwah, "From Words," para.12.
[36] Brown and Swiss, "CFIAP: Game Changer or Fig Leaf?" 129.
[37] Dietz, "Current Controversies," 400.

constitutes feminism, and as a result, varied forms of feminist theorizing have emerged within the movement to counteract the negative effects of white feminism.[38] Some common forms of feminist epistemology include postmodern feminism, which "calls into question the belief in an objective world and is harshly critical of the belief in privileged standpoints,"[39] as well as Marxist feminism[40] that brings together two seemingly diverse methods of examining social realities. According to Catherine MacKinnon, in order to see the similarities between Marxism and feminism, it is imperative to "connect the failure of workers in advanced capitalist nations to organise in the socialist sense with the failure of left revolutions to liberate women in the feminist sense."[41]

The intersection of race is important to consider when conducting feminist research and activism, as noted by Black feminist theorists.[42] As individuals experience diverse lived realities, it is crucial to move beyond the single axes framework of oppression.[43] One method of doing so is through curb-cutting feminism. Curb-cutting feminism "requires the theorist to be especially attentive to oppression and to the possibility of exclusion, exploitation, powerlessness, value imperialism, marginalization, invisibility, violence, ignorance, silencing, domination, and hegemony"[44] and places blame on systems rather than individuals. Curb-cutting feminism includes intersectionality, which is argued to be the most effective way to examine the diversity of lived experiences, and thereby the greatest contribution to women's studies.[45] As stated by activist and lawyer Kimberlé Crenshaw, "Because the intersectional experience is greater than the sum of racism and sexism, any analysis that

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[38] Lâm defines white feminism as "detachedly representational" therefore, rendering the lives of women of colour invisible ("Feeling Foreign", 866). White feminism, which is common in current women's' movements, place importance on gender, with consideration of "homogeneity of experience covered by the word sisterhood that does not in fact exist" (Lorde, "Age, Race, Class and Sex," 2).

[39] Cosgrove and McHugh, "Deconstructing Difference," 23. See also Flax, "Postmodernism," 624-643, and Hekman, "Reconstituting the Subject," 46-51.

[40] Marxist Feminism is "a set of theoretical frameworks that have emerged out of the intersection of Marxism and feminism" with the goal of liberating "women by transforming the conditions of their oppression and exploitation (Sheivari, "Marxist Feminism," para. 1). MacKinnon emphasizes the importance of the intersection between Marxist theory and feminism, and states, "Rather than considering which came (or comes) first, sex or class, the more fundamental task for theory is to explore the methods, the approaches to reality, that found and made these categories meaningful in the first place" (*Toward a Feminist Theory,* 107).

[41] MacKinnon, "Feminism, Marxism," 543-544.

[42] Some notable Black Feminist theorists include: Smith, "Toward a Black Feminist Criticism," hooks, *From Margin to Center*, Lorde, *Sister Outsider*, Crenshaw "Demarginalizing the Intersection," Hill Collins, *Black Feminist Thought*, and Davis, *Women, Race and Class*.

[43] Crenshaw, "Demarginalizing the Intersection," 139-167.

[44] Ackerly, *Universal Human Rights*, 34.

[45] McCall, "The Complexity of Intersectionality," 1771.

does not take intersectionality into account cannot sufficiently address the particular manner in which Black women are subordinated."[46]

Diversity feminism is an additional way to abolish gender essentialism in mainstream feminism. Diversity feminism focuses on differences *among* women and questions the existence of the homogenous "women's experience" while drawing on Black feminist thought, Third World feminisms and post-colonial feminism.[47] This method "invokes those subjugated and silenced 'others' who are displaced, marginalized, exploited, or oppressed under structures of domination that privilege the white, male, heterosexual, Eurocentric, or Western subject."[48] Finally, post-colonial feminism is a feminist approach that challenges "us versus them" rhetoric and the common universalization of women's experiences.[49] Post-colonial feminism rejects notions of "the average third world woman"[50] which strengthens the belief of "Third World Difference" that is ahistorical, oppressive towards women, and paternalistic, in comparison to the liberated West.[51] The following analysis utilizes anti-colonial feminist theorizing[52] and is informed by intersectionality.

As Canada has a feminist international assistance policy, it is crucial to question Canada's feminist alignment amongst the plethora of feminist methods and theories. Although CFIAP does not explicitly define its feminism, its themes and discourses demonstrate that the policy is a method of gender mainstreaming.[53] As exemplified throughout this analysis, CFIAP highlights the importance of political, social and economic rights, which demonstrates its deeply rooted second-wave feminist beliefs and assumptions. Although there is acknowledgement of various lived realities of women,

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[46] Crenshaw, "Demarginalizing the Intersection," 140.
[47] Ackerly and True, "Back to the Future," 466.
[48] Dietz, "Current Controversies," 409.
[49] Meckled-García and Cali, *The Legalization of Human Rights*, 103-106.
[50] Mohanty, "Under Western Eyes," 337.
[51] Ibid, 335.
[52] I chose to use anti-colonial feminist theorizing instead of post-colonial feminism. Post-colonial feminism rejects white feminists' notions of universalism and prevalence of western women's voices and experiences in feminist discourse. However, anti-colonial feminism takes this concept further by explicitly rejecting colonial positionality. According to Mohanty, anti-colonial feminism "illustrates how the category of women is constructed in a variety of political contexts that often exist simultaneously and overlaid on the top of one another" ("Under Western Eyes", 345).
[53] According to Ackerly, gender mainstreaming is "the multi-faceted project of using gender analysis in addressing the mainstream agenda and of getting gender related issues onto the mainstream agenda…Gender mainstreaming, though an incremental to change, does not preclude revolution" ("Women's Human Rights Activists", 317). Furthermore, as women's rights are seen as unthreatening to existing systems, the inclusion of women's rights in political agendas is seen as unchallenging to the status quo (Ibid, 265).

including discrimination on the "basis of their sex, race, ethnicity, national or ethnic origin, colour, religion, language, sexual orientation, gender, identity, age, ability, or migrant or refugee status,"[54] there is minimal evidence that CFIAP is an intersectional feminist policy.

1.2 Defining Foreign Policy

Although CFIAP is deemed an international assistance policy, it is equivalent to foreign policy in the traditional sense. Foreign aid is included in the vast majority of foreign policies in the Global North, an entity that is inextricably linked to principles, such as human rights and democracy.[55] This is the case with many foreign policy initiatives, including Canada, Australia and the European Union. As states have sovereignty, they are not only influenced by ethical considerations but also "national interests that might constrain notions of ethical global obligation in significant ways."[56] According to Dan Bulley, foreign policy is socially constructed and therefore, "never value free."[57] Bulley states, foreign policy "necessitates certain concerns, methodologies, judgments, and outcomes which are ethically and politically questionable."[58] This demonstrates the power of language and the meanings people attach to certain discourse, therefore it is important to "pay great attention to the language of foreign policy to examine how the relationship to the foreign, the ethical relation, is being constructed and understood" and consider how foreign policy helps form understandings of "otherness."[59]

A common theme within foreign policies is the establishment of the Other, with explicit and implicit distinctions between issues "at home" in relation to those "abroad." As stated by Jack Donnelly, there are many inconsistencies involving the treatment of "comparable human rights violations in different places or at different times" [60] as well as the tendency to make "overly grand policy pronouncements" that may not be feasible within national borders.[61] The best way to respond to this phenomenon is arguably, to reflect on feminist ethics. Whether the policy prioritizes national

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[54] GAC, "CFIAP," 2.
[55] See Doty, "Imperial Encounters."
[56] Aggestam, Bergman-Rosamond, and Kronsell, "Theorizing FFP," 28.
[57] Bulley, "Foreign Policy as Ethics," 168.
[58] Ibid.
[59] Ibid, 174.
[60] Donnelly, *Universal Human Rights*, 166.
[61] Ibid, 171.

security and economic interests or humanitarian concerns,[62] ethical considerations are vital throughout

the entire process. Many aspects of foreign policy involve humane internationalism,[63] which is

premised on the belief of alleviating human suffering and meeting human needs outside of national

borders. While noble in theory, this is not always the main focus of foreign policies.

Foreign Policy Analysis (FPA) is one way of identifying the processes and results of "human

decision-making with reference to or having known consequences for foreign entities."[64] Scholar

Andrew Lui examines Canadian foreign policy through both realist and constructivist lenses, which

not only reveals the tensions between national interests and ideas, but also the ways the two

approaches compliment each other.[65] Lui argues that Canadian foreign policy has remained

predominantly realist in nature, however this theory cannot explain the growing prominence of human

rights in Canadian policy development and international relations, which is why constructivism is

relevant to the Canadian context.[66]

Feminist and anti-colonial scholars argue the field of social sciences, including international

relations, is predominately governed by the elite who seek to uphold social and political inequalities.[67]

According to academic Columba-Isabella Achilleos-Sarll, "we cannot study foreign policy without

attending to and scrutinizing colonial legacies, as well as intersectional oppressions that necessarily

inform and are central to its formulation."[68] As a result, it is imperative to rethink existing structures,

including foreign policy and intervention tactics.

Regarding Canada's history with foreign policy, the nation reflects the policies of other

western nations, including the European Union and the United States, as a result of Canada's alliances

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[62] See Doty, "Imperial Encounters."
[63] Stokke, *Western Middle Powers,* 10.
[64] Hudson, "Foreign Policy Analysis," 2.
[65] Lui, *Why Canada Cares*, 164.
[66] Ibid, 164-165.
[67] For example, Ackerly uses Joyce E. King's concept of *dysconsciousness* ("Dysconscious Racism," 133) to illustrate how the West is complacent with its own belief systems and structures, therefore human rights violations are seen as "unfounded" due to the democratic nature of the country (*Universal Human Rights*, 13). Furthermore, Ackerly states, "in order to sustain their societies, political, economic, and social changes need to take place so that all members of a society are sustained by the institutions that sustain the society" (Ibid, 103).
[68] Ackerly, *Universal Human Rights*, 36.

with numerous power-players in the international sphere. Although Canada participated in both World Wars and Cold War interventions, Canadian foreign policy has maintained an air of neutrality while balancing humanitarian aid with economic and national interests.[69] Canadian foreign policy is founded on the belief of "good global citizenship,"[70] and as a result, the nation is a member of most significant global organizations, including the UN, NATO, International Monetary Fund (IMF), World Trade Organization (WTO), and the World Bank (WB). Throughout the years, Canada gained a reputation of international peacekeeping with the goal of reproducing "Canadian Values" in foreign contexts.[71] According to scholar Alison Howell, Canadian foreign policy rhetoric paints a picture of "Canada the Good," where the "histories of colonialism, violence, and marginalization within Canada are obscured through the construction of Canada and Canadians as peaceful, tolerant, and orderly."[72] Throughout this analysis, I argue that the Canadian government upholds systems of oppression that further the marginalization of those who deviate from the *norm*, which is demonstrated in the case study of Missing and Murdered Indigenous Women and Girls (MMIWG) in Canada.

1.3 Constructing Feminist Foreign Policy

Feminist Foreign Policy (FFP) is a recent development in international relations theory. According to the Centre for Feminist Foreign Policy, FFP is defined as "a political framework centered on the wellbeing of marginalized people and invokes processes of self-reflection regarding foreign policy's hierarchal global systems" and provides a rethinking of "security from the viewpoint of the most vulnerable."[73] FFP derives from postmodern and anti-colonial feminisms, demonstrating its emancipatory potential through the rejection of the essentialism present in the field of international relations. According to Achilleos-Sarll, "We must subject foreign policy to a double critique in order to expose its imperialist and gendered underpinnings, as well as both its heterosexist structures and practices, which ultimately marginalize the relationship between gender, sexuality, and race in the

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[69] "Foreign Policy," para. 2.
[70] Ibid, para. 6.
[71] Howell, "Peaceful, Tolerant and Orderly", 54.
[72] Ibid, 49.
[73] "Feminist Foreign Policy," para. 3.

process, the production and resultant consequences of foreign policy."[74] FFP allows the exploration of tensions between normative and interest-driven contents of foreign policy documents while unpacking gender inequalities in the international sphere by challenging power hierarchies and privileges.[75] Despite its radical political agenda, FFP has permeated mainstream foreign policy, as several countries have adopted FFPs, including Sweden, Canada, France, Luxemburg and Mexico.[76]

In 2015, Sweden was the first country to adopt an explicit FFP with the goal of becoming the "strongest global voice for gender equality and for all women's and girls' full enjoyment of human rights."[77] According to researchers Karin Aggestam and Annika Bergman-Rosamond, Sweden's FFP is significant for two reasons: It has strong gender mainstreaming potential and it explicitly challenges existing power relations and hierarchies in global institutions.[78] Sweden's FFP is informed by UNSCR1325 WPS Agenda, which demonstrates how FFP is deeply rooted in these elements of foreign policy. As stated by Aggestam, Rosamond, and scholar Annica Kronsell, "This commitment is also echoed in the foreign policies of Australia, Norway and Canada, all of which have clearly expressed their ethical commitment to the WPS-agenda in their foreign policy orientation and practice."[79]

In 2017, Canada was the second country to establish such a policy directive. This policy is commonly viewed as an immense accomplishment for Canada and a model for the future of gender mainstreaming everywhere. CFIAP is seen as mediating "peace activism and soft power diplomacy within global ethical obligation, gender justice and notions of pragmatism on one hand as well as hard power to manage security threats on the other."[80] Although the two aforementioned FFPs are significant accomplishments, especially regarding gender equality, it is argued that "both Canada and Sweden can be criticized for not sufficiently matching their care for distant other women living in

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[74] Achilleos-Sarll, "Reconceptualising FP," 36.
[75] Aggestam, Bergman-Rosamond, and Kronsell, "Theorizing FFP," 27-29.
[76] "Feminist Foreign Policy," para. 3.
[77] Government Offices of Sweden, "Swedish FFP," 3.
[78] Aggestam and Bergman-Rosamond, "Swedish FFP", 323.
[79] See note 75, 28.
[80] Ibid.

conflict or poverty-struck zones with an empathetic commitment to their own indigenous or marginalized refugee populations."[81] Throughout the following examination, I expand on this argument to show the paternalistic nature of CFIAP with analyses of both internal and external human rights conditions.

There are parallels that exist between Sweden and Canada, which are virtually ignored in FFP discourse. Both countries have distinct indigenous populations, Inuit, Métis and First Nations in Canada and Sámi peoples in Sweden, who experience systemic oppression, due to the countries' colonial legacies.[82] Indigenous women and girls in both Canada and Sweden experience disproportionate levels of violence solely because they are women and are indigenous. Despite these clear discrepancies in both countries' feminist promises, these issues are rarely considered in the global sphere therefore, rendering them virtually invisible to the international community.[83]

In CFIAP, the term "feminist" is used as a gender-mainstreaming tactic by the Canadian government. Throughout this analysis, I argue that solely adding gender to the political agenda does not make this a *feminist* policy, as it fails to address power structures and ultimately, upholds oppressive systems. Gender is typically seen as apolitical and non-threatening to the status quo, and policymakers are oftentimes hesitant to consider multiple intersections of women's experiences, which can lead to the examination of race and class structures.[84] Women and girls are commonly referred to as a homogenous vulnerable group, which infantilizes women and renders other forms of oppression invisible. I argue that radical transformation is systematically blocked, as no change will be seen unless there is effective consideration of the root causes of oppression and marginalization in the global and domestic spheres. Progressive policies do not necessarily translate into practice, therefore the legacies of colonialism, patriarchy and capitalist oppression must be examined, addressed and ultimately, dismantled for systemic change to be realised.

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[81] Aggestam, Bergman-Rosamond, and Kronsell, "Theorizing FFP," 28.
[82] Thompson and Clement, "Defining FFP," 5.
[83] Kuokkanen, "Gendered Violence," 281.
[84] Ackerly, *Universal Human Rights,* 265.

2. Parameters of Research

Upon consideration of feminism and foreign policy in the Canadian context, it is crucial to examine exactly how *feminist* CFIAP is. Despite Canada's widespread reputation as "peaceful, tolerant and orderly,"[85] it is imperative to explore the ways Canada continues to sustain the legacy of colonialism. Are the policy measures that are encompassed in CFIAP reflected in national policy initiatives? And what can the treatment of indigenous groups in Canada tell us about CFIAP initiatives and intentions?[86] There is general agreement that Canada has a clearly defined FFP that extends beyond the scope of domestic affairs. Furthermore, the concept of foreign policy is relatively accepted, and gender mainstreaming has become a common device in international human rights law.[87] However, it is imperative to question whether or not this policy is *feminist* and if these values are upheld in the national context.

The research design is explicitly non-linear and utilizes theory-seeking feminist methods.[88] Furthermore, it draws on John Rawl's concept of non-ideal theory,[89] which demonstrates a commitment to continually examine the ways "seemingly separable injustices are interrelated, indivisible, and sustained through visible and invisible values and institutions."[90] This analysis is divided into two sections: The first is a discourse analysis of CFIAP to examine the external implications of the policy, and the second is a case study of the MMIWG to explore Canada's domestic practices to uncover whether they are in alignment with Canada's international feminist promise. Parallels between the two contexts are drawn in the final chapter, which allows for a greater understanding of the issue at large.

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[85] Howell, "Peaceful," 50.
[86] Thank you Katja for helping to develop this research question.
[87] Gender mainstreaming is commonly used in the UN, such as UNSCR 1325 and the UN Sustainable Development Goals (SDGs). For more information, see "Gender Mainstreaming – SDGs".
[88] Ackerly and True, *Doing Feminist Research,* 79.
[89] Rawls, *A Theory of Justice*.
[90] Ackerly, *Universal Human Rights,* 224.

2.1 Canadian Feminist Policy on the Global Scale

When using feminist methodologies, it is important to consider which "methods best enable you to change the world through your research."[91] Throughout this analysis, postmodern feminist epistemology[92] is utilized as a way to challenge the notion of objectivity as well as reject essentialist claims of women's experiences. When analyzing CFIAP, Critical Discourse Analysis (CDA) is applied to understand the meanings embedded in the text that reflect existing power relations and structures that uphold marginalization.[93] Furthermore, this method is used to uncover how language constructs meaning. When examining discourse and uncovering its power, it is evident that CFIAP is "used as a medium for theoretical and methodological discussions."[94] It is important to consider that the committee that developed CFIAP already conducted critical feminist examinations of Canada's previous foreign policies. Therefore, this analysis builds upon their findings using the lens of intersectionality and anti-colonial critical inquiry. These findings can be applied to all foreign policies, regardless if they are implicitly *feminist,* as power structures exist in all FPs.

2.2 Case Study: MMIWG in Canada

While conducting a critical feminist analysis of CFIAP, it is important to consider the policy's implications in the Canadian context. According to David Mosse, "the discourse of policy acts internally and has internal effects."[95] Canada is an excellent case study, as it is a democratic country without "significant large-scale (mainstream) human rights violations."[96] However, it is important to reflect on Canada's history of colonialism, which continues to influence national policies and the lives of indigenous peoples, especially women and girls. Throughout the years, indigenous women and girls have been explicitly discriminated against in policies, such as the *Indian Act*, and continue to be disproportionately affected by colonial violence. Over 1,000 indigenous women and girls have gone

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[91] Ackerly and True, *Doing Feminist Research,* 153.
[92] Postmodern feminist epistemology examines the social construction of concepts and theories and "questions whose interests are served by particular constructions" (Leavy, "Oxford Handbook," 143). Furthermore, this form of feminist theorizing emphasizes the importance of confronting taken-for-granted assumptions, as "the most dangerous assumptions are those we don't know we are making" (Ibid).
[93] Tiessen, "Gender Essentialism," 86.
[94] Hansen, "Security as Practice," 11.
[95] Mosse, "Is Good Policy Unimplementable?" 648-649.
[96] See note 91, 127.

missing or been murdered in Canada since the 1950s, and this number is likely to be much higher, as many cases have gone unreported.[97] The National Inquiry into MMIWG Report states, "Statistics Canada has found that *even when all other differentiating factors are accounted for,* Indigenous women are still at a significantly higher risk of violence than non-Indigenous women."[98]

This analysis considers the power dynamics present in CFIAP as well as the implications of "Canadian Values" and how it informs the cases of MMIWG in Canada. This method is effective, as comparisons generate transferable arguments regarding national values and foreign policy. Canada's national and international policies are intrinsically linked to the nation's sense of identity and the two "can only be understood in relation to one another."[99]

2.3 Constraining Opportunities

Implications of Feminist Research Conducting feminist research is more intensive and time constraining than traditional forms of qualitative research, as reflection is crucial at every stage of the process. Furthermore, feminist research continues to lack of recognition in various fields, including international relations and political science, which means that justification is required at all times during the research process. Despite these obstacles, feminist theorizing is important because it strives to drive social change and translate research beyond the bounds of the university institution.[100]

Data Collection Throughout the research process, there was no access to personal contacts and testimonies, as I was not living in Canada. If I had more time and resources, I would conduct trauma-informed research, following the lines of Feminist Research Ethics (FRE), to include feminist methods of storytelling in this analysis.[101]

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[97] National Inquiry into MMIWG, "Reclaiming Power and Place," 79.
[98] Ibid, 56.
[99] Ibid, 127.
[100] Ackerly and True, *Doing Feminist Research,* 99.
[101] Solórzano and Yosso emphasize the importance of storytelling and personal testimonies in feminist research. They call the emancipatory potential of personal testimonies "storytelling resistance", which demonstrates how people in marginalized positions can reclaim their own narratives through sharing accounts of their lived realities ("Critical Race Methodology", 26). They state, marginalized people "become empowered participants, hearing their own stories and the stories of others, listening to how the arguments against them are framed, and learning to make the arguments to defend themselves" (Ibid). This transforms racialised, gendered and classed experiences into "sources of strength" (Ibid).

COVID-19 Pandemic During the time of writing, the first wave of the COVID-19 outbreak was in full swing, which influenced the research process in many ways. There were limited opportunities for face-to-face interaction and therefore, the entire research process was completed online.

Despite these constraints, this analysis demonstrates the importance of feminist theorizing and its significant impact, not only in the academic sphere but also, its power to examine and ultimately, dismantle oppressive systems. As stated by Brooke Ackerly and Jacqui True, FRE can be used to "reform and rethink systems, with a view to incremental change rather than change for its own sake or criticism with a broad brush, since this does not address underlying power relations and issues immune to outward change in policy, program and/or institution."[102]

3. Feminist Research Ethics

When engaging in feminist theorizing, it is important to consider its implications outside of the academic sphere. As scholars, it is easy to confine ourselves and our work to academic circles, which are deeply rooted in class inequalities. Ackerly suggests shifting from certain intellectual traditions towards traditions of activism.[103] Furthermore, she states, "scholar-activist allies create means for the marginalized to have their views contribute to universalist discourse and foster respect for non-elite forms of discourse."[104] Ackerly's argument is utilized throughout this analysis, as it is imperative to shift from isolated academic discourse located in mainstream educational institutions to viewing academia as a form of activism. I am a scholar and an activist and instead of seeing this as a liability, it is crucial to consider its benefits. In feminist theory, it is important to drive change and translate research "beyond the bounds of the university institution,"[105] which is the objective of this analysis.

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[102] Ackerly and True, *Doing Feminist Research*, 247.
[103] Ackerly, "Cross-Cultural Theorists", 313.
[104] Ibid, 331.
[105] See note 102, 99.

When conducting feminist research, it is crucial for all aspects of the process to be informed by FRE.[106] This form of theorizing relies on dynamic analyses informed by continuous reflection and consideration of deliberative moments.[107] FRE establishes positionality in four aspects: Attentiveness to power, boundaries and invisibilities in epistemology, awareness of relationships and potential hierarchies, and lastly, consideration of one's own situatedness.[108] These four aspects are crucial to develop self-aware research that reflects upon and scrutinizes power relations. If power is not acknowledged, researchers may end up replicating the systems of oppression they seek to dismantle.[109]

3.1 Attentiveness to Power

I am a woman with an immense amount of privilege, as I am cisgendered,[110] able-bodied, and of European descent. To many, I have no authority writing about this issue. However, by conducting this analysis, I strive to decolonize my views and help pave the way for future generations to combat oppressive systems. According to Ackerly, curb-cutting feminism has a pedagogical promise, as it can "destabilize our own epistemological confidence"[111] which requires humility and developing just arguments.[112] I recognize the importance of individual's defining their own experiences, as many continue to be rendered invisible in mainstream feminist movements. Therefore, I am mindful of my privilege and avoid speaking for or on behalf of anyone. Rather, I assume the role as an ally to those who have been silenced and use my privilege to help dismantle systems that ultimately, maintain my own advantages.

Furthermore, as a master's student, I have a limited amount of research experience. However, as previously mentioned, I am a scholar and an activist. I believe all academics must be activists and

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[106] According to Ackerly and True, FRE provides "a lens for thinking about the ways in which the notion of an autonomous agent as either vulnerable in need of paternalistic protection or able to consent freely to participate in research is too narrow a conception of what it means to be human" (*Doing Feminist Research,* 257).

[107] Deliberative moments are significant points during the research process where the researcher pauses and reflects on their decisions as well as the entirety of the research plan (Ibid, 40).

[108] Ibid, 20.

[109] Flax, "Postmodernism," 634.

[110] Cisgender refers to "people whose gender identity and expression matches the biological sex they were assigned when they were born" (McIntyre, "Explainer," para. 2).

[111] Ackerly, *Universal Human Rights,* 138.

[112] Ibid, 125.

that both can learn a tremendous amount from each other through collaborative efforts. These factors

may diminish my credibility in the eyes of some, however according to Ackerly[113] and bell hooks,[114]

these aspects of my lived reality are advantageous to my feminist research, as scholarship and

activism are not mutually exclusive.

3.2 Recognizing and Identifying Boundaries and Invisibilities

I strive to conduct an inclusive study, informed by feminist theory and shaped by the lens of

intersectionality and anti-colonial epistemology. However, due to several constraints, this analysis

will not include an exhaustive list of axes of oppression. The main focus areas are the intersections

between gender, class and race, however I try to include as many identities as possible. I am a person

of immense privilege, but I strive to shed light on the experiences of those who have been silenced,

while continually checking my own positionality. My goal is to avoid speaking *for* anyone and

instead, question existing systems of oppression with the aim of dismantling them using my privilege.

According to scholar Linda Alcoff, "the practice of privileged persons speaking for or on

behalf of less privileged persons actually resulted (in many cases) in increasing or reinforcing

oppression of the group spoken."[115] Despite concerns regarding the act of speaking for others, Alcoff

states, "In rejecting a general retreat from speaking for, I [do not advocate for] a return to an un-self-

conscious appropriation of other, but rather that anyone who speaks for others should do so out of a

concrete analysis of the particular power relations and discursive effects involved."[116] Alcoff's

method is used throughout this analysis, as it is imperative to consistently question my own belief

systems that are deeply entranced in the legacy of colonialism.

3.3 Attentiveness to Relationships

My relationship with my supervisor, Katja Žvan Elliott is well established, as we share similar

research interests. Honesty and support are at the heart of our collaboration. As academia can fuel

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[113] Ackerly, *Universal Human Rights.*
[114] hooks, *From Margin to Center.*
[115] Alcoff, "Speaking for Others," 7.
[116] Ibid, 24

competitiveness between scholars, there were times throughout this process that I felt intimidated by those who previously conducted research on this topic. However, this is a deeply entrenched belief that must be acknowledged, processed and discarded, as was done throughout the writing process. It is crucial to recognize the ways collaboration with other academics has the potential to make research endeavors more meaningful.

3.4 My Own Situatedness

When assuming the role as a researcher, it is imperative to combat the reproduction of oppression within academia. Throughout this analysis, I communicate in ways that are accessible to most audiences, not only those who completed formal post-secondary education. According to Ackerly, it is important to "articulate and disseminate in accessible language analytical tools that can enable activists and analysts to move from bumping into each other to informing each other."[117]

During the research process, I encountered deliberative moments concerning ethical decision-making. As this analysis consists of a case study of the MMIWG in Canada, I was careful to complete ethical and trauma-informed research.[118] It is for this reason I chose not to conduct interviews or extract qualitative data for my own research gains.[119] Furthermore, there is careful consideration of the potential impacts of this research on marginalized communities. Upon submission and defense, I intend to disseminate and circulate the following research findings to various communities and non-profit organizations so they can use the information for their own purposes, if they choose to do so.

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[117] Ackerly, *Universal Human* Rights, 191
[118] McGregor, "Indigenous and Intercultural Research".
[119] Ackerly and True, *Doing Feminist Research,* 19-22.

CHAPTER TWO: Canada's Feminist International Assistance Policy

1. Overview

"After a year of consultations involving more than 15,000 people in 65 countries,"[120] the Liberal Party of Canada implemented CFIAP, replacing the previous foreign policy developed by Stephen Harper's Conservative government.[121] CFIAP labels itself as an International Assistance Policy, rather than a foreign policy, which emphasizes the importance of "helping to eradicate poverty and vulnerability around the world" to enhance Canadians' "own safety and prosperity."[122] The policy demonstrates a clear link between the UN Sustainable Development Goals (SDGs), with gender equality (SDG 5) as the central focus. CFIAP explicitly states, "We are committed to helping achieve the SDGs in Canada and in developing countries,"[123] and that "Canada's Feminist Vision" is to help eradicate poverty around the world.[124]

CFIAP's core action area is Gender Equality and the Empowerment of Women and Girls. The policy also includes five additional action areas: Human Dignity (health and nutrition, education, and humanitarian action), Growth that Works for Everyone, Environment and Climate Action, Inclusive Governance, as well as Peace and Security. As stated throughout the policy, "Within each action area, Canada recognizes the importance of gender equality and the role that empowered women and girls can play in building a better future for themselves and for their entire communities."[125] Furthermore, the policy includes "Policy in Action" segments to demonstrate the positive effects of CFIAP around the world. Although CFIAP contains progressive rhetoric and focuses on women and girls, the policy is criticized as not producing tangible results.[126]

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[120] GAC, "CFIAP," ii.
[121] See Chapnick and Kukucha, *The Harper Era*.
[122] See note 120, vi.
[123] Ibid, 7.
[124] Ibid, 8.
[125] Ibid, 14.
[126] See Thompson and Asquith, "One Small Step," Tiessen, "What's New," Nacyte, "Security for Whom," and Sinclair, "The Good, The Bad."

The language used throughout CFIAP is reflective of UNSCR1325, which "calls on all countries to address the differential impact of conflict situations on women and girls, and their participation in peace building efforts."[127] Despite its positive impact regarding the inclusion of women in peace building processes, feminist scholars critique the WPS agenda for its lack of inclusivity. According to Aggestam, Bergman-Rosamond and Kronsell, "the WPS agenda is not in any way exhaustive of what a feminist foreign policy entails."[128] WPS rhetoric is also present within Canada's National Action Plan. The Action Plan "includes targets and activities for development assistance, humanitarian action, and peace and security initiatives,"[129] which are also reflected in CFIAP. Gender essentialism is prominent throughout the National Action Plan therefore, it is oftentimes critiqued as correlating women with peace efforts. Within the document, it is stated "Because men and women experience conflict and understand peace differently, women bring a different perspective to resolving conflict and building peace."[130] This language is highly problematic and will be examined throughout this chapter.

One of the main elements of CFIAP is foreign development aid. Historically, foreign aid has been used "to help developing countries integrate into the global economy through the building of infrastructures to support trade and investment."[131] Furthermore, "a consequence of the primary objective of economic growth is the advancement of social benefits such as health, nutrition, education and poverty alleviation."[132] According to scholar Clair Apocada, foreign aid is deemed a failure when it does not "advance economic development and growth," as "donors are more concerned with economic or political motives than with the development of the recipient country."[133] Apocada argues that prior to the implementation of CFIAP, foreign aid focused on increasing national income rather than poverty mitigation, and women's role in the public sphere was virtually

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[127] GAC, "CFIAP," 58.
[128] Aggestam, Bergman-Rosamond and Kronsell, "Theorizing FFP," 28.
[129] See note 127.
[130] GAC, "National Action Plan," 3.
[131] Apocada, "The Effects of Foreign," 205.
[132] Ibid.
[133] Ibid, 215.

invisible.[134] However, FFPs, including CFIAP, shift this rhetoric and "facilitate women's rights and needs by mandating that programs specifically consider roles in development and by designating women's rights as a goal of development."[135] This is divergent from the foreign policy implemented by Stephen Harper's Conservative government.[136]

Although CFIAP demonstrates an overt shift from Conservative discourse of the "image of caring for innocent victims" to the Liberal's preoccupation with "the most marginalized,"[137] the Liberals have "largely retained Conservative practices, contenting themselves with reframing some of the language…without necessarily modifying practice very much."[138] However, this is commonplace within liberal ideology. According to MacKinnon, "liberalism applied to women has supported state intervention on behalf of women as abstract persons with abstract rights, without scrutinizing the content and limitations of these notions in terms of gender."[139]

Throughout this chapter, I conduct a critical discourse analysis of CFIAP to uncover its *feminism*, in terms of intersectional and anti-colonial feminist theorizing. I begin by defining discourse analysis and explore the parameters of the research method. The connection between discourse analysis and FPA is later drawn to demonstrate the importance of exploring the rhetorical implications of policy documents. This method is effective to uncover whether or not CFIAP accomplishes its feminist goals, both in theory and practice. Moreover, it is a way to explore, what Donnelly terms the "excessively grand rhetoric"[140] present within the policy document.

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[134] Apocada, "The Effects of Foreign," 207.
[135] Ibid, 216.
[136] See Chapnick and Kukucha, *The Harper Era*. Harper's government was in power from 2006-2015. During this period, the Conservatives "pursued an aggressive international trade agenda" (15) and prioritized the relationship between Canada and the US (17). Furthermore, there was little investment in partnerships with civil society (18). Although a "gendered narrative" existed in Harper's foreign policy initiatives, they were "aimed at specific constituencies" (18). The ultimate goal of foreign policy during the Harper Era was to increase national income and GDP.
[137] Brown, "All About That Base," 158.
[138] Ibid.
[139] MacKinnon, *Theory of State*, 160.
[140] Donnelly, *Universal Human Rights*, 171.

2. Discourse Analysis

2.1 Discourse Analysis as a Research Method

Discourse analysis is used to uncover the meanings embedded in texts and to critically examine how language constructs and reinforces power relations. According to Patricia Leavy, discourse analysis is used to examine socio-political content that creates "particular discourses and discourages other constructions and linguistic practices."[141] In feminist epistemology, discourse analyses help identify dominant and marginalized discourses and examine how "women position themselves in the available discourses."[142] Furthermore, the researcher strives to uncover "inconsistencies, contradictions or ambivalence in women's accounts of their experiences" to understand how meaning is "produced, rather than revealed" and how individual's experiences are "located in complex network[s] of power relations."[143] In FPA, discourse analyses are used to understand the meanings behind the discourse and to examine how social movements and policymakers frame their arguments.[144] Lene Hansen's four steps to conducting discourse analysis inform this examination,[145] as they demonstrate how discourse is shaped by power structures and constructions of "otherness."

Discourse analyses are effective ways of uncovering silences in narratives therefore, feminist theorizers commonly use this form of inquiry. According to Rebecca Tiessen, "Focusing on gender inequality requires more effort than merely identifying women as members of vulnerable groups; it also necessitates an enactment of what might otherwise have been politically motivated rhetorical commitments."[146] Moreover, Carol Bacchi identifies "Dual-Focus Agenda" approach to discourse theory as a way to reflect on both "the discourses within which we operate, and examination of the active deployment of concepts and categories for political purposes," which are essential when

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[141] Leavy, *Oxford Handbook*, 151.
[142] Ibid.
[143] Ibid, 151-152.
[144] Ackerly and True, *Doing Feminist Research,* 196-197.
[145] See Hansen, *Security as Practice*. The steps are: 1) Examination of identities that assume "otherness"; 2) Analysis of possible inconsistencies between these constructions; 3) Analysis of the differences between the rhetoric of identity formation and question how these shift over time; and 4) Consideration of the greater political and social debates that contain these discourses (37-38).
[146] Tiessen, "Gender Essentialism," 85.

conducting feminist research.[147] Jane Flax focuses on postmodern feminist theorizing, a method that is deconstructive, as it seeks to "distance us from and make us skeptical about beliefs concerning truth, knowledge, power, the self, and language that are often taken for granted within and serve as legitimation for contemporary Western culture."[148] Furthermore, postmodernism "articulates a subject that is subjected to multiple discursive formations" which emphasizes the emancipatory power of discourse, as "subjects who are subjected to multiple discursive influences create modes of resistance to those discourses out of the elements of the very discourses that shape them."[149]

Discourse is very powerful, as it can reflect existing power relations while also challenging them. It is crucial to consider the actor(s) who define the policy, whose voice(s) is/are heard and whose interests are served. Myra Marx Ferree highlights the power of discourse and notes the importance of discourse in political activity. Ferree states, "Laws, constitutions, treaties and directives thus form policy frameworks that are historically constructed, path-dependent opportunity structures for the discursive struggles of the present time."[150] Oftentimes, rhetoric is shaped by what Daniel G. Solórzano and Tara J. Yosso call "majoritarian stories" which reinforce power structures. Majoritarian stories utilize master narratives, which draw on notions of cultural essentialism and render the complexities of group dynamics, invisible.[151] Language is deeply embedded in stereotypes and therefore, informs decisions and social interactions. The scholars state, **"**Standard, majoritarian methodology relies on stock stereotypes that covertly and overtly link people of color, women of color, and poverty with 'bad,' while emphasizing that White, middle- to upper-class people embody all that is 'good'."[152] While gender stereotypes are deeply maintained in discourse, it is crucial to examine the ways in which race, class, ability, and other lived realities inform these narratives.

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[147] Bacchi, "Discourse," 208.
[148] Flax, "Postmodernism," 624.
[149] Hekman, "Reconstituting the Subject," 51.
[150] Ferree, "Inequality, Intersectionality," 87-88. Additionally, Gatens defines social imaginaries as, "the images and narratives that help construct meaning, belonging and identity for the members of a given community" ("Can Human Rights Accommodate," 286).
[151] Solórzano and Yosso, "Critical Race," 27.
[152] Ibid, 29.

2.2 Discourse Analysis and CFIAP

The exploration of the discourse present in foreign policy documents is crucial to uncover the naturalized meanings present in global and national politics as well as social contexts. According to Achilleos-Sarll, "Exploring foreign policy as a practice that is socially produced means that it is necessary to cast a light on the ways foreign policy, both as a concept and when it is performed, is produced by ideas and logics of gender, sexuality and race residing in particular spatio-temporal contexts."[153] Throughout this analysis, I utilize the Achilleos-Sarll's alternative method of FPA, "Postcolonial Feminist Approach", which explores how gender interacts with other social categories.[154] The researcher states, "These relationships are neither frozen in time nor are they peripheral to foreign policy, rather they are context specific, hierarchical, and rely on and are sustained by structures of both domination and oppression."[155]

It is important to consider the history of foreign policy development and ways that realism informs policy creation. While FFP prioritizes ethics and the humanitarian aspects of foreign intervention, foreign policy continues to reflect state interests, which may cause trade-offs between the two elements. FFP follows ethics of care, which highlights the importance of "empathetic cooperation" as a way of "opening up for a global ethic and concrete expressions of politics, which do not privilege statist interests and notions of security."[156] Furthermore, it is crucial to analyze the discourse present in policy documents, as politics are seen as a "struggle of interpretation over who, what and how to politicize" as well as a "struggle for representation of needs, problems, and identities"[157] in order to "establish them in the public sphere and as legitimate in relation to state action."[158] Political power is not only about organizational membership, but also, "the ability to put one's own interpretation of social relations and problems on the political agenda and thus, push for

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[153] Achilleos-Sarll, "Reconceptualising FP," 40.
[154] Ibid, 42.
[155] Ibid.
[156] Aggestam, Bergman-Rosamond and Kronsell, "Theorizing FFP," 33.
[157] Kulawik, "Staking the Frame," 265.
[158] Ibid, 269.

one's own solutions and proposals."[159] According to Tiessen, "discourse affects how programs and projects are developed, thereby demonstrating the political impact of discourse as language begins to shape social realities, and the internalization of 'truths' translates into political actions taken by governments."[160]

Upon completion of a CDA of CFIAP, five categories were identified and problematized: Canadian values, the use of gender and cultural essentialism, neoliberal ideologies and paternalism, victim rhetoric, and lastly, the maintenance of existing structural inequalities. Throughout the following section, these five categories of analysis are examined to inform the reader about CFIAP's feminism, which can highlight the policy's implications both inside and outside of the country. It is notable to mention that 42 out of 71 photographs included within the document are sourced from stock photo websites, which implicitly demonstrates disconnect between policy and practice,[161] while also positioning human rights as exotic.[162] Furthermore, as noted by Tiessen, the language used throughout CFIAP is strategic and frames the policy as progressive. The word 'new' is mentioned 40 times, and the word 'innovative' is mentioned 10 times.[163] This frames CFIAP as a progressive policy, therefore labelling Canada as a 'leader' in promoting feminist international assistance. According to Tiessen, "it is clear that the rhetoric of innovation and newness frame the messaging while the content and commitments suggest the FIAP is 'more of the same' in terms of past policy priorities, conceptual ambiguity and missed opportunities."[164]

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[159] Kulawik, "Staking the Frame," 265-266.
[160] Tiessen, "Gender Essentialism," 100.
[161] See Mosse, "Is Good Policy Unimplementable?" 640-667. In the scholar's view, "Policy is an end rather than a cause; a result, often a fragile one, of social processes" and "most agencies are bound to a managerial view of policy which makes them resolutely simplistic about (or ignorant of) the social and political life of their ideas" (663; 667).
[162] In addition to discourse, it is imperative to consider the implications of the visuals used throughout CFIAP. For example, consider the stock photo image (Figure 1) in connection to the photo included in CFIAP (Figure 2). I went on the Shutterstock website and looked up the words "young," "girl," "African," "drinking," "tap," and "water," and this photo was the first to appear in the search results. The actual description of the photo is "Beautiful African child drinking from a tap (Water Scarcity Symbol)." This is a clear example how stock photos exoticise human rights and as the photo is used by GAC, the Canadian government also implicitly engages in the practice. GAC frames human rights violations as exotic issues, separate from Canadian society, which renders injustices within national borders invisible.
[163] Tiessen, "What's New," 3.
[164] Ibid, 10.

3. The Five Themes Present in CFIAP

3.1 Canadian Values

In CFIAP, there is extensive focus on "Canadian Values," as the document explicitly states, "Canada's Feminist International Assistance Policy is a reflection of who we are as Canadians."[165] In the message from Minister of Foreign Affairs, Chrystia Freeland,[166] it is stated, "Canadians are safer and more prosperous when more of the world shares our values," which are values of feminism as well as the promotion of rights of women and girls.[167] Besides the aforementioned, CFIAP does not explicitly identify "Canadian Values," however it can be discerned that these values include human dignity, environment and climate action, democracy, human rights and rule of law, as well as peace and security,[168] which are also present in previous Canadian foreign policy initiatives.

Historically, Canadian foreign policy documents have established a strong sense of national identity by explicitly highlighting Canadian values. In 1995 FP review, *Canada in the World*, it was frequently stated that Canada has a strong desire to "promote Canada's values and interests in the world" while utilizing the method of "responsibility to protect."[169] During this time, Canadian values were identified as respect for human rights, democracy, rule of law and the environment[170] in addition to commitments to tolerance, equity, peaceful resolution of differences, opportunities and challenges of the marketplace, social justice, sustainable development and poverty mitigation.[171]

The 2003 *Dialogue on Foreign Policy* also focuses on Canadian values. The document expresses a deep commitment to the nation's ally ship with the United States, based on shared values of freedom, tolerance, and respect for cultural diversity,[172] while at the same time, stressing the

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[165] GAC, "CFIAP," 75.
[166] Freeland served as Minister of Foreign Affairs from 2017-2019. However, François-Phillipe Champagne was appointed in 2019.
[167] See note 165, i.
[168] Ibid, iii.
[169] GOC, "Canada and the World," i.
[170] Ibid, ii.
[171] Ibid, 8.
[172] GOC, "A Dialogue," 6. However, this is contested given the United States' poor human rights record, especially regarding ongoing racial profiling and police brutality.

nation's uniqueness from its neighbour state.[173] The values present in the 1995 document remain in this policy while adding, "Canada's foreign policy agenda must reflect the nation we are: a multicultural, bilingual society that is free, open, prosperous and democratic."[174]

Finally, Global Affairs Canada 2005 *Foreign Policy Statement* includes the aforementioned values with particular focus on prosperity, security and responsibility.[175] The "Canadian way" is emphasized and a strong desire for humanitarian intervention is expressed in the statement, "While we can speak the language of toleration and negotiation, we are also prepared to stand up for our principles— especially when they are under siege abroad."[176] This demonstrates Canada's use of "soft-smart diplomacy," with a "balance between traditional power politics and ethically-informed foreign policy practices."[177] This is especially evident in gender policies, as they provide ethical justification for foreign military intervention.[178]

Canada's Self-Definition

The rhetoric present in CFIAP informs Canada's self-image. Oftentimes, there is a correlation between Canada and morality, as seen in the statement, "program evaluations have demonstrated a diminishing focus on gender equality over time, especially over the past decade…This does not match the ambitious and positive role that Canadians *expect* their country to play on the world stage."[179] According to Dan Bulley, "Morality depends upon who and what the collective 'we' considers itself to be; who or what it constructs as other, as different to its 'self'; and how that 'we' envisages its obligations and duties to that other."[180] Canadian policies tend to "represent Canada as a coherent nation marked by peacefulness, tolerance, and order,"[181] with the nation's "goodness work" masking

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[173] Lee, "Canadian Values," 4.
[174] GOC, "A Dialogue," 13.
[175] GOC, "Canada's International Policy Statement," 4.
[176] Ibid, 5.
[177] Aggestam and Bergman-Rosamond, "FFP 3.0," 39.
[178] Bergman-Rosamond, "Protection Beyond Borders," 320.
[179] GAC, "CFIAP", 71 - *Emphasis added*. Furthermore, Aggestam and Bergman-Rosamond state, Canada is entrenched with "Firmly embedded self-narrative[s] of a democratic and peaceful state defined by gender justice and a wish to protect women, girls, and other marginalized groups beyond borders" (See note 177, 41).
[180] Bulley, "Foreign Policy as Ethics," 173.
[181] Howell, "Peaceful," 50.

violent actions abroad and histories of marginalization inside of Canada.[182] As stated by current

Minister of Foreign Affairs, François-Phillipe Champagne, "it is what the international community

expects from Canada"[183] and "our reputation and credibility rest on our ability to demonstrate to our

partners and allies how—in concrete terms—our principles and values guide our diplomacy."[184]

Howell identifies how discourse influences Canada's self image and international status by

highlighting the nation's altruistic, tolerant, and respectful reputation. However, these narratives must

be disrupted, as "Canadian values are implicated in obscuring histories of gendered and racialized

violence in Canada, and how they construct the nation in particular ways that enjoin Canadians to

govern themselves according to liberal subjectivity."[185] This is done through the case study of

MMIWG in Canada. Furthermore, it is important to problematize the construction of Canadian

identity through the use of foreign affairs, as this can lead individuals to "become fully self-governing

virtuous liberal citizens and to live up to the standards of liberal behaviour set out in discourses of

Canadian values."[186] This is strategic for the nation in the international sphere, because for a "state to

admit that some groups are excluded, oppressed or rebellious would put in question the state's

legitimate authority to speak for those groups in international contexts."[187]

Hierarchy of Civilizations[188] and Hypocrisy

In framing itself as tolerant, peaceful and orderly,[189] Canadians subscribe to the belief that they have

the authority and credibility to determine what is best for other nations, therefore disempowering

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[182] Howell, "Peaceful," 49.
[183] Champagne, "Address," para. 18. *Emphasis added.*
[184] Ibid, para. 21.
[185] See note 182, 55.
[186] Ibid, 62.
[187] Kymlicka, "Marketing Canadian Pluralism," 830.
[188] Alcoff, "The Problem," 26. I use Alcoff's "hierarchy of civilizations" to demonstrate the implications of framing Canada as "heroic" and "good" (Ibid). According to Alcoff, "In a situation where a well-meaning First World person is speaking for a person or group in the Third World, the very discursive arrangement may re-inscribe the 'hierarchy of civilizations' view where the United States lands squarely at the top" (Ibid). Furthermore, "This effect occurs because the speaker is positioned as authoritative and empowered, as the knowledgeable subject, while the group in the Third World is reduced, merely because of the structure of the speaking practice, to an object and victim that must be championed from afar, thus disempowered" (Ibid).
[189] See note 182.

"Third World subjects."[190] According to Denis Stairs, Canadian values are oftentimes "abandoned whenever a competing self-interest comes down the pike."[191] This highlights the conflicting ideologies present in CFIAP between state interests and altruism as well as feminist ethics. For example, both Sweden and Canada, countries with explicit FFPs, actively engage in the arms trade with "non-democratic countries famous for the promotion of women's human rights abuses."[192] According to Tiessen, "the goals of a feminist international assistance policy are simultaneously contradicted by selling military weapons to Saudi Arabia in light of that country's human rights abuses and lack of gender equality practices."[193] It is important to consider these elements when assessing the Canadian values present within CFIAP and previous foreign policy initiatives.

3.2 Gender and Cultural Essentialism

Two notable trends present throughout CFIAP are gender essentialism and cultural essentialism. Essentialism is used as a way to confront the complexities of lived realities therefore, attempts to "reduce these to simple, unified, and undifferentiated wholes."[194] This concept is extremely problematic as it homogenizes certain groups and freezes them in time and space, reducing individual agency and the complexities of interpersonal relations and power dynamics. The language present in CFIAP often refers to vulnerable groups, most commonly women and children, and oppression in "vulnerable states,"[195] which essentializes women as a group, especially those living in the Global South.

Gender Essentialism

Gender essentialism "contributes to a simplified narrative that universalizes and homogenizes the category of 'women' around shared experiences, interests and oppressions; thus leading to the assumption that policies increasing women in decision-making will lead to more 'women-friendly'

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[190] Alcoff, "The Problem," 26. Although Alcoff uses the case of the United States, this can also be extended to Canada, as the two nations share neoliberal values.
[191] Stairs, "Myths, Morals," 248.
[192] Thompson and Clement, "Defining FFP," 6.
[193] Tiessen, "What's New," 5.
[194] Flax, "Postmodernism," 624.
[195] GAC, "CFIAP," vii.

policies."[196] CFIAP essentializes women through peace and security policies as well as the universalization of women's experiences.

It is common for policymakers to equate women with peace and security, due to deeply entrenched beliefs about the correlation between femininity and caregiving. As stated in CFIAP, "we believe that women and girls have a vital role to play in establishing and maintaining peace in their communities—a necessary precondition for stronger economic growth."[197] The word "peace" is included in the policy document 57 times and "peaceful" 12 times. Barbara Ehrenreich disrupts this narrative by highlighting, "women have proved themselves no less susceptible than men to the passions of militaristic nationalism."[198] Continuously, Flax states, "Perhaps women are not any less aggressive than men; we may just express our aggression in different, culturally sanctioned (and partially disguised or denied) ways."[199] This problematizes arguments claiming women are more peace inclined than men.

Although CFIAP *acknowledges* the diversity of women's experiences, the policy ultimately universalizes the realities of women, especially those living in the Global South.[200] The word "woman/women" is used 395 times throughout the policy, without much distinction between women's lived realities, including Canadian nationals. Scholar Moira Gatens argues, "The spur to fight for social change is endemic to the places and times in which actually existing women fight for historically and culturally specific causes."[201] Furthermore, Chandra Talpade Mohanty problematizes the notion of "the Average Third World Woman," which essentializes "women as a coherent, already constituted group which is placed in kinship, legal and other structures, [and] defines third world

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[196] Achilleos-Sarll, "Reconceptualising FP," 45. For more on gender essentialism, see Flax, "Postmodernism" and Tiessen, "Gender Essentialism."
[197] GAC, "CFIAP," 8.
[198] Ehrenreich, "Men Hate War Too," 121.
[199] Flax, "Postmodernism," 641.
[200] This is exemplified in the statement: "Our approach focuses on the goal of poverty eradication and on the empowerment of women and girls and promotion of gender equality as the most effective approach to achieving this goal" (See note 197, 13). Also, "I will speak up for the poorest and most vulnerable, especially women and girls, and they can count on the commitment and expertise of our team in Canada and in our missions around the world, as well as the support of our many Canadian partners, with whom we are strengthening our collaboration" (iii).
[201] Gatens, "Can Human Rights," 286.

women as subjects outside of social relations, instead of looking at the way women are constituted as women through these very structures."[202]

Cultural Essentialism

According to Saladin Meckled-García and Basak Cali, cultural essentialism occurs when some cultural practices "come to occupy our imaginations in ways that are totalizing of a culture and its treatment of women, and are nearly always overly simplistic or a misrepresentation of the practice."[203] Although more implicit than previous Canadian foreign policy documents, CFIAP maintains notions of gender essentialism and stereotypes, especially regarding women and their "lack" of agency in the Global South due to cultural practices.[204]

Throughout CFIAP, 'us versus them' rhetoric is used to establish deep disconnect between Canadians and those living in the countries that receive humanitarian aid. For example, in the message from Freeland, she states, "Today, as Canadians, *we* have a great opportunity to *help the people* of the world's developing countries join the global middle class and the multilateral system that supports it."[205] The word "them" is used 16 times, "themselves" is used 3 times, and "their" is used 131 times. This exemplifies the clear distinction between donors and beneficiaries of international aid and implicitly portrays women in the Global South "as victims of their culture, reinforcing stereotyped and racist representations of that culture and privileging the culture of the West."[206] Furthermore, this phenomenon is used as a form of "'culture blaming' that depoliticizes social problems and diverts

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[202] Mohanty, "Under Western Eyes," 351.

[203] Meckled-García and Cali, *The Legalization*, 107.

[204] Some examples are: "In many countries, a mix of discriminatory laws and policies, coupled with inadequate services and harmful cultural practices, limits the sexual and reproductive health and rights of women and girls" (GAC, "CFIAP," 23). Furthermore, "Discrimination against women and girls often extends beyond societal norms and practices and is enshrined in policies and laws" (50).

[205] Ibid, i. *Emphasis added.*

[206] See note 203. This is exemplified in cases where CFIAP identifies "harmful cultural practices". For example, "Female genital mutilation/cutting is a persistent threat as well. There are now an estimated 200 million girls and women who have been subjected to this practice, in 30 countries around the world" (See note 204, 5).

attention away from the ways in which practices are supported and sustained by the structure of the global economy."[207]

Western cultural imperialism is synonymous with colonialism, a legacy that cannot be aligned with feminist movements.[208] However, this phenomenon is present within CFIAP by the way in which issues are framed throughout the policy. For example, the six action areas are communicated in manners that benefit women and girls in recipient countries, however it is important to question who sets the standards of democracy, human rights, and rule of law. Throughout CFIAP, the word "fragile" is used 13 times to describe countries receiving humanitarian aid despite cases of human rights violations in Western nations, including Canada. As noted by Mohanty, this rhetoric is strategic, because "Without the over determined discourse that creates the third world, there would be no (singular and privileged) first world… [And] without the 'third world woman,' the particular self-presentation of Western women mentioned above would be problematical."[209] Furthermore, CFIAP uses discourse that frames gender inequality as a cultural issue, rather than a result of unequal power structures.[210] As highlighted by Ratna Kapur, this discourse "encourages some feminists in the international arena to propose strategies which are reminiscent of imperial interventions in the lives of the native subject and which represent the 'Eastern' woman as a victim of a 'backward' and 'uncivilized' culture,"[211] which is extremely problematic and ultimately undermines feminist ethics.

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[207] Robinson, "Ethical Foreign Policy," 11. See also Edward Said's "Orientalism", as a way to designate "a familiar space which is 'ours' and an unfamiliar beyond 'ours,' which is 'theirs,' is a way of making geographical distinctions that *can be* entirely arbitrary" (167).

[208] This is the case of feminisms that are informed by anti-colonial epistemology and intersectionality. Some branches of feminism, especially white feminism, seek to uphold race and class structures, as they are the ones who benefit from the oppression of others. hooks is very critical of white feminism, as they maintain inequalities by mystifying "women's reality by insisting that gender is the sole determinant of women's fate" ("From Margin to Center," 15).

[209] Mohanty, "Under Western Eyes," 353.

[210] Examples of this phenomenon are: "More and more Afghans recognize that violence-free families are healthier, better educated and more prosperous. With the support of society as a whole, women and girls will be empowered for the good of all" (GAC, "CFIAP," 21). Furthermore, "In developing countries, girls who have completed seven years of schooling will, on average, marry four years later and have, on average, two fewer children. Later marriage and smaller families make it easier for women to break the cycle of intergenerational poverty" (26). Lastly, "Issues surrounding governance can be complex and are deeply rooted in the society in which citizens live. The policies, laws, procedures, norms, beliefs, practices and attitudes that support gender inequality can be difficult to challenge and to change" (49).

[211] Kapur, "The Tragedy," 6.

3.3 Neoliberal Ideologies and Paternalism

In nations that support neoliberal ideologies, it is common for members of parliament, policymakers and civilians to become complacent with their own attitudes and value systems. This includes the belief that human rights violations are unfounded due to the democratic nature of the nation.[212] This phenomenon is known as what scholar Joyce E. King refers to as "dysconsciousness."[213] According to King, "The ability to imagine a society reorganized without racial privilege requires a fundamental shift in the way White people think about their status and self-identities and their conceptions of Black people."[214] It is imperative for people in privileged positions to engage in liberatory pedagogies of the elite[215] in order to combat white guilt.[216] CFIAP upholds dysconscious beliefs, as the policy does not question deeply entrenched neoliberal values that exist in the Canadian context that maintain marginalization and admit "no fundamentally alternative vision of society."[217] For example, the ethically motivated nature of CFIAP places "'barbaric' cultures against enlightened Western morality" and is deeply entrenched with "neo-colonial logics and racial hierarchies that perpetuate, rather than transform, global inequalities."[218] CFIAP renders human rights violations that occur in Canada invisible as issues are framed in ways that distance Canada from the countries that receive humanitarian aid.[219]

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[212] Ackerly, *Universal Human Rights,* 13.

[213] Dysconsciousness is "an uncritical habit of mind (including perceptions, attitudes, assumptions, and beliefs) that justifies inequity and exploitation by accepting the existing order of things as given" (King, "Dysconscious Racism," 135). This is commonly used when concerning issues related to race, however it can be applied to a variety of experiences where belief systems are left unchallenged, especially in the Global North.

[214] Ibid, 135-136.

[215] This challenges people's "taken-for-granted ideological positions and identities and their unquestioned acceptance of cultural belief systems which undergird racial inequity" (Ibid, 134). It is also considered a "liberatory praxis that will enable teacher education students to examine what they know and believe about society, about diverse others, and about their own actions" (Ibid).

[216] White guilt is defined as "Feelings of guilt and hostility suggests they accept certain unexamined assumptions, unasked questions, and unquestioned cultural myths regarding both social order and their place in it" (Ibid, 136).

[217] See note 212.

[218] Robinson, "Ethical Foreign Policy," 11.

[219] For example: "In many of the world's poorest countries, in comparison to men and boys, women and girls face greater burdens of unpaid work, have fewer assets and resources, are exposed to higher rates of sexual and gender-based violence, and are more likely to be forced into early marriage" (GAC, "CFIAP," 4). In Canada, many women lack access to resources and are survivors of GBV. As a result, these issues should be considered inside and outside of Canada.

Neoliberalism[220] is a common ideology and value system in Western nations. As stated by Michael Goodhart, in the "developed and developing worlds alike, neoliberalization is eroding social and economic protections and threatening human rights."[221] Moreover, "The essentialist framework obfuscates this commonality with claims about Western versus non-Western and individual versus communal values, making it difficult to recognize neoliberalism as a threat to values like social welfare and community cohesion wherever and in whatever form they are realized."[222] Neoliberal ideologies emphasize the importance of liberal interventionism, especially regarding "vulnerable" groups such as women and girls, as well as state and individual interests, which oftentimes prioritize the economy over human rights.

Liberal Interventionism as a Form of Paternalism

Within liberal intervention discourse, women are commonly viewed as victims and men are seen as violent, which also carry sexual and racialized connotations.[223] Moreover, according to Achilleos-Sarll, liberal interventionist discourse "directs attention away, and disconnects foreign policy, from the domestic context and the violent practices and discourses that are experienced therein thus producing a moral superiority… [which] reinforces a complete separation between domestic and foreign policies, in affect denying the continuum of violence."[224] Western states tend to make moral assumptions about "others" in order to justify state intervention, which follows distinctly paternalistic lines.[225] Although CFIAP has succeeded in shifting an immense amount of the paternalistic belief systems and intervention tactics present in previous foreign policy documents, including *Canada in*

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[220] Neoliberalism is an "ideology and policy model that emphasizes the value of free market competition…In particular, neoliberalism is often characterized in terms of its belief in sustained economic growth as the means to achieve human progress, its confidence in free markets as the most efficient allocation of resources, its emphasis on minimal state intervention in economic and social affairs, and its commitment to the freedom of trade and capital" (Smith, "Neoliberalism," para. 1).

[221] Goodhart, "Origins and Universality," 961.

[222] Ibid. Furthermore, it is noted that "Social welfare rights, equal rights and respect for women and minority groups, genuine religious toleration, and a range of other 'progressive' ideals commonly held to clash with 'traditional' values were just as alien to the West as they have been elsewhere—and in important respects remain so" (957).

[223] Achilleos-Sarll, "Reconceptualising FP," 38.

[224] Ibid. Furthermore, "these 'foreign' and 'domestic' instances of violence cannot be separated: gender power shapes linked dynamics that foster violence from the household to the international arena" (Ibid).

[225] According to Talbott, "A law is paternalistic when it is enacted to promote the good of those targeted by the law by *overruling* their own judgment about what is good for them. A law is an instance of *self-reinforcing paternalism* when one of its effects is to prevent its targets from being able to make their own judgments about what is good for them, on the grounds that it is better for them not to make their own judgments about what is good for them" (*Which Rights,* 117).

the World,[226] the feminist policy still upholds these beliefs that are deeply entrenched in Western

nations. The term "most vulnerable" is used 16 times throughout CFIAP, which supports beliefs of

Canadian moral superiority.[227] This discourse also implies that women and girls in the Global South

do not know what is best for them and require assistance from Western nations, like Canada.[228]

According to William Talbott, in order to rid of the paternalistic nature of liberal interventionism,

"one must be willing to make the effort to empathetically understand the roles occupied by members

of the other culture."[229]

Economic Interests

As expressed at the beginning of the policy document, CFIAP is "a truly feminist approach that

supports the economic, political and social empowerment of women and girls, and makes gender

equality a priority, for the benefit of all people."[230] Although gender equality and inclusion of women

and girls is a priority, CFIAP maintains the nation's economic interests at the forefront of the policy.

The words "economic/economics/economically" are mentioned 76 times throughout the document,

which demonstrates how the policy is "a means to encourage and sustain economic development first

and foremost."[231] According to Achilleos-Sarll, this phenomenon is unsurprising, because when

"governments engage with feminist theory, it is liberal feminist ideas that are most compatible with

the ideas of neoliberal state institutions and market ideologies" which are most likely to "become

embodied in foreign policy practice and discourse."[232] Throughout CFIAP, many initiatives are

shaped by free-market trade and GDP, therefore implicitly framing capitalism as the solution to

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[226] For example, "Finally, it is one of the clearest international expressions of Canadian values and culture - of Canadians' desire to help the less fortunate and of their strong sense of social justice - and an effective means of sharing these values with the rest of the world" (GOC, "Canada in the World," 40).

[227] This is demonstrated in the Minister of International Development, Marie-Claude Bibeau's message, "I will speak up for the poorest and most vulnerable, especially women and girls, and they can count on the commitment and expertise of our team in Canada and in our missions around the world, as well as the support of our many Canadian partners, with whom we are strengthening our collaboration" (GAC, "CFIAP," iii).

[228] For example, it is stated that Canada will "support the development of gender responsive curricula in schools, work to address and transform harmful behaviours that can have negative consequences for all genders (such as sexual risk taking, substance abuse and violence) and implement programming to better support fathers so that they gain the skills and confidence needed to care for their children" (Ibid, 17).

[229] Talbott, *Which Rights,* 112.

[230] See note 227, 1.

[231] Thomson, "The Growth," 2. It is also stated that, "For Canada, the policy appears more a means through which private interests can be incorporated into the country's development policy" (Ibid).

[232] Achilleos-Sarll, "Reconceptualising FP," 41.

humanitarian crises, especially in the Global South.[233] As stated by Ronaldo Munck, "In relation to

the Third World, human rights are seen as yet another area of deficit with regard to the West, to be

rectified along with the penetration of free-market rules and values."[234]

Furthermore, drawing on Sydney Calkin's "post-feminist spectatorship,"[235] CFIAP is paternalistic

and prioritizes market interests, therefore maintaining power structures. According to Calkin, post-

feminist spectatorship "invites engagement with the distant other through a new political grammar

that combines tropes of neo-colonial 'saving' with the business ontology of neoliberalism… [and]

eschews solidarity in favour of a (purportedly) rational economic approach to empowering girls and

women and thereby unlocking the most efficient resources for growth."[236] Post-feminist spectatorship

is present within CFIAP, as it is stated, "Women already generate nearly 40 percent of the world's

gross domestic product (GDP) and the potential for further growth led by women is relatively

untapped."[237] Calkin also uses the term "empowerment-as-efficiency"[238] to demonstrate how market

interests dominate the discourse surrounding the empowerment of women and girls in the global

context. The scholar states, "Feel-good narratives that reveal adolescent girls to be the hidden

'solution' to global poverty may serve to raise awareness among the public and policy makers of the

benefits of gender equality, but they do so in a way that closes off space for trenchant critique of

widening inequalities and intersectional oppression in the context of neoliberal globalisation and

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[233] Some examples include: "To foster Growth that Works for Everyone we will help increase women's access to economic opportunities and resources. This will help women and girls achieve the economic independence they need to take control of their lives" (GAC, "CFIAP," vii). Furthermore, "Sustained economic growth has led to higher incomes, broader access to goods and services, and a better standard of living for many of the world's poorest citizens" (1).

[234] Munck, *Globalization*, 162.

[235] This concept takes an anti-politics approach, is informed by individualism, and utilizes "instrumentalised, marketised rationale for action in place of concern with gender justice" (Calkin, "Post-Feminist," 658).

[236] Ibid, 664.

[237] See note 233, 2. This approach to feminism draws on the potential for women and girls to further economic growth, rather than considering the lived realities of "distant" women. This is the neoliberal belief in unlocking women's economic value and viewing them as an asset to maximize neoliberal market value and capital. Another example is, "When women are able to develop their full economic potential—whether as agricultural producers, employees, entrepreneurs or business leaders—economies thrive and the benefits of growth reach more people" (35).

[238] Calkin defines this concept as a way to "legitimise and entrench the expectation that feminist claims must be articulated in terms of market logic and business ontology. In doing so, the language of gender equality is decoupled from the feminist politics of collective action for gender justice" (See note 235, 665).

restructuring."[239] It is apparent that this rhetoric must be shifted to create effective social change opportunities and to disrupt systems that maintain inequalities.

3.4 The Ideal Victim

Nils Christie defines the ideal victim as "a person or a category of individuals who – when hit by crime – most readily are given the complete and legitimate status of being a victim."[240] The ideal victim encompasses five distinct characteristics: The victim is weak, carrying out a respectable project, and in a place they cannot be blamed for being, all in contrast with the offender who is big, bad and unknown to the victim.[241] It is stated, "The more ideal the offender, the more ideal is the victim,"[242] which demonstrates the social and political implications associated with victim and offender labels. As stated by Christie, "Acts *are* not. They become. The definitions of acts and actors are results of particular forms of social organizations."[243]

Christie's ideal victim is exemplified in CFIAP through the construction of Mohanty's "Average Third World Woman."[244] The image of the Third World Woman draws on stereotypes as well as gender and cultural essentialism, as "these women" are viewed as "religious (read 'not progressive'), family-oriented (read 'traditional'), legal minors (read 'they-are-still-not-conscious-of-their rights'), illiterate (read 'ignorant'), domestic (read 'backward') and sometimes revolutionary (read 'their-country-is-in-a-state-of-war-they-must-fight!')."[245] This narrow understanding of the

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[239] Calkin, "Post-Feminist," 665.

[240] Christie, "The Ideal Victim," 12. Additionally, Schwöbel-Patel describes the ideal victim as, "a stereotype that has become a powerful tool of legitimation for political and economic interests of those competing for global justice resources" ("The Ideal Victim of ICL," 724).

[241] See note 240. The "ideal victim" is contrasted with the "non-ideal victim" (17). For example, a non-ideal victim might "die unnecessarily early by belonging to the wrong class. They are victims of structural violence…No particular individual is – more than others in his class – responsible for the shorter life expectancy among workers. Workers become victims without offenders. Such victims are badly suited" (17-18).

[242] Ibid, 18. Furthermore, "The ideal offender is a distant being. The more foreign, the better" (21).

[243] Ibid, 22.

[244] Mohanty, "Under Western Eyes," 337. Furthermore, Kapur states, "Women in the Third World are portrayed as victims of their culture, which reinforces stereotyped and racist representations of that culture and privileges the culture of the West" ("The Tragedy," 6).

[245] Ibid, 352.

"other" fails to recognize the diversity of individual experiences and creates a sense of difference between "victims from 'our' community rather than 'theirs'."[246]

Throughout CFIAP, the ideal victim is presented according to Christie's characteristics. In terms of explicit discourse, the word "victim" is only used twice and both in the context of sexual violence. Despite refraining from using the term, women and children are implicitly depicted as victims – therefore, vulnerable and infantile – and deserving of international aid. It is important to consider that unlike Christie's view of victims and perpetrators, the two have overlapping characteristics and are not static categories.[247] Throughout the policy document, women and girls/children are viewed as a synonymous group. Within CFIAP, the word "girl" is mentioned 203 times, thus equating women and ultimately, feminism to the protection of women and girls.[248] This infantilizes women as a group and equates them with powerlessness and vulnerability. However, this is not unique to CFIAP, as this strategy is common within policy documents.[249] According to Kapur, the infantilization of women is especially prominent when referring to women in the Global South. The scholar states, this phenomenon "reproduces the colonialist rationale for intervening in the lives of the native subject (to save those incapable of self-determination) in order to justify the rescue operations."[250]

Women as a Vulnerable Group

Throughout CFIAP, the words "vulnerable/vulnerability" are mentioned 21 times and are always associated with women and girls.[251] MacKinnon views this phenomenon as a way of invalidating the

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[246] McEvoy and McConnachie, "Victimology," 533.
[247] Ibid, 531.
[248] For example, "Significant progress has been made in increasing life expectancy and in reducing infant and child mortality rates and the number of malnourished children in developing countries" (GAC, "CFIAP," 23).
[249] In international human rights law, such as CEDAW, women and children are oftentimes grouped together and there is a large focus on women's role as caregivers and mothers.
[250] Kapur, "The Tragedy," 20. Continuously, "In the international arena, the victim subject, in the context of the primary focus on violence against women, creates an exclusionary category built on racist perceptions and stereotypes of Third World women. This category is disempowering and does not translate into an emancipatory politics. It produces the fiction of a universal sisterhood, bonded in its experience of victimization and violence" (36).
[251] For example: "The potential of women and girls to help build a better world cannot be ignored—but neither can the harsh realities facing vulnerable populations. These include the threats faced in fragile states, the continued existence of poverty in many parts of the world and the social contexts that can limit women and girls' ability to succeed" (See note 248, 3).

experiences of women who do not fall in narrow categories of vulnerability.[252] She states, "Women who resist or fail, including those who never did fit - for example, black and lower-class women who cannot survive if they are soft and weak…are considered less female, lesser women."[253] As stated by Schwöbel-Patel, "The feminized and racialized victim arguably draws on typologies of imperialism that distinguishes between binaries of 'civilized' and 'uncivilized'".[254] Moreover, Tiessen argues that depicting women and girls as vulnerable is strategic and thereby disrupts this narrative by affirming, "civilian males may also be vulnerable to extreme violence and summary executions, as was the case with the Anfal campaign against male Iraqi Kurds and the massacre of Srebrenica".[255]

Throughout CFIAP, women are seen as lacking agency, which depicts women and girls as victims[256] who require external actors to provide them with opportunities, as they are incapable of doing so themselves.[257] As stated by Christine Schwöbel-Patel, international actors "monopolize the expertise required for speaking for the victim, therefore depriving the victims of the agency to speak for themselves."[258] Although this invokes images of passivity, "there is a rich history of political activism and acts of resistance by victim and survivor groups."[259] CFIAP frames Canadians as heroic and civilized,[260] which ultimately renders the marginalization of certain groups, especially indigenous women and girls in Canada, invisible within the international sphere. This is problematic because if Canadians internalize this narrative, they may turn a blind eye to the injustices within national borders.

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[252] MacKinnon, "Feminism, Marxism," 530.
[253] Ibid.
[254] Schwöbel-Patel, "The Ideal Victim in ICL," 711. Additionally, "From this idea we learn that victims' constructed features of weakness and vulnerability are arguably part of a process of 'othering' that reaffirms the normative frameworks in the international legal sphere" (713).
[255] Tiessen, "Gender Essentialism," 97.
[256] For example, "The result is often a lack of comprehensive sexuality education and family planning services; restricted access to contraception and safe abortion; child, early and *forced* marriage; and female genital mutilation/cutting" (GAC, "CFIAP," 23).
[257] This is demonstrated throughout the statement, "That women and girls be given an active role in designing and developing strategic responses to climate change" (See note 256, 44). Furthermore, "An important part of making sure that women and girls are able to take full advantage of economic opportunities involves giving them control over their own sexual and reproductive health choices so that they can decide if, when and with whom to start a family, or grow their families" (35).
[258] Schwöbel-Patel, "The Ideal Victim in ICL," 714.
[259] Ibid, 713.
[260] According to Howell, "Representations of our actions abroad construct Canada as a heroic and civilized liberal nation in ways that rely on and reproduce notions of illiberal, uncivilized and disorderly others" ("Peaceful," 60).

3.5 Maintenance of Existing Structural Inequalities

Historically, women's rights are seen as non-threatening to systems that uphold inequalities, which explains the sizable amount of policies that utilize gender-mainstreaming tactics. Ultimately, women's rights are perceived as apolitical. According to Sally Engle Merry, "Women's rights seem to be a relatively nonpolitical domain of rights… [and] appear not to challenge the growing global inequalities produced by race, class and capitalism."[261] Adding a gendered lens to Canada's FP allows for the root causes of problems to remain unquestioned, therefore maintaining systems of power in the global sphere. Furthermore, hooks draws attention to the hierarchies that exist within feminism by claiming, "It is evident that society is more responsive to those 'feminist' demands that are not threatening, that may even help maintain the status quo."[262] CFIAP does this by focusing an immense amount of attention on "sexuality education and family planning services; restricted access to contraception and safe abortion; child, early and forced marriage; and female genital mutilation/cutting,"[263] rather than class inequalities and the legacy of colonialism.[264]

Throughout CFIAP, neoliberal capitalism and trade relations are framed as a solution to the marginalization of women and girls in the Global South. For example, CFIAP states, "In addition to the many other difficulties they face, Afghan women who want to leave abusive relationships are often ostracized by their families and must become financially independent. Canada is helping these women gain job skills, particularly in agriculture and entrepreneurship."[265] According to Engle Merry, external governments allocate specific aid funds and promote reforms "that further neoliberalism and

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[261] Merry, *Human Rights and Gender Violence,* 230.

[262] hooks, *Margin to Center,* 23.

[263] GAC, "CFIAP", 23. According to Thompson and Asquith, "At stake here is whether foreign policies include the complete body of women's rights—including the more politicized components, such as family planning and access to abortion, that have become the most embroiled battleground in today's diplomatic discussions, from the United Nations to the G-7" ("One Small Step," para. 11).

[264] It is commonplace for neoliberal states to invest in empowerment programs rather than welfare systems in recipient countries, as they are more affordable and do not require as much time and funding. Furthermore, empowerment programs ultimately save donors money, as they are able to outsource activities to locals. Thank you Katja for identifying this issue and for providing insight.

[265] See note 263, 21. Furthermore, "This limited access to vital financial services also results in lost economic opportunities, particularly for small and medium-sized enterprises owned by women" and "By doing so, the new institution will help to create jobs, promote economic growth and reduce poverty in developing countries" (36; 66).

capitalist expansion rather than diminishing social class inequality."[266] Furthermore, the policy's language frames humanitarian aid in ways that replicate business deals showing how these "opportunities" can benefit Canadians.[267] CFIAP also frames women and girls' oppression in terms of economic disadvantage rather than addressing the legacy of colonialism and its lasting impacts. As stated within the policy, "Canada will ensure that its economic programming addresses these root causes of women's economic marginalization and exclusion and promotes access to employment, in line with international labour standards."[268]

4. Strengths and Limitations of CFIAP

As Canada is one of very few countries with an explicit FFP, it is important to consider the revolutionary (rhetorical) power of the policy. The goal of this analysis is not to criticize the Canadian government's decision to implement CFIAP, but rather, to consider the parameters of this *feminist* policy and to explore its potential for systemic change. I strive to examine ways to improve the formation and implementation of FFP and do not intend to deter any states from developing their own feminist-informed policies.[269] Like any policy, it is important to consider the ways that those who are directly impacted will benefit and/or how inequalities are maintained or challenged. This issue is not black and white, therefore, CFIAP consists of both strengths and weaknesses.

4.1 Strengths

Despite the five aforementioned themes present throughout CFIAP, the fact that Canada has a FFP is important in and of itself. Above all, FFPs explicitly promote the inclusion of women in policies, which is important, as women have been and continue to be marginalized in certain aspects of

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[266] Merry, *Human Rights and Gender Violence,* 226.

[267] For example, "This in turn creates more opportunities and can lead to more good, well-paying jobs for Canadians" (GAC, "CFIAP", 69).

[268] Ibid, 39. In this sense, capitalism is seen as synonymous with progress. As stated by Donnelly, "The currently hegemonic (Western) approach to the international dimensions of implementing economic and social human rights is built around global markets" (*Universal Human Rights,* 67).

[269] This follows Thompson and Clement's argument, "The goal of this exercise is not to shame those governments that have been brave enough to try something that is truly innovative and intended to make positive change toward a more equal, peaceful world. Instead, we offer a few ideas with an eye toward strengthening — and sustaining — the overall approach" ("Defining FFP," 6).

political, social and economic life. According to Liam Swiss and Stephen Brown, CFIAP "provides

opportunities to reshape some existing commitments of Canada's aid programs in more feminist

ways."[270] The discourse present in CFIAP encourages dialogue for increased engagement with gender

equality. According to Tiessen, CFIAP "offers a new language that has not been widely used in

previous policy commitments"[271] and the "opportunities for translating the FIAP into practice in ways

that promote social justice, gender equality and the dismantling of structures of inequality remain

distinct possibilities."[272] Furthermore, CFIAP emphasizes the importance of building partnerships

with civil society organizations, both inside and outside of Canada. This is important as, "civil society

can work within what is currently still an ambiguous policy remit to orient it in a direction which

more clearly tackles global injustices."[273]

4.2 Limitations

Despite the (important) inclusion of gender in foreign policy, the current CFIAP framework is not

enough to generate transformational change within the global sphere. To begin, CFIAP does not have

a clear definition of feminism, therefore "treating it as one set of approaches when there are, in fact,

an array of feminist lenses."[274] Most important to my argument is that the policy contains many

inconsistencies, especially considering Canada's own human rights violations. According to

Aggestam, Bergman-Rosamond and Kronsell, "both Canada and Sweden can be criticized for not

sufficiently matching their care for distant other women living in conflict or poverty-struck zones with

an empathetic commitment to their own indigenous or marginalized refugee populations."[275] This is

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[270] Swiss and Brown, "Bold Statement or Fig Leaf?" 122.
[271] Tiessen, "What's New," 9.
[272] Ibid, 10.
[273] Thomson, "Growth of Feminist," 2.
[274] See note 271, 6.
[275] Aggestam, Bergman-Rosamond and Kronsell, "Theorizing FFP," 32. This argument is also reflected by Thompson and Clement: "To put it more directly: some question whether feminist foreign policies are just the latest postcolonial export of northern countries, well-intentioned perhaps but ultimately equally uninformed by the perspectives of those on the receiving end and removed even from the realities of their own domestic policies" ("Defining FFP," 5).

further examined in Chapter Three. Moreover, it is important to consider the aspects of Canadian policies that are not aligned with feminist values and care ethics, especially defense.[276]

Several scholars argue CFIAP's binary understanding of gender is exclusionary to LGBTQIA+ individuals and communities.[277] According to Laura Nacyte, "By using women's rights as a short cut to gender equality, the CFIAP provides a simplified approach to the rights and needs of multiple genders."[278] Furthermore, "As it also overlooks differences within the category of women— for instance, between heterosexual and lesbian women—the CFIAP is ultimately of limited coherence in a feminist sense."[279] The exclusionary nature and binary understanding of gender present in CFIAP is reflective of the policy's lack of intersectional analysis. Despite CFIAP's acknowledgement of intersectionality twice throughout the document, the policy lacks a foundational understanding of the theory,[280] which is examined in Chapter Four.

Continuously, CFIAP lacks the financial resources necessary to meet its projections and feminist goals, as well as basic accountability measures to ensure progress is made.[281] CFIAP's budget is not sufficient to realize its aims, as "aid policy's impact is highly dependent on its level of funding."[282] According to Elana Wright, "By spending almost four dollars on defense for every dollar on development, Canada is not taking a progressive approach to building a more peaceful world,"[283] which is not only disproportionate but shows how funding is allocated to sectors that are against *feminist* values. Furthermore, Lyric Thompson and Rachel Clement state, "Canada does not have an

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[276] See Tiessen, "What's New," Thompson and Asquith, "One Small Step," Wright, "Trudeau Government," Howell "Peaceful," and Thompson & Clement, "Defining FFP."
[277] See Thompson and Asquith, "One Small Step," para. 9.
[278] Nacyte, "CFIAP: Security for Whom," para. 6.
[279] Ibid.
[280] According to Mason, "[C]FIAP does not offer a theoretical foundation or a history of intersectionality, and FIAP does not mark Black feminism as the founders of the idea…Furthermore, individualism and choice, rather than collective struggle, are emphasized by FIAP where intersectionality is offered as a method to include more diverse individuals into choice-making" ("Buzzwords," 5).
[281] Katja pointed out that despite their seemingly progressive nature, policies like CFIAP are primarily constructed to show how countries in the Global North, including Canada, are civilized and humanitarian. Although CFIAP is rhetorically impactful, the feminist policy fails to implement accountability measures for transparency of its material investments.
[282] Swiss and Brown, "Bold Statement or Fig Leaf?" 127.
[283] Wright, "Trudeau Government," para. 11.

accountability framework or a mandate to evaluate progress annually, underscoring…the need for more emphasis on monitoring, evaluation and research learning in its effort."[284]

Lastly, I argue CFIAP lacks transformational potential, as it maintains systems of oppression because Canada fails to recognize the ways that it perpetrates human rights violations. As stated by Fiona Robinson, "while [CFIAP is] 'progressive', [it is] unlikely to be transformative in the direction of long-term feminist goals."[285] Furthermore, Thompson and Clement emphasize, "While well-intentioned, such approaches can perpetuate, rather than dismantle, inequalities and systems of oppression."[286] For transformational change to occur, CFIAP's feminism must "be inclusive of genders and intersecting variables that lead to inequality…such an approach must use an intersectional lens to more fully address cultural norms, discrimination, political processes and institutionalized gender inequality."[287] Feminist policies require more than "liberal branding and discourse,"[288] they must call upon governments and policymakers to question oppressive systems and help dismantle their own deeply entrenched belief systems that maintain inequalities nationally and internationally.

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[284] Thompson and Clement, "Defining FFP," 3.
[285] Robinson, "FFP as Ethical," 11.
[286] See note 284, 5.
[287] Tiessen, "What's New," 10. Moreover, CFIAP's "failure to fully engage with the power dynamics that perpetuate gender inequality points to the policy's limited concern for, or ability to address, either the structural challenges that perpetuate gender inequality, or the interpersonal power dynamics that foster uneven development gains for diverse groups of people" (6).
[288] Brown, "All About that Base," 146. For example, "the Trudeau government has started to brand its humanitarian assistance and use it to appeal to its pro-refugee, liberal internationalist base" (155).

CHAPTER THREE: From Invisible to Visible - The Missing and Murdered Indigenous Women and Girls in Canada

As a result of Canada's international reputation as a humanitarian superpower, the vulnerable and marginalized within Canadian borders are oftentimes concealed by Canadian values rhetoric. The *invisible* are commonly considered deviant and/or failures according to deeply entrenched neoliberal values in Canadian society. As a result, it is imperative to bring awareness to the realities of those who are systemically marginalized in a "democratic" country such as Canada. The case of MMIWG sheds light on one of the largest and most apparent systemic issues present within Canadian borders, which even Canadians are reluctant to address. Ultimately, these issues inform the feminism present in CFIAP and redefine the status of human rights in Canada.

1. Defining Indigenous Peoples in the Canadian Context

 "Indigenous peoples" are the first inhabitants of Turtle Island.[289] The Canadian government recognizes three distinct groups of indigenous peoples: Indians,[290] Métis, and Inuit, although there is a plethora of groups within and outside of these narrow categories.[291] "Inuit" refers to indigenous peoples who live in northern Canada and are not considered "Indians" in Canadian law.[292] "Métis" refers to peoples with diverse ancestry from unions between indigenous peoples and Europeans.[293] Lastly, "First Nation" is used to describe indigenous peoples who do not fall under the categories of

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[289] Turtle Island is the name given to the North Eastern region of North America by Algonquian and Iroquoian speaking peoples (See Robinson, "Turtle Island," para. 1). Various indigenous oral histories depict the turtle as "holding the world on its back" and therefore, it is considered an "icon of life" (para. 1). During colonization, the settlers renamed Turtle Island to North America, however many indigenous activists push to reclaim its traditional name (para. 7). For more information about Turtle Island and indigenous oral history, see CBC, *Turtle Island Reads*.

[290] As the term "Indian" is disrespectful and upholds colonial legacy, it will only be used when addressing issues pertaining to the *Indian Act*.

[291] These three groups have their own unique cultures and practices therefore, they merit their own categories of analysis, which is unfortunately beyond the scope of this examination. For clarity's sake, I use the term "indigenous" to encapsulate these three diverse groups. However, I acknowledge the cultural diversity present within these groups and am solely doing so for navigation of these complicated and ever-changing issues. Furthermore, this is the preferred term in international human rights treaties and therefore, to ensure consistency, it is the chosen word for this analysis. According to Olsen, "The most common choice for finding a definition is to go to international conventions and declarations, which have in part grown out of the success of the international indigenist political struggle of the last four decades" ("This Word," 184).

[292] "Terminology", Indigenous Foundations, para. 8.

[293] Ibid, para. 9.

Inuit or Métis, as there is no legal definition of this group.[294] "First Nations" replaced the term "Indian," however it is still used in legal contexts, including the *Indian Act*.[295]

In 2016, indigenous peoples made up 4.9 percent of the total Canadian population and the numbers are rapidly increasing.[296] According to Special Rapporteur on the Rights of Indigenous Peoples, James Anaya, "Around half of these are registered or 'status' Indians (First Nations), 30% are Métis, 15% are unregistered First Nations, and 4% are Inuit."[297] The indigenous population is very young, as FNMI youth make up 39 percent of the overall indigenous population.[298] There are more than 70 reported indigenous languages and there is a rise in the number of young people learning indigenous languages.[299]

In the context of this analysis, it is important to consider the varied experiences of indigenous women and issues related to indigenous identities. According to Katherine Morton, "the issue of identity is complicated and disappeared women have been identified as First Nations, Inuit, Métis, non-status or any combination of these identities."[300] However, to ensure clarity, I use the definition of "indigenous" defined by the National Inquiry into MMIWG. The National Inquiry uses the term "to identify experiences that may be held in common by First Nations, Métis and Inuit" while recognizing that "all peoples have names for themselves…[and] assert these distinctions and specific contexts."[301]

2. Canada's Legacy of Colonialism

Despite the "Canadian mythology of the peaceful frontier,"[302] the nation has a long history of colonial violence and what some have argued to be cultural and colonial genocide.[303] As stated by scholars

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[294] "Terminology", Indigenous Foundations, para. 9.

[295] Under the *Indian Act,* there are two types of "Indian" status: Status Indian and Non-Status Indian (Ibid, para. 8). A "Status Indian" is an indigenous person who meets the terms established in the *Indian* Act (para. 9). On the other hand, "Non-Status Indians" are not registered under the *Indian Act* (para. 9).

[296] Statistics Canada, "First Nations People, Métis and Inuit in Canada," para. 1.

[297] Anaya, "Report of the Special Rapporteur," 3.

[298] Ibid.

[299] Ibid.

[300] Morton, "Hitchhiking: A Critical Discourse Analysis," 303.

[301] National Inquiry into MMIWG, "Reclaiming Power and Place," 59.

[302] Woolford & Benvenuto, "Canada and Colonial Genocide," 375.

[303] The use of "colonial genocide" is highly contested in the context of Canada. As a result, there is a gross lack of research on the subject. Woolford and Benvenuto believe this is the case, as Canada is seen as a peaceful nation and the "spacial and

Andrew Woolford and Jeff Benvenuto, indigenous peoples in Canada continue to be "caught within a diverse web of Canadian settler colonial policies, the genocidal force of which varies across time and space."[304] Furthermore, it is noted by Bonita Lawrence and Enakshi Dua, "Settler states in the Americas are founded on, and maintained through, policies of direct extermination, displacement, or assimilation."[305] Since contact, colonizers have viewed indigenous peoples as "peoples to be discovered, explored and subordinated, but not to negotiate with on an equal basis."[306] As expressed by the Aboriginal Healing Foundation, "Although many of the policies of the late 1800s are no longer in place, their legacy continues to influence Canada's relationship with Aboriginal people, which is characterized as controlling, disempowering, and exploitative."[307] Despite its invisibility in the international sphere, it is clear that the legacy of colonialism persists in Canadian society.

The residential school system is one of the policies that continues to have ongoing impacts on indigenous communities. Residential schools were designed to "kill the Indian in the child"[308] by tasking the Royal Canadian Mounted Police (RCMP) to forcibly remove indigenous children from their families and cultures. As a result, indigenous children "suffered loss of language…were denied cultural and spiritual learning and traditional teachings around roles and responsibilities, as well as the experiential education traditionally provided by parents and Elders."[309] Moreover, many children experienced sexual, physical and psychological abuse during their time in the residential school system. These events fueled a deep distrust of the police, especially the RCMP, as they were known as *Nilhchuk-un*, or "Those who take us away."[310] Although the last federally operating residential

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temporal boundaries of the Canadian case are not obvious" (375). However, genocide is used throughout the National Inquiry Report (See note 301) and Supplementary Report on Genocide to identify the ongoing colonial violence in Canada.

[304] Woolford & Benvenuto, "Canada and Colonial Genocide," 379.

[305] Lawrence & Dua, "Decolonizing Antiracism," 123.

[306] Meckled-Garcia & Cali, *The Legalization,* 170.

[307] Aboriginal Healing Foundation, "From Truth to Reconciliation," 50.

[308] "The Residential School System," Indigenous Foundations, para. 1.

[309] NWAC, "What Their Stories Tell Us," 7-8.

[310] Smiley, *Highway of Tears,* 14:38.

school closed in 1996,[311] the trauma has lasting impacts on the lives of the many survivors that no amount of monetary compensation can mend.

In Canada, the period from 1960 to the mid-1980s is known as the "Sixties Scoop," when provincial child-welfare agencies were given legal authority on reserves. As a result, an exponential amount of indigenous children were taken into state custody and adopted by predominantly white, settler families.[312] As noted by Anaya, "Aboriginal children continue to be taken into the care of child services at a rate eight times higher than non-indigenous Canadians,"[313] which demonstrates how past injustices continue to have lasting impacts. In the Native Women's Association of Canada (NWAC) report, it is stated, "In order to address the overrepresentation of Aboriginal children in care it is necessary to address the socio-economic status of Aboriginal peoples" therefore, it is "critical that Canada acknowledges that the current system works in ways that perpetuate racism towards and inequality for Aboriginal families and communities."[314]

Due to Canada's history of colonial violence, indigenous peoples and communities carry intergenerational trauma. The Truth and Reconciliation Commission of Canada (TRC) notes that current injustices are a "result or legacy of the way that Aboriginal children were treated in residential schools and were denied an environment of positive parenting, worthy community leaders, and a positive sense of identity and self-worth."[315] Furthermore, the National Inquiry report emphasizes the importance of viewing colonization as a structure, rather than a series of individual acts, as "these colonial pieces aren't things people can just 'get over,' because many of these ideas – these structures – still exist."[316]

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[311] CBC News, "Timeline of Residential Schools," para. 32.
[312] NWAC, "What Their Stories Tell Us," 8.
[313] Anaya, "Report of the Special Rapporteur," 11.
[314] See note 312, 9.
[315] TRC, "Honoring the Truth," 135.
[316] National Inquiry, "Reclaiming Power," 233.

3. Indigenous Women[317] and Intersectional Discrimination[318]

It is evident that the Canadian state maintains the legacy of colonialism that significantly marginalizes indigenous peoples. However, it is imperative to consider how indigenous women and girls are disproportionally affected by colonial policies, due to intersections of gender, race and class.[319] As stated by NWAC, "The value of Aboriginal women is diminished by the persistence of patriarchal values that, consciously or not, continue to influence and regulate social norms and gender relations."[320] Furthermore, the organization notes how colonial processes were composed of deliberate strategies to "undermine the influence and respect held by Aboriginal women" and replace indigenous systems with ones "rooted in patriarchy and European understandings of femininity and masculinity."[321]

The *Indian Act* is a policy that disproportionately affects indigenous women and demonstrates the intersections between race, class and gender. The *Indian Act* regulates "the membership of Indigenous communities and access to reserve lands and services by dividing Indigenous people into status and non-status Indians, and was designed to both control and assimilate First Nation people."[322] When the *Indian Act* was first established, "Indian status" was only defined in terms of indigenous

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[317] This also includes indigenous girls and members of 2SLGBTQQIA indigenous communities who continue to experience systemic discrimination. Although this analysis does not go into detail regarding 2SLGBTQQIA issues, it is important to consider the unique experiences of Two-Spirit indigenous peoples and the fact that 2SLGBTQQIA persons continue to be rendered invisible. Historically, Two-Spirit people had an important role in traditional ceremonies and their communities. However, due to the introduction of binary understandings of gender during colonization, their role was reduced and Two-Spirit individuals continue to experience disproportionate amounts of violence and marginalization (National Inquiry, "Reclaiming Power," 65).

[318] *Intersectionality* is contested by some indigenous women and scholars, as it is not a concept developed by indigenous peoples nor does it explicitly use indigenous terminology. However, according to Olsen, "the terms used are of less importance than what is put into them. Hence, the conceptualization of an approach that discusses various perspectives on the study of identity and power is more important than the term intersectionality itself" ("A Word," 191). Furthermore, "intersectionality is presented as more or less synonymous with relationality and interconnectedness, and becomes a way of describing the nature of indigenous identity" (193). As stated by the Institute of Intersectionality Research and Policy, "Whereas the language of intersectionality might be needed to make sense of western ideologies that categorize and break apart various aspects of life, in Indigenous worldviews, concepts of intersectionality already exist" ("Dialogue," 3). Throughout this analysis, the term *intersectionality* is used, while being mindful of its contested use in the context of indigenous women and girls.

[319] As mentioned in Chapters One and Two, there are many additional intersections, however the intersections of race, gender and class are the main focus of this case study.

[320] NWAC, "What Their Stories Tell Us," 2.

[321] Ibid, 3. It is important to avoid idealizing any culture and its practices, even traditional indigenous cultures, as issues existed in indigenous communities prior to contact. However, the role of women was significantly undermined as a result of colonization and patriarchal belief systems. See National Inquiry into MMIW, "Reclaiming Power," 231-312 and, TRC, "Honoring the Truth," 45-55.

[322] Gender Equality Network Canada, "Women's Equality," 36.

men, who were the heads of the household according to European standards. As a result, indigenous women who married "Non-Status Indians" lost their status.[323] Despite attempts to rid of the gender discrimination entrenched in the *Indian Act,*[324] the policy continues to disproportionately affect indigenous women, as many struggle to regain their status and mend severed ties with their communities.[325]

In 2008, the CEDAW Committee issued Concluding Observations regarding Canada's country report. It was noted, "Aboriginal women in Canada continue to live in impoverished conditions, which include high rates of poverty, poor health, inadequate housing, lack of access to clean water, low school-completion rates and high rates of violence."[326] Due to multiple intersections of discrimination, including sexism, racism, and classism, indigenous women are 3.5 times more vulnerable to violence than non-indigenous women,[327] and experience disproportionate poverty rates compared to the rest of the Canadian population.[328] Oftentimes, indigenous women have "restricted options and inadequate choices"[329] and therefore, are "forced into situations or coping strategies that increase their vulnerability to violence, such as hitch-hiking, addictions, homelessness, prostitution and other sex work, gang involvement or abusive relationships."[330] As a result of their marginalized positions, indigenous women are highly vulnerable to violence, which is reflected in the cases of MMIWG in Canada.[331]

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[323] Aboriginal Healing Foundation, "From Truth to Reconciliation," 123.
[324] There were two significant attempts to eliminate gender inequalities in the *Indian Act.* The first was Bill C-31 in 1985 following the aftermath of *Lovelace v. Canada* (Aboriginal Healing Foundation, "From Truth to Reconciliation," 124-125) and the second was Bill S-3 in 2016 (FAFIA, "Equal Status," 6-9).
[325] Culhane, "Their Spirits Live Within Us," 600.
[326] CEDAW Committee, "Concluding Observations," 9.
[327] Smiley, *Highway of Tears,* 00:57.
[328] As stated during the Highway of Tears Symposium, "The percentage of families living at, or below, the poverty line in First Nations communities is disproportionately higher than any other population segment in Canadian society. Moreover, poverty in some aboriginal families is intergenerational and is present through many generations of the families" ("Recommendations Report," 16).
[329] NWAC, "What Their Stories Tell Us," 13.
[330] Ibid.
[331] This is highlighted in the statement by IACHR, "The situation of violence against indigenous women exemplifies the intersectionality between violence against women and discrimination on the basis of race and ethnicity. Racism exacerbates discrimination against indigenous women" ("Missing and Murdered," 69).

4. Missing and Murdered Indigenous Women and Girls

4.1 Overview

Although it is unclear when the first case of MMIWG occurred, cases date back as early as the 1950s. A study conducted by the RCMP shows that there are 1,181 incidents of missing and/or murdered indigenous women, with 164 missing and 1,017 homicide victims.[332] However, these numbers are inaccurate, as many people do not report incidents and/or the authorities do not take them seriously, especially when the victim is an indigenous woman.[333] Cases are oftentimes disregarded as "police and judges routinely [argue] that the violence is simply a by-product of a 'high risk' lifestyle of prostitution"[334] and view violence as a "way of life born of poverty."[335]

Due to lack of satisfaction with the RCMP report, non-profit organizations and activist groups spearheaded their own initiatives. The NWAC documents "over 660 cases of women and girls across Canada who have gone missing or been murdered in the last 20 years, many of which remain unresolved."[336] It is revealed that over half of the victims were less than 31 years old.[337] Furthermore, over two thirds of cases occurred in the western provinces of Canada,[338] with the vast majority located in two distinct areas in British Columbia (BC): Vancouver's Downtown Eastside and Highway 16, also known as the Highway of Tears.

Vancouver's Downtown Eastside

The intersection between Main and Hastings in Canada's second largest city is known as the Downtown Eastside. In 1997, the City of Vancouver Health Department declared a public health emergency due to the exponential rates of HIV, and since then, the neighbourhood has become a hotspot for illegal drugs, infectious diseases and prostitution.[339] Over the years, at least 61 women

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[332] RCMP, "National Operational Overview," 3.
[333] Smiley, *Highway of Tears,* 36:44.
[334] Razack, "Gendering Disposability," 296.
[335] Ibid, 292.
[336] Anaya, "Report of the Special Rapporteur," 12.
[337] NWAC, "What Their Stories Tell Us," ii.
[338] Ibid.
[339] Culhane, "Their Spirits," 594.

from this area have gone missing.[340]. Due to the gender discrimination present in the *Indian Act,* many indigenous women were forced to leave their communities, increasing their vulnerability to poverty with limited options to earn money outside the sex industry.[341] Prostitution is known to increase women's vulnerability to violence, as the NWAC reports that in 51 cases, "the women were known to be involved in prostitution at the time of disappearance or death."[342] Despite reports of missing women in this neighbourhood, the authorities did not take the cases seriously, arguably because these women were both indigenous and sex workers.[343]

Highway of Tears

The Highway of Tears is a 724 km highway between Prince Rupert and Prince George in BC. There are 23 indigenous reserves located along the Highway and this region is plagued with extreme poverty, and limited access to adequate facilities, including health care and public transportation.[344] As a result, women have gone missing and/or been murdered in this region, with several cases remaining unsolved.

According to RCMP *Project E-PANA*, there are 18 unsolved cases, however this number is highly contested, as over 600 indigenous women are reported missing or murdered across Canada.[345] Despite the high number of disappearances, it was not until 2002 when Nicole Hoar, a white woman, went missing along Highway 16 that the Highway of Tears gained RCMP and media interest.[346] This reveals the deeply rooted systemic racism and colonial legacy present in Canada.

Due to the remote location of indigenous reserves along Highway 16 as well as the systemic poverty in this region, many indigenous women and girls are forced to hitchhike, leaving them in vulnerable positions. Morton notes, "The highway is both an essential lifeline to connect these

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[340] Culhane, "Their Spirits," 598.
[341] Pratt, "Abandoned Women," 1059.
[342] NWAC, "What Their Stories Tell Us," 31. However, "it must be emphasized that involvement in the sex trade is not a 'cause' of disappearances or murders; rather, many women arrive at that point in the context of limited options and after experiencing multiple forms of trauma or victimization" (Ibid).
[343] For example, "NWAC's research with families found that they encountered barriers when working with police and victim services after their loved one disappeared or was murdered" (Ibid, 32).
[344] Sabo, "Highway of Tears," para. 1.
[345] Smiley, *Highway of Tears,* 36:52.
[346] Ibid, 46:15.

communities and is also underserviced." [347] Furthermore, the scholar sees hitchhiking as a form of

"contentious mobility,"[348] a "last resort"[349] form of transportation. There is a clear intersection

between race, gender and class, which "demonstrates the importance of not treating mobility as

neutral, but seeing it as political and unequal."[350]

4.2 The Search for MMIWG

Over the past fifteen years, the RCMP developed various units and task forces to reassess and

investigate previous missing and murdered persons cases.[351] This includes *E-PANA*, investigating 18

cases along the Highway of Tears as well as the *Oppal Inquiry*, investigating the MMIWG in

Vancouver's Downtown Eastside. However, there are numerous accounts where families of MMIWG

experienced a lack of police support and interest when reporting incidents, and were oftentimes

dismissed.[352] During the Highway of Tears Symposium in 2006, the systemic racism present in the

justice system was made apparent. Families of the MMIWG expressed deep frustrations with the lack

of police action regarding the cases of their loved ones.[353] However, in the case of the Hoar family,

they reported accounts of RCMP members empathizing and supporting the family while putting in

their best efforts to find their daughter.[354]

      In 2014, the RCMP conducted a national investigation of the MMIWG, however, this was not

without contestation. One of the main pitfalls of the Report is that it fails to address and identify

colonialism as one of the factors contributing to the cases of MMIWG. Instead, the Report focuses on

prevention, targeting "at-risk individuals to maximize support and referrals to appropriate community

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[347] Morton, "Hitchhiking," 302. This is also addressed during the Highway of Tears Symposium: "A majority of these First Nation communities do not have business, recreation, or other services that are available in the towns and cities. Poverty, coupled with the need to buy essential items such as food and clothing, requires travel from these communities to the nearest town or city" ("Recommendations Report," 17).

[348] Morton, "Hitchhiking," 301. The term "describes modes of mobility that are counter to the dominant mode of automobility and are stigmatized or treated as undesirable" (Ibid).

[349] Ibid. Furthermore, "Hitchhiking is a contentious form of mobility as it contravenes the privileged mode of independent driver automobility. It is further rendered contentious when it is used by Indigenous women as a result of the intersections between race, class, gender and mobility" (307).

[350] Ibid, 300.

[351] Anaya, "Report of the Special Rapporteur," 12.

[352] National Inquiry, "Reclaiming Power," 648.

[353] Smiley, *Highway of Tears,* 45:54.

[354] Ibid, 45:14.

treatment programs."[355] In doing so, this places responsibility on marginalized groups, which leads to victim blaming.[356]

On the other hand, TRC focuses on the correlation between the legacy of colonialism and the cases of MMIWG, especially in the case of residential schools.[357] The Commission also established various calls to action, including structural analyses of the reasons why indigenous women are at higher risk of violence as well as various prevention tactics.[358] In 2014, Anaya pressed for a nation-wide inquiry "organized in consultation with indigenous peoples" to "identify best practices that could lead to an adequately coordinated response."[359]

After Trudeau's Liberal Party came to power, the National Inquiry was launched with a mandate of two years, beginning in 2017 and ending in 2019. This timeframe is vastly problematic, as it is a tight deadline for such a far-reaching mandate.[360] The Inquiry was explicitly trauma-informed and took a decolonizing approach, with the aim of resisting and undoing "the forces of colonialism and to re-establish Indigenous Nationhood."[361] The Inquiry is critical of the 2014 RCMP Report and lack of accountability in the police force, stating, "The RCMP have not proven to Canada that they are capable of holding themselves to account."[362]

Although the National Inquiry is over one-year old, the government has yet to release an action plan addressing the 231 calls to action present in the report. Government representatives claim this delay is a result of COVID-19, however the president of NWAC, Lorraine Whitman, expresses

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[355] RCMP, "National Operational Overview," 18.
[356] This phenomenon is exemplified in the statement, "There are certain factors that will make an individual more susceptible to violent victimization" (Ibid, 17).
[357] These include the "overrepresentation of Aboriginal children in child-welfare care; domestic and sexual violence; racism, poverty, and poor educational and health opportunities in Aboriginal communities; discriminatory practices against women related to band membership and Indian status; and inadequate supports for Aboriginal people in cities" (TRC, "Honoring the Truth," 180).
[358] Royle, "Governmental Response," 9-10.
[359] Anaya, "Report of the Special Rapporteur," 12.
[360] National Inquiry, "Reclaiming Power," 72.
[361] National Inquiry, "Interim Report," 22.
[362] See note 360, 71.

concerns, as the "pandemic has heightened the risk that Indigenous women face from violence."[363]

According to NWAC's *Report Card,* no progress has been made and ultimately, the government's

response to the National Inquiry "receives a failing grade."[364]

4.3 Media and Public Response

As previously mentioned, the Highway of Tears did not gain media attention until Nicole Hoar went

missing. Despite the disproportionate amount of indigenous women who have been murdered or gone

missing, these cases were often reported as individual crimes, which disconnects "the discourse from

the disproportionate rate at which Indigenous women are murdered or go missing and from the

underlying systemic issues."[365] Furthermore, cases of MMIWG were often rendered invisible in the

media, which suggests "their stories are not dramatic or worthy enough to tell, [and] that Aboriginal

women's victimization is too routine or ordinary, and/or irrelevant to (White) readers."[366] Various

content analyses of news articles about the MMIWG demonstrate how worthiness, or lack thereof, of

the victim label is established.[367]

In many articles surrounding the MMIWG, blame was placed on the victims, rather than the

perpetrators, especially when the victim was indigenous. Several articles articulated "risk factors such

as, addiction, poverty, lack of permanent housing, or participation in sex work to the disappearances

and deaths of Indigenous women."[368] This demonstrates how indigenous women are commonly seen

as "non-ideal victims."[369] As stated by Yasmin Jiwani and Mary Lynn Young, "prostitution and

Aboriginality mark these women as missing but as naturally so" and "the stereotypical attributes

ascribed to both these positions feed into and reproduce common-sense notions of itinerant and

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[363] Pinkerton, "On Anniversary," para. 7. Furthermore, it is stated, COVID-19 "shed light on the fact that Indigenous people are more susceptible to infectious diseases and poorer health outcomes as a result of systemic issues, which increase vulnerability to contracting the virus" (Ibid).
[364] NWAC, "Report Card," 2.
[365] Drache, Fletcher and Voss, "What the Canadian Public," 34.
[366] Gilchrist, "Newsworthy Victims," 387.
[367] See notes 365, 366, Jiwani and Young, "Reproducing Marginality," and Jiwani, "Symbolic and Discursive."
[368] See note 365, 29. Furthermore, "While media often blame women's deaths and disappearances on their behaviours or lifestyle, they frequently fail to account for the social and economic conditions, and the underlying causes for these conditions, which put Indigenous women at higher risk than their non-Indigenous counterparts" (31-32).
[369] Christie, "The Ideal Victim," 17.

irresponsible behavior, which is then seen as naturally inviting victimization."[370] Furthermore, lack of mobility, constructs indigenous women as non-ideal victims and places blame on individual actions. Morton states, "Hitchhiking frames Indigenous women as wrong-doers, and in doing so conflates their morality with their mobility"[371] and therefore, ignores the role that systemic racism and colonization play in marginalization.

Moreover, this form of reporting perpetuates harmful stereotypes by framing indigenous identity in conjunction with criminality, especially when the MMIWG worked in the sex industry. This is one of many reasons why indigenous peoples may be hesitant to report violence. In mainstream society, there is a harmful stereotype that indigenous peoples attempt to "cheat the system," therefore it is possible that when indigenous women and girls fall victim to violence, people believe their accounts merit suspicion.[372] It is imperative to question the underlying reasons for indigenous women's marginalization and the ways the media creates majoritarian stories[373] deciding who is worthy of victim status.

5. Framing MMIWG in National and International Legal Terms

Many non-profit human rights organizations have developed extensive legal analyses regarding the cases of MMIWG in Canada. As a result, it is imperative to consider the important role activists and grassroots organizations play in social change efforts surrounding the cases of MMIWG. According to Ackerly, activists "strengthen individual rights where they are weak, challenge customary law where it threatens the individual rights of the marginalized, strengthen social practices conducive to human rights, and criticize those that undermine human rights."[374] The National Inquiry would not have been launched without pressure from activists, which is a ground-breaking document regarding the MMIWG and a step towards reconciliation.

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[370] Jiwani and Young, "Reproducing Marginality," 902.
[371] Morton, "Hitchhiking," 307.
[372] Lewis, Hamilton, and Elmore, "Describing the Ideal Victim," 2.
[373] Solórzano and Yosso, "Critical Race," 28.
[374] Ackerly, "Women's Human Rights Activists," 331.

5.1 International Legal Framework

Indigenous women and girls are rights holders, due to the direct application of customary international law in Canada, therefore it is the Canadian government's responsibly to protect these rights.[375] As identified in the National Inquiry report, indigenous women and girls have an extensive range of rights that must be ensured by the Canadian government, including the right to culture, the right to health, the right to security, the right to justice, and the right to self-determination.[376]

Canada has signed and ratified a large portion of the UN treaty bodies and is active in its involvement in the international sphere. Indigenous rights are present in a wide range of IHRL instruments, with particular focus on the protection of culture and languages as well as self-determination. However, it is important to consider that indigenous peoples, like all people, are not a homogenous group and consist of intergroup differences. Indigenous women experience additional forms of marginalization and are vulnerable to violence, solely because they are women and indigenous. Two of the main IHRL instruments regarding indigenous women as CEDAW and UNDRIP, which merit further consideration.

CEDAW

As stated in Chapter One, Canada signed and ratified CEDAW in 1981 and the Optional Protocol in 2002, therefore, Canada is legally bound to its provisions and obliged to submit country reports every four years. In 2008, the CEDAW Committee expressed concerns with the *Indian Act,* as it continues to discriminate against indigenous women and inhibits the right to cultural transmission.[377] Furthermore, there was grave concern with the MMIWG and the Committee urged the government to "urgently carry out thorough investigations of the cases…[as well as] an analysis of those cases in order to determine whether there is a racialized pattern to the disappearances and take measures to address the problem if that is the case."[378]

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[375] National Inquiry, "Reclaiming Power," 201.
[376] Ibid, 119-135.
[377] CEDAW Committee, "Concluding Observations," 4.
[378] Ibid, 7.

Due to the lack of government action and pressure from NGOs, the Committee launched an investigation in 2015 under article 8 of CEDAW Optional Protocol.[379] The Committee conducted a state visit and noted the disproportionate rates of violence against indigenous women and girls,[380] high levels of prostitution,[381] and severe lack of social services and resources.[382] Most importantly, the Committee calls for the development and implementation of a National Action Plan. The report takes into account how gender, race, and socio-economic status interact and ultimately, contribute to the violence against indigenous women and girls.[383] Canada's next report is due in November 2020 and the MMIWG is listed as an issue to be discussed, with the requirement of the Canadian government to provide a time frame regarding the implementation of the National Inquiry.[384]

UNDRIP

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is a non-legally binding document that was adopted by the UN General Assembly in 2007, with only four votes against - the United States, Australia, New Zealand and Canada. This is significant as these four countries have large indigenous populations who would benefit from inclusion in the declaration's jurisdiction. As stated by TRC, "It is not coincidence that all these nations have a common history as part of the British Empire…[and] the historical treatment of Aboriginal peoples in these other countries has strong parallels to what happened to Aboriginal peoples in Canada."[385] UNDRIP addresses the legacy of colonialism, collective peoples rights, the right to self-determination, economic, social and cultural rights, as well as the special rights of indigenous women and children.

In 2010, PM Stephen Harper issued a statement of support of the Declaration. However, it was emphasized that Canada does not fully embrace UNDRIP's principles and will not change

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[379] UN General Assembly, *Optional Protocol,* 5.
[380] CEDAW Committee, "Report of the Inquiry," 24.
[381] Ibid.
[382] Ibid, 28.
[383] Campbell, "CEDAW and Women's Intersecting," 33.
[384] CEDAW Committee, "List of Issues," 4.
[385] TRC, "Honoring the Truth," 188.

Canadian laws.[386] In 2016, Canada removed its objector status and is now an unqualified supporter of the Declaration. Legal scholar Nigel Bankes states how UNDRIP does not develop new rights and instead, "seeks to address the particular history of colonization experienced by Indigenous peoples" and "many of the provisions of the Declaration represent customary international law."[387] Despite its significance, there is no consensus in case law regarding the weight of the Declaration.[388] As stated in the National Inquiry report, "while UNDRIP is an invitation to participate in more inclusive multicultural nation-states and improve equality of access to economic opportunities, it should not be regarded as the 'be all, end all' of Indigenous rights."[389]

Additional IHRL Bodies

As Canada is a signatory and State Party to a multitude of international treaty bodies and declarations, this analysis does not include an exhaustive list of IHRL instruments.[390] The CERD Committee was one of the first UN bodies to note the high levels of violence towards indigenous women and girls.[391] It is argued in the National Inquiry that the *Indian Act* violates CERD, as it has a "direct impact on Indigenous identity and community affiliation" and "the wording also suggests that governments should work to prevent racial discrimination in all of its forms, including in its own systems and those it funds, such as child welfare."[392]

ICCPR and ICESCR are two UN conventions that directly impact indigenous women and girls in Canada, as their provisions and mandates are very broad. The denial of rights specified in the conventions, including the right to equality and non-discrimination, freedom from torture and other cruel, inhumane or degrading treatment or punishment, as well as the right to health and the right to

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[386] TRC, "Honoring the Truth," 137.
[387] Bankes, "Implementing UNDRIP," 2.
[388] Ibid, 7.
[389] National Inquiry, "Reclaiming Power," 198.
[390] For example, IACHR completed an investigation of the MMIWG in British Columbia in 2014. The findings are utilized throughout this analysis, however the document itself is not examined in detail.
[391] Long and Hollands, "MMIWG Legal Strategies," 60.
[392] See note 389, 403.

adequate housing, contribute to the marginalization of indigenous women and girls and puts them at greater risk of violence and exploitation.[393]

Furthermore, as this issue affects indigenous girls, it falls under the jurisdiction of CRC. Article 30 of CRC is the "only general UN human rights treaty to devote a specific article to indigenous rights, coupling them with rights of minorities in what is essentially a development of Article 27 of the ICCPR."[394] In addition to the cases of MMIWG, Canada continues to fail to protect the rights of indigenous children due to the disproportionate amount taken into state custody.[395] Residential schools also violate CRC, as indigenous groups and children belonging to these groups, cannot be denied the right "to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language."[396]

One significant aspect of the National Inquiry report is the inclusion of the word "genocide,"[397] especially in the Supplementary Report conducting a legal analysis of genocide. Canada signed the UN Convention on the Prevention and Punishment of the Crime of Genocide in 1949 and ratified in 1952. The Report frames this issue through the lens of colonial genocide.[398] Many argue the claim of genocide in the report is unfounded,[399] however PM Justin Trudeau says his government accepts that the cases of MMIWG amount to genocide.[400] Despite disagreement, this is a significant step in the long journey towards reconciliation.

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[393] National Inquiry, "Reclaiming Power," 187.
[394] Thornberry, *Indigenous Peoples*, 234.
[395] See note 393, 190.
[396] UN General Assembly, *CRC,* 9.
[397] It is explicitly stated in the Report, "Genocide is the sum of the social practices, assumptions, and actions detailed within this report…The National Inquiry's findings support characterizing these acts, including violence against Indigenous women, girls, and 2SLGBTQQIA people, as genocide" (See note 393, 54).
[398] According to Mégret, colonial genocide is "genocide happening everywhere and all the time. It is a genocide that is at least as much the result of a slow war of cultural attrition than it is the product of massacres. The intent is present but it is structural. Responsibility is not only singular, not the work of a few bad apples, but collective" ("The MMIWG Report," para. 14).
[399] For example, retired Lt.-Gen. Roméo Dellaire, who oversaw the 1994 UN mission in Rwanda, has an issue with the National Inquiry's use of the word "genocide" (Tunney, "Trudeau says Deaths," para. 10). Dellaire states, "That [accusation] is scandalous and that is unacceptable in a country that has a Charter and believes that all humans are human" (para. 12).
[400] Tunney, "Trudeau says Deaths," para. 1.

Discussion

The international legal framework surrounding the cases of MMIWG in Canada is extremely complicated, as there is an overwhelming amount of documents. This sheds light on the systemic marginalization indigenous women face on the global scale. It is also important to consider how the complicated nature of IHRL in the case of indigenous women hinders survivor access and may contribute to re-victimization. Furthermore, despite the extensive legal framework surrounding these issues, the recommendations can only produce a limited amount of results, if any, because of state sovereignty. The dire situation regarding colonial genocide and violence against indigenous women endures and drastic action is required to begin the process towards effective reconciliation.

International law itself is entrenched in the legacy of colonialism, therefore it is imperative to decolonize legal instruments in order to mitigate and rectify the marginalization of indigenous peoples, especially women and girls. As stated by law professor Frédéric Mégret, imagine "what international law could be if it had not itself been implicated historically in colonization."[401] However, if used in alignment with feminist ethics, international law can be an effective tool to undermine Canada's essentialized reputation. As mentioned in the National Justice Forum, "Work at the international level often consists of challenging the face Canada presents to the world – and providing accurate information about the discriminatory treatment of First Nations."[402]

5.2 National Legal Framework

As Canada is a colonial state, the Canadian legal system is built to protect its own interests, therefore limiting indigenous peoples' self-determination and self-government.[403] As stated by Lawrence and Dua, "The legal system does this through the assertion of a 'rule of law' that is daily deployed to deny possibilities of sovereignty and to criminalize Indigenous dissent."[404] Colonialism is deeply embedded in Canadian law and institutions, which creates significant barriers for indigenous peoples to obtain

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[401] Mégret, "The MMIWG Report," para. 7.
[402] Assembly of First Nations, "Achieving Justice," 7.
[403] Lawrence and Dua, "Decolonizing Antiracism," 124.
[404] Ibid.

justice and exercise their human rights. Furthermore, Anaya observes, "the Government appears to view the overall interests of Canadians as adverse to aboriginal interests, rather than encompassing them."[405] This is problematic, as it disrupts cohesion between groups and generates 'us versus them' rhetoric.

The 1982 Canadian Constitution was one of the first in the world to "enshrine indigenous peoples' rights, recognizing and affirming the aboriginal and treaty rights of the Indian, Inuit, and Métis people of Canada."[406] Despite this legal framework, the cases of MMIWG continue to be placed on the backburner of the political agenda. As stated by Kiera E. Royle, "The othering of Indigenous women creates a culture of acceptance where violence against Indigenous women is an accepted act of society."[407]

As this is not a legal analysis, this section solely focuses on the necessary legal framework for a feminist exploration of issues related to indigenous women and girls in Canada. Consequently, a brief analysis and discussion about the Canadian Charter of Rights and Freedoms is provided, alongside the domestic implementation of UNDRIP, Bill C-262.

Canadian Charter of Rights and Freedoms

The CCRF, which is entrenched in the Constitution, was modelled after the provisions in ICCPR.[408] The Charter ensures the fundamental right to equality of all persons and freedom from discrimination, including the right of non-discrimination in the administration of services.[409] There are several provisions in CCRF that guarantee protections of the rights of indigenous peoples, especially women and girls, including section 7 of the Charter, which ensures the right to life, liberty and security, as well as section 15 that asserts, "failure to provide Indigenous women with the benefit of police protection from violence creates a discriminatory distinction based on the prohibited grounds of race

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[405] Anaya, "Report of the Special Rapporteur," 18.
[406] Ibid, 5.
[407] Royle, "Governmental Response," 14.
[408] Niemi, "National Implementation," 14.
[409] Long and Hollands, "MMIWG Legal Strategies," 3.

and sex."[410] The CCRF contains *sui generis* rights, meaning, "Aboriginal and Treaty rights are set

aside from other rights to acknowledge that they are unique."[411]

Although the CCRF ensures protections on paper, these do not necessarily translate in

practice, as seen in the cases of MMIWG. Due to the legacy of colonialism, the justice system fails

indigenous peoples on a systemic level, with indigenous women and girls being the most

marginalized. Despite legal protections, indigenous women continue to experience institutional

violence, "perpetrated by institutions such as the military, the church, the educational system, the

health system, police and emergency responders, and the justice system."[412]

Domestic Implementation of UNDRIP: Bill C-262

Bill C-626 was introduced into the House of Commons by New Democratic Party (NDP) MP Romeo

Saganash as a private member's bill[413] with the goal of bringing Canadian laws in alignment with

UNDRIP. In September 2019, Bill C-262 "died on order paper"[414] when it was blocked by the

Senate,[415] as several senators expressed concerns that the Bill was "rushed through without giving

senators the opportunity to understand the full implications for Canada."[416] According to Brenda L.

Gunn, many lawyers and judges choose not to rely on international legal instruments, as there is a lack

of understanding of international law domestically.[417] This is a missed opportunity on the part of the

Canadian government as the "UN Declaration and Bill C-262 helps to ensure that rights protected

under the Canadian constitution keeps pace with developing international human rights standards."[418]

It is unclear how, or if, the Canadian government will bring the Constitution and domestic laws in

alignment with UNDRIP. It seems as though there is an immense amount of discussion regarding its

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[410] Long and Hollands, "MMIWG Legal Strategies," 35.
[411] National Inquiry, "Reclaiming Power," 212.
[412] Ibid, 77.
[413] Bankes, "Implementing UNDRIP," 3.
[414] Québec Native Women Inc., "Bill C-262," para. 1.
[415] Brenda L. Gunn argues this is undemocratic, as the Senate in Canada is not elected. Gunn states, "Implementing the UN declaration and the right of free, prior and informed consent does not create an Indigenous veto. What does pose a danger to our democracy is unelected senators blocking legislation passed by the House" ("The Senate Halts," para. 14).
[416] Ibid, para. 4.
[417] Ibid, para. 6.
[418] Ibid, para. 8.

implementation without any concrete action. I am skeptical that the government will push to re-introduce a law like Bill C-262, as states continue to prioritize economic interests and sovereignty over human rights. Only time will tell whether true reconciliation can be realized and if the Liberal government will live up to their promises.

6. Connecting the Local and the Global: CFIAP in Relation to MMIWG in Canada

Upon examination of the internal situation of gross human rights violations inside Canada's borders, it is evident that the nation's international feminist claims are not consistent with its internal affairs. The case study of MMIWG sheds light on one of the most prominent systemic issues present in Canada, which has been disregarded since the first instances of colonial violence. As a result, it is crucial to examine CFIAP in conjunction with the lack of policy interest in the cases of MMIWG and to question why Canadian feminist polices are shaped in ways that prioritize the nation's international reputation over the lives of indigenous women and girls. The global and the local are deeply interconnected and should be considered in relation to one another. As stated by Ackerly and True, "We are challenged to see the ways in which domestic power relations are always already globalized."[419] Moreover, there is an "artificial, and racialised distinction set up between the 'foreign' and the 'domestic', which ignores the ways in which both spatial domains are intimately connected."[420] This distinction must be disrupted in order to develop effective and inclusive policies that benefit everyone, regardless of their positionality.

Canada as a nation has many reasons for its involvement in foreign policy initiatives, including foreign aid investment. According to David Chandler, much of the gravitation towards the creation of ethical foreign policy is that "western governments can easily gain a moral authority that cannot be secured through the domestic political process."[421] Canada's international reputation is a direct result of the nation's involvement in "ethical" foreign initiatives, including CFIAP, which reflect values that are not entrenched in domestic policy, especially in the case of indigenous women

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[419] Ackerly and True, "Back to the Future," 470.
[420] Achilleos-Sarll, "Reconceptualising FP," 43.
[421] Chandler, "Rhetoric Without Responsibility," 301.

and girls. It must also be considered that Canada's investment in private-sector extractive companies, which are inherently against feminist values, have detrimental effects on the environment and indigenous communities, whereby indigenous women and girls are disproportionately affected.[422] However, despite these consequences, it is explicitly stated in CFIAP, "Canadian companies reflect Canadian values, respect human rights and operate responsibly, particularly in operations in developing countries where Canada is providing international assistance."[423] Although Canada claims to be a world-leader in feminist policies, the nation's feminism is compromised by neoliberal values and colonial legacy. The nation chooses which women and girls it advocates for, which leaves indigenous women and girls at home at the bottom of the government's priority list.

According to Thompson and Clement, it is important to consider whether CFIAP is "uninformed by the perspectives of those on the receiving end and removed even from the realities of their own domestic policies."[424] In the following section, the content of this statement is explored while reflecting on the themes present in CFIAP in relation to domestic affairs, with special focus on the MMIWG.

6.1 Revisiting Canadian Values

As previously mentioned, peacefulness, tolerance and respect for order and rule of law are often identified as Canadian values and foundations of national identity.[425] However, tolerance is commonly, albeit implicitly, "positioned as something that white Anglo Canadians must try to extend to racialized Canadians," which shows how Canadians have different understandings of their national identities.[426] Similar to Sweden, Canada is oftentimes seen as a "moral superpower" that is "linked to its longstanding social democratic legacy and sense of dual welfare commitment to citizens and non-citizens alike."[427] While values of multiculturalism and tolerance are commonly expressed in Canadian foreign policy, including CFIAP, as stated by Howell, "While emphasizing diversity on one

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[422] Thompson and Clement, "Defining FFP," 5.
[423] GAC, "CFIAP," 69.
[424] See note 422.
[425] Howell, "Peaceful," 52.
[426] Ibid, 53,
[427] Aggestam and Bergman-Rosamond, "FFP 3.0," 41.

hand, such discourses also attribute an essential sameness and coherence to the whole of the Canadian nation that ignores all sorts of domestic cleavages."[428] These disparities are most apparent in the case of indigenous peoples, especially women and girls, due to their intersecting identities.

Throughout the years, foreign policy rhetoric has emphasized the importance of indigenous cultures in Canada.[429] While this has rhetorical value, indigenous peoples are excluded from decision-making processes, even though they are the ones who are directly affected. Furthermore, communities are typically diminished to their culture rather than active participants in policy formation and implementation. Although positive interventions for indigenous communities exist, especially considering the severity of the current situation, Canada is quick to act in the international sphere as a result of Canadian values portrayed abroad. Unlike domestic policies and interventions, "The discourse of ethical foreign policy establishes a framework of western intervention which inevitably encourages a positive view of intervention in the face of exaggerated fears of non-intervention."[430]

Canadian values exaggerate differences between problems "at home" versus those abroad, which runs the risk of reproducing cultural essentialism. According to Engle Merry, culture is more commonly used when describing the "developing world than the developed one."[431] However, this is a narrow way of viewing culture, as all countries have their own distinct cultures, including Canada. Additionally, due to the "moral superiority"[432] of Canadians and other nations in the Global North, they oftentimes view themselves as having a "special in the sense of being unusually virtuous."[433] Violence, conflict and harmful cultural practices are commonly understood as issues existing exclusively in the Global South, and when they are present in Canada, there is a common belief that they only occur in immigrant communities. As stated by Kapur, "culture is frequently invoked to explain the kind of violence experienced by women in the Third World, though it is not invoked in a

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[428] Howell, "Peaceful," 61.
[429] For example, it is stated in the 2003 *Dialogue on Foreign Policy*, "The experiences of immigrants from around the world and the cultures of Aboriginal peoples are woven into the fabric of our national identity" (13).
[430] Chandler, "Rhetoric Without Responsibility," 309.
[431] Merry, *Human Rights,* 11.
[432] Stairs, "Myths, Morals," 239.
[433] Ibid.

similar way when discussing violence against women in various Western contexts."[434] Culture is seen as supporting the suppression and subordination of women, in ways that do not exist in the Global North.[435] Therefore, systemic issues, such as gender inequality and GBV, are rendered invisible in the domestic realm. This "gender cosmopolitanism" consists of a "normative outflow of internationalist values and ideas about women's rights and welfare that are socially constructed at the domestic level" which, provides "a source of ideational inspiration for ethical conduct beyond borders."[436]

Cultural essentialism fuels "othering" of the Global South and diverse cultures within Canada, as so-called Canadian values are seen as the *norm*. Viewing Canadian values as the yardstick to navigate liberal cultural norms is problematic, as Canadians are "understood as having those very values that are apparently lacking in others."[437] The media plays a crucial role in the "othering" of the Global South. As stated by Jiwani, "By focusing on issues 'out there', the media can overlook the issues 'over here' and thereby obfuscate if not evacuate the issue of our complicity in upholding the 'existing scheme of things'."[438] By focusing attention on human rights violations outside of national borders, the media obscures our perception of democracy and renders violations in Canada, including the cases of MMIWG, invisible.

The reality is that as democratic, tolerant and peaceful a country can be, there are no countries in the world without systemic human rights violations and marginalized groups. In an alternative and controversial analysis of Canada's environmental policies, Lee-Anne Broadhead claims Canada is a "rogue state," a label the nation has ascribed to others in the past.[439] Therefore, it is important for countries to examine and rectify issues in their own national borders before moralizing their "good practices" in relation to other countries. In CFIAP, it is stated, "Studies also show that the security of women and girls is one of the best predictors of a state's peacefulness."[440] As there have been

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[434] Kapur, "The Tragedy," 14.
[435] Bond, "International Intersectionality," 160
[436] Bergman-Rosamond, "Protection Beyond Borders," 329.
[437] Howell, "Peaceful," 61.
[438] Jiwani, "Symbolic and Discursive," 10.
[439] Broadhead, "Rogue State," 480.
[440] GAC, "CFIAP," 58.

hundreds of MMIWG in Canada throughout the years and GBV is rampant across the country, I argue that Canada can be defined as unstable according to the terms outlined in CFIAP. Indigenous women and girls experience disproportionate levels of violence, solely because they are women and indigenous. This reality is wholly different from the international perception of Canadian values and it must be considered when evaluating Canada's global actions.

6.2 Colonial Legacy: Obstructing Canada's Promise

As Canadian values are widely known around the world, the nation's history of colonialism and the present effects of colonial legacy are often invisible, both internationally and domestically.[441] Canada is commonly viewed as a country "free from any history of colonization," due to its reputation as "Canada the Good."[442] It is clear that histories are interconnected and colonial legacy continues today. As stated by Achilleos-Sarll, there exists an "implicit boundary, and temporal divide…between the 'colonial' and the 'postcolonial', through the erasure of connected histories."[443] There is however, mention of Canada's legacy of colonialism and its ongoing effects in Canada's National Action Plan. It is stated, "Globally, in the context of this Action Plan, Canada's learning experience with the consequences of colonialism and the continued challenges faced by First Nations, Inuit and Métis will help improve Canada's capacity to respond to challenges faced by women and girls abroad."[444] Although this rhetoric is a good first step towards decolonization, much more work and follow up is required to achieve tangible results.

Canada was built on "settler colonialism"[445] and operates under "the authority of the colonial sovereign."[446] In terms of intersectionality, it is crucial to consider how Canada's colonial legacy impacts indigenous women and girls disproportionately from their male counterparts. According to María Lugones, "Unlike colonization, the coloniality of gender is still with us; it is what lies at the

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441 Howell, "Peaceful," 49.
442 Ibid, 56.
443 Achilleos-Sarll, "Reconceptualising FP," 38.
444 GAC, "National Action Plan," 5.
445 According to Cox, *settler colonialism* is "an ongoing system of power that perpetuates the genocide and repression of indigenous peoples and cultures" (para. 1). Furthermore, it "normalizes the continuous settler oppression, exploiting lands and resources to which indigenous peoples have genealogical relationships" (Ibid).
446 Woolford and Benvenuto, "Canada and Colonial Genocide," 375.

intersection of gender/class/race as central constructs of the capitalist world system of power."[447] It is evident that colonial legacy affects people in different ways, however in the case of Canada, indigenous women and girls are overly represented as victims of violent attacks. The National Inquiry makes it clear that we must view colonization as a structure, rather than series of individual acts. It is stated, "Through this lens, we can see how these structures still play a role in controlling which services people can access and which laws communities can make, and in creating conditions that are unsafe."[448]

Paternalism is a direct result of conquest and colonial legacy, as many groups and communities, even nations, are considered incapable of liberal self-governance. As stated by Howell, "Those who are deemed to have failed to meet the standards of Canadian liberal citizenship…are subject to a whole range of interventions."[449] This is predominately the case for countries in the Global South, whose practices are oftentimes considered "illiberal." According to Munck, "In relation to the Third World, human rights are seen as yet another area of deficit with regard to the West, to be rectified along with the penetration of free-market rules and values," with people in the Global South being unable and unwilling to protect human rights without western intervention.[450] This is also the case for indigenous communities in Canada. Despite indigenous peoples inherent right to self-determination,[451] they are commonly excluded from policymaking, as they are viewed as incapable of making good decisions for themselves and require assistance from the government.[452] It is stated throughout the National Inquiry that the agency and expertise of those directly affected must not be

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[447] Lugones, "Toward a Decolonial Feminism," 746.
[448] National Inquiry, "Reclaiming Power," 233.
[449] Howell, "Peaceful," 62.
[450] Munck, *Globalization*, 162.
[451] Indigenous peoples have the right to self-government, which is guaranteed in section 35 of the Constitution Act, 1982. See GOC, "Self-Government," para. 6.
[452] As stated by Anaya, "If a First Nation government functioning under the Indian Act has financial difficulties as a result of funding delays, reporting delays or other situations, it faces the potential imposition of a co-manager or federally-appointed third party manager who takes over control of all the nation's federally funded programs and services" ("Report of the Special Rapporteur," 14).

ignored, as this is a powerful tool to challenge the status quo and generate impactful solutions and remedies.[453]

6.3 Framing the 'Ideal Victim'

As victims of gross human rights violations are oftentimes ignored or discredited, it is important to consider the reasons behind this reality. When considering victims in international and domestic spheres, there are strong disparities between the two. In the case of MMIWG in Canada, indigenous women and girls and their families who report abuses are oftentimes seen as "illegitimate victims," described as "social system cheaters who commit fraud, are fakers, and engage in outright deception," due to harmful stereotypes.[454] Furthermore, victims are commonly blamed for their subjection to violence, as a result of their "risky lifestyles" and "bad decisions."[455] According to Christie, "The *real victims* are so to say the negation of those who are most frequently represented…Many among the real victims do not fear…because they have more *correct information regarding the real risks*."[456] On the other hand, women and girls who fall victim to human rights violations in the Global South are seen as "authentic victims" through the colonial lens.[457] They are represented as "thoroughly disempowered, brutalized, and victimized" which runs the risk of recreating "the imperialist move that views the native subject as different and civilizationally backward."[458]

The media contributes to the construction of victims and determines who is worthy of sympathy. As stated by Jiwani, "The alcohol-drug-addicted inept-mother-prostitute who was simultaneously a demanding, abject victim did not render Aboriginal women's representations deserving of the same kind of sympathy, empathy, and unswerving public commitment as called forth

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[453] National Inquiry, "Reclaiming Power," 324-325.
[454] Lewis, Hamilton and Elmore, "Describing," 7.
[455] Drache, Fletcher and Voss, "What is the Canadian Public," 29. This phenomenon is also explored throughout the National Inquiry. It is stated, "The assumptions tied to Indigenous women, girls, and 2SLGBTQQIA people by police as 'drunks,' 'runaways out partying,' or 'prostitutes unworthy of follow-up' characterized many interactions, and contributed to an even greater loss of trust in the police and in related agencies" ("Reclaiming Power," 648).
[456] Christie, "The Ideal Victim," 20. *Emphasis added.*
[457] Kapur, "The Tragedy," 18. Moreover, Howell states, "Further, the narrative of Afghan women as passive victims requiring heroic Western rescue serves to construct both Afghanistan and the West – including Canada – through the racist and Orientalist binary of civilized/uncivilized and liberal/illiberal" ("Peaceful," 59).
[458] Ibid, 18.

by their Afghan counterparts."[459] Due to Canada's internalized view as a humanitarian nation, victims in countries in the Global South can receive more empathy than marginalized women within domestic borders. Furthermore, victims in the Global South may generate more compassion due to cultural relativism, as they can be seen as falling victim to their cultures. Whereas, indigenous women and girls are "portrayed as criminals and as victims of crimes…[And] depicted as inept, prone to addictions, and as lacking responsibility or accountability."[460]

It is important to consider that not all people view victims in the Global South as deserving of empathy, as they commonly occupy racialized bodies.[461] However, indigenous women and girls' worthiness of victim status is commonly denied, as they are forced to navigate a "contested battlefield of meanings that can only be won when society recognizes its complicity in reproducing neo-colonial systems of valuation that position Aboriginal women in the lowest rungs of social order, thereby making them expendable and invisible, if not disposable."[462] The valuation of victim status must be abolished in order to undermine victim blaming and shift culpability from survivors to perpetrators in all cases.

6.4 The Maintenance of Existing Structures Both Inside and Outside National Borders

As previously mentioned, Canada is a country built on neoliberal value systems, consisting of capitalist structures and individualism. These beliefs are incompatible with indigenous ways of knowing, which emphasize the importance of community, partnerships and the interconnectedness of beings. Many cultures around the world also uphold these values, which shows how neoliberalism is not the be-all-end-all ideology. As argued by Howell, Canada is seen as a just society, consumed by neoliberal value systems despite its "support for a US-led capitalist world order and the existence of class and other inequalities domestically."[463]

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[459] Jiwani, "Symbolic," 10.
[460] Ibid, 7.
[461] Jiwani and Young, "Missing and Murdered," 902.
[462] Ibid, 912.
[463] Howell, "Peaceful," 58.

CFIAP emphasizes Canada's neoliberal values, as every section is framed in economic terms and oftentimes, identifies capitalism as the solution to women's oppression, rather than one of the systems that maintains structural inequalities.[464] As previously mentioned, it is stated, "Canadian companies reflect Canadian values" which shows the deep capitalist and neoliberal values present in CFIAP.[465] This statement is highly problematic and ignores the gross human rights violations committed by Canadian companies, both domestically and internationally.

As Canadian policymakers continue to maintain existing systems of oppression, they implicitly, and sometimes explicitly, defend the interests of the business elite. In both cases, CFIAP and domestic policymakers of indigenous affairs render the needs of communities invisible, making them "objects of their privileged discourse on race," as "the system of racism, classism, and educational elitism must remain intact if they are to maintain their authoritative positions."[466] As stated by Munck, "Other peoples to whom the rules may apply have not created these rules nor do they necessarily subscribe to them," which shows policies' irrelevance in many contexts and how they can directly contribute to marginalization.[467] According to the National Inquiry, "The ongoing lack of institutional will to enhance protections to Indigenous women is another manifestation of colonialism's tactics of ignoring, normalizing, and erasing violence."[468]

This phenomenon is also present in the case of CFIAP, as it exists in a "tokenistic feminist bubble," which allows the use of the "feminist label and acts as a feminist fig leaf for major initiatives in other foreign policy areas (especially defense) that are not feminist."[469] Rather than producing radical feminist change, the feminist label reproduces existing systems of oppression in the name of "feminism." Furthermore, it is crucial to consider how the partnerships with those affected by CFIAP

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[464] For example, it is stated, "We believe in economic growth that benefit everyone—and believe that when women and girls are given equal opportunities to succeed, they can transform their local economies and generate growth that benefits their entire communities and countries" (GAC, "CFIAP," 8).
[465] Ibid, 69.
[466] hooks, *From Margin to Center,* 13.
[467] Munck, *Globalization,* 162.
[468] National Inquiry, "Reclaiming Power," 582.
[469] Swiss and Brown, "Bold Statement or Fig Leaf?" 129.

are facilitated. If they are similar to the situation of the MMIWG in Canada, there is significant work

to do to generate effective results and ultimately, end systemic oppression.

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CHAPTER FOUR: Moving Forward – Where Do We Go From Here?

Upon careful examination of CFIAP in relation to MMIWG in Canada, it is evident that the FFP takes a gender mainstreaming (GM) approach to policymaking. The term was coined at the 1975 UN Conference on Women in Mexico and Canada adopted "high-level mechanisms" in 1976.[470] The UN defines GM as "the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas at all levels."[471] Although GM has been successful in advancing economic, political and social gender equality in several states, many feminist scholars have contested the method. One of the most common arguments against GM is that it engages in gender essentialism, which fails to "address the complex way in which gender is created and sustained by social and power relations."[472] Furthermore, while GM increases women's participation in various aspects of public life, it lacks revolutionary potential, as it fails to challenge institutional values.[473] According to Hilary Charlesworth, GM is ineffective, as it "has not led to any investigation of the gendered nature of international institutions themselves or any call for effective organizational change."[474]

GM follows along the lines of neoliberalism, which is consistent with Canadian values. This is vastly problematic as it limits GM's ability to question prevailing systems. As stated by Bacchi and Joan Eveline, "The extent that mainstreaming and gender analysis remain subservient to wider policy objectives, the possibility of contesting neoliberal economic agendas is seriously compromised."[475] As CFIAP is deeply informed by GM, the policy fails to take into account the diverse realities of women and challenge existing systems of oppression. Therefore, I argue GM is unable to generate significant social change and produce effective feminist results. In this chapter, I argue the importance of intersectionality when constructing feminist policy, both domestically and internationally, as well as the urgent need to decolonize existing legal and political frameworks in Canada and abroad.

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[470] True and Mintrom, "Transnational Networks," 32.
[471] ECOSOC, "Agreed Conclusions," para. 4.
[472] Charlesworth, "Not Waving," 13.
[473] Ibid.
[474] Ibid, 16.
[475] Bacchi and Eveline, "Mainstreaming," 101.

1. The Importance of Intersectionality

As mentioned in previous chapters, it is imperative to consider intersectionality when developing and applying feminist policies. Intersectionality has the potential to generate social change, due to its inclusive analysis of gender and consideration of diverse lived realities. Intersectionality is effective, as it refocuses attention on the most marginalized and those who, historically, have been silenced. The application of intersectionality in the global context is essential, as it transcends diverse contexts and situations. As stated by Ferree, gender inequality is "anchored in a history in which the boundaries and entitlements of racialized nationhood, the power of organized class interests to use the state and the intersection of both of these with the definition of women as reproducers has been part of politics all along."[476]

Although the term "intersectional" is included twice throughout CFIAP, it is used inconsistently and is not clearly defined.[477] According to Corinne L. Mason, "Systemic oppressions including sexism, racism, classism, homophobia, transphobia, and ableism go unmentioned completely, as do colonialism, imperialism and globalization…Instead, intersectionality seems to point to the inclusion of additional social categories beyond gender, but not to the impact of intertwining power systems."[478] Furthermore, in CFIAP, intersectionality is "offered as a method to include more diverse individuals into choice-making," which fails to consider the root causes of oppressions.[479] Rather than providing "opportunities" for the recipients of foreign aid investment, it is more beneficial to tackle the underlying sources of systemic oppression, poverty and armed conflict. In turn, this forces western nations, including Canada, to re-evaluate and re-examine their own domestic value systems. As stated by Flax, "In order to sustain domination, the interrelation and interdependence of one group with another must be denied. Connections can be traced only so far before they begin to be politically dangerous."[480]

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[476] Ferree, "Inequality," 98.
[477] Mason, "Buzzwords," 4.
[478] Ibid, 5.
[479] Ibid.
[480] Flax, "Postmodernism," 640.

The case study of the MMIWG in Canada demonstrates the importance of considering intersectional lenses when producing gender-informed policies, as women do not experience equal levels of oppression. According to the Gender Equality Network Canada, "As a concept, intersectionality supports advances in integrating an understanding of colonialism as it affects Indigenous women and the embedded institutional racism that is part of our immigration system, police force and criminal justice system."[481] When reporting on the cases of MMIWG, NGOs do an exceptional job framing these issues in intersectional terms, which policymakers should apply to all contexts. The National Inquiry into MMIWG utilizes intersectionality in clear and effective ways, to show how indigenous peoples are affected differently by the legacy of colonialism. Furthermore, there is mention throughout the National Inquiry of how various indigenous communities are disproportionately affected, which creates a holistic depiction of the issue at large.[482] Intersectional feminism should not be viewed as radical; instead, it must become the norm when conducting feminist analyses, as it considers the lived realities of all group members, including those who have been systemically ignored. As stated by Torjer A. Olsen, "Using an intersectional perspective, regardless of how it is termed, enables us to understand people as belonging to a diversity of contexts and/or identities at the same time."[483]

Despite its inclusivity and transformative potential, some question the power of intersectionality. According to Johanna Bond, intersectionality runs the risk of misapplication and can be used as a form of "gender-plus discrimination," which erases unique types of discrimination.[484] Additionally, Bond argues there could also be risk of overemphasis of the victim, which can potentially diminish their agency and acts of resistance.[485] Despite these concerns, Bond ultimately understands the importance of intersectionality and its potential for providing "more complete

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[481] Gender Equality Network Canada, "Women's Equality," 40.
[482] For example: "Inuit, Métis, and First Nations women do not always face the same kind of discrimination or threat, even though all are Indigenous. In addition, non-binary people, including those who identify as 2SLGBTQQIA, may encounter individual, institutional, and systemic violence differently" (National Inquiry, "Reclaiming Power," 104).
[483] Olsen, "This Word," 183.
[484] Bond, "International Intersectionality," 157-158.
[485] Ibid, 158.

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remedies" for multiple systems of oppression.[486] Furthermore, it is crucial to consider whether

intersectionality is compatible with diverse cultural understandings and traditional forms of

knowledge, especially in the case of indigenous women and girls. According to the Institute for

Intersectionality Research and Policy, many people believe intersectionality is already a part of

indigenous ways of knowing, as it focuses on the interconnectedness of all things, which therefore

shows how the two are inherently compatible.[487]

2. Decolonization of Policies in Both Canada and Abroad

Although vastly important, intersectionality alone cannot undermine colonial legacies and the

structural injustices that exist around the world and inside of Canada. Therefore, it is imperative to

radically reform existing polices and institutions to rid of colonial remnants and break down barriers

for many groups. This has yet to be realized in Canada because prevailing policies serve the interests

of the elite, as they are the ones who make the vast majority of political and economic decisions.

According to the National Inquiry, "'Decolonizing' is a social and political process aimed at resisting

and undoing the multi-faceted impacts of colonization and re-establishing strong contemporary

Indigenous Peoples, Nations, and institutions based on traditional values, philosophies, and

knowledge systems."[488] The first step towards decolonization, and ultimately anti-colonization, is to

understand colonial structures. We must understand systems and how they benefit some and

marginalize others, in order to begin to dismantle them.

To be effective, feminist policies must be both intersectional and informed by decolonial/anti-

colonial feminism. According to Paulina Garcia-Del Moral, decolonial intersectional framework has

the potential to "blur the distinction of modernity as a hierarchy of value between Western states and

non-Western states, thus helping to dismantle the transnational continuities of coloniality in feminist

scholarship, activism, and politics in general."[489] By re-examining values, we are able to "ask

different questions, all with the aim of negotiating a 'better,' less hostile, more responsible relation to

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[486] Bond, "International Intersectionality," 185.
[487] Institute for Intersectionality Research and Policy, "Dialogue," 2.
[488] National Inquiry, "Reclaiming Power," 78.
[489] García-Del Moral, "The Murders of Indigenous," 950.

the other."[490] Furthermore, according to Lugones, decolonial feminism sheds light on "the gender

coloniality at the colonial difference" and provides ways to actively resist it through a revision of

worldviews and systems.[491] It is also important to consider the power of discourse and the ways it can

be used to drive resistance.[492] Although CFIAP consists of feminist promises on paper, these do not

necessarily translate into practice. Upon examination, it is evident that Canada's promises are founded

on neoliberal values and utilize GM without conducting an effective critical feminist analysis of the

root causes of oppressions. As stated by Audre Lorde, "For the master's tools will never dismantle the

master's house", and this is ultimately why CFIAP has very poor revolutionary potential.[493]

To create and implement effective feminist policies, ethics of care must be taken into great

consideration. According to Aggestam, Bergman-Rosamond and Kronsell, ethics of care "rests on the

idea of inclusive and ethical dialogues as well as acts of listening across borders and intersectional

confines," to uncover the stories of those who have been silenced.[494] In the domestic realm, it is

crucial to "devote time and energy on the part of Western and income-rich countries to listening to the

voices of the 'excluded' in local fora, in order to understand not only their needs, but also the ways in

which their dependency came about historically."[495] Once these issues are considered, it is easier to

expand to the international sphere and cultivate impactful development aid initiatives.

CFIAP is entrenched in unquestioned colonial legacies and neoliberalism, which value

individualism over the collective. This inherently opposes indigenous ways of knowing and disregards

indigenous peoples place as the first and rightful inhabitants of Turtle Island. As a result, I argue for

the inclusion of indigenous law and value systems in CFIAP, which have revolutionary power.

Indigenous women's rights consist of both individual human rights and collective indigenous rights,

with vast overlap between the two.[496] Indigenous law considers the interconnectedness of all things,

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[490] Bulley, "FP as Ethics," 177.
[491] Lugones, "Toward a Decolonial," 753.
[492] Howell, "Peaceful," 63.
[493] Lorde, "Age, Race, Class and Sex," 6.
[494] Aggestam, Bergman-Rosamond and Kronsell, "Theorizing FFP," 33.
[495] Robinson, "Stop Talking," 853.
[496] National Inquiry, "Reclaiming Power," 221.

which shows how individual rights can have collective aspects.[497] This reality is able to help

decolonize policies, including CFIAP, to incorporate diverse ways of understanding the world, outside

of neoliberal capitalism.

3. Conclusions and Contributions

CFIAP is a progressive policy that utilizes feminist rhetoric in mainstream policymaking. This is a

significant shift from the common use of realist values to inform foreign policy initiatives. Therefore,

my intention is not to discredit Canada's feminist policy nor deter governments from implementing

FFPs in the future. Rather, this analysis sheds light on the gaps in CFIAP showing how the policy

lacks revolutionary and transformative potential. This is due to the misuse of intersectionality and

absence of critical examination of existing systems, which could emphasize the root causes of

marginalization and ultimately, dismantle them.

According to Robinson, relationality, contextuality and revisability are three integral elements

of FFP.[498] Relationality is crucial when developing and implementing feminist policies, as this

enables the deep examination of "institutional practices that determine a norm against which some

people seem different, or deviant."[499] Furthermore, "A foreign policy that works towards feminist

goals is more likely to be a slow, plodding process which considers historical and contemporary

relations between actors and recognizes the importance of context in making decisions and policies,"

while considering the "ever-changing context of actors in relation across multiple, intersecting

locations and scales – across racial, socio-economic and ethnic divides and from the household to the

'global' level."[500]

In conducting this analysis, it is clear that Canadians are quick to dismiss the issues present in

national borders, due to perceived notions of Canadian values. The reality is that there are systemic

issues in all countries, due to disproportionate power relations, and it is harmful for Canadians to

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[497] Institute for Intersectionality Research and Policy, "Dialogue," 2.
[498] Robinson, "FFP as Ethical," 12
[499] Ibid.
[500] Ibid, 13-14.

ignore how the legacy of colonialism informs present-day policies. The case study of MMIWG shows

how solely including the feminist label in CFIAP does not make it *feminist* without the examination of

existing systems and the legacy of colonialism. Moving forward, governments, policymakers and

everyday people must be willing to acknowledge and examine their privilege and attempt to

decolonize their own ways of thinking before implementing "well-intentioned" policies. Intent is not

as important as impact and it is clear that many are rendered invisible through policies, even those that

claim to be feminist. Gender itself has been depoliticized and co-opted by the elite and a single-axis

approach to feminism fails to consider other lived realities, including race and class. In order for a

policy to be truly *feminist*, existing systems of oppression must be deconstructed and re-evaluated

through intersectional and anti-colonial lenses. In doing so, real change can flourish, which is the

ultimate goal of feminist policies.

3.1 Contributions to the Field

This analysis shows the transformative potential of FRE, as it examines the ways that gender, race,

class and other relations are reconstructed and considers ways to undermine taken-for-granted

assumptions. As stated by Robinson, "what is required is an approach to ethics that does not rely upon

gendered binaries, but instead has the resources to challenge them."[501] This analysis carefully

considers the implications of foreign policy formation and implementation through feminist lenses

and uses FRE to inform a critical examination CFIAP in relation to the MMIWG in Canada.

Furthermore, it consists of deep self-reflexive accounts to ensure that I am able to locate myself

within my research and consider those who are marginalized, due to the legacy of colonialism and

systemic oppression.

The revolutionary potential of feminist scholarship is facilitated through critical evaluation of

beliefs and political, economic and social structures that maintain power. It is imperative to shift

implicit understandings of the world and increase consideration of those with diverse lived realities.

According to Achilleos-Sarll, "These approaches extend beyond the confines of academia, and

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[501] Robinson, "FFP as Ethical," 3.

arguably have implications for the institutionalized take up of feminist ideas, as well as the espousal and normative content of a feminist foreign policy," which is ultimately, the goal of this analysis.[502] Feminist research is impactful, as it is emphasizes the importance of going beyond the boundaries of a person's own lived reality therefore, attempting to understand how the power relations of the past have lasting effects on modern-day practices and policies. This includes "turning our gaze upon our own society with the aim of actively dismantling our inherited cultural processes which oppress and subjugate" those with diverse experiences from ourselves.[503]

3.2 Opportunities for Future Research

This analysis consists of a critical evaluation of CFIAP and its relation to domestic human rights violations, specifically the cases of MMIWG in Canada. It is imperative to conduct additional research in the field and to learn from the insight of those on the receiving end of foreign aid, in the case of CFIAP, and domestic indigenous policies. Furthermore, as academic scholarship does not include recommendations, my intention is to convert the findings of this dissertation into a policy paper to circulate to NGOs, feminist research networks and indigenous activist groups to use for their own political purposes. It is crucial to engage in feminist collaboration, especially regarding the cases of MMIWG in Canada, as they require urgent intervention and international attention. This research can become more effective and transformational through engaging in dialogue with others, something I strive to do in the future.[504] Positive change has a ripple effect and if this research has an impact on one person's life or if it provides an opportunity for someone to question their own privilege, then I consider it a resounding success.

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[502] Achilleos-Sarll, "Reconceptualising FP," 41.
[503] dé Ishtar, "Striving for Common," 358.
[504] Ackerly and True, *Doing Feminist Research,* 113.
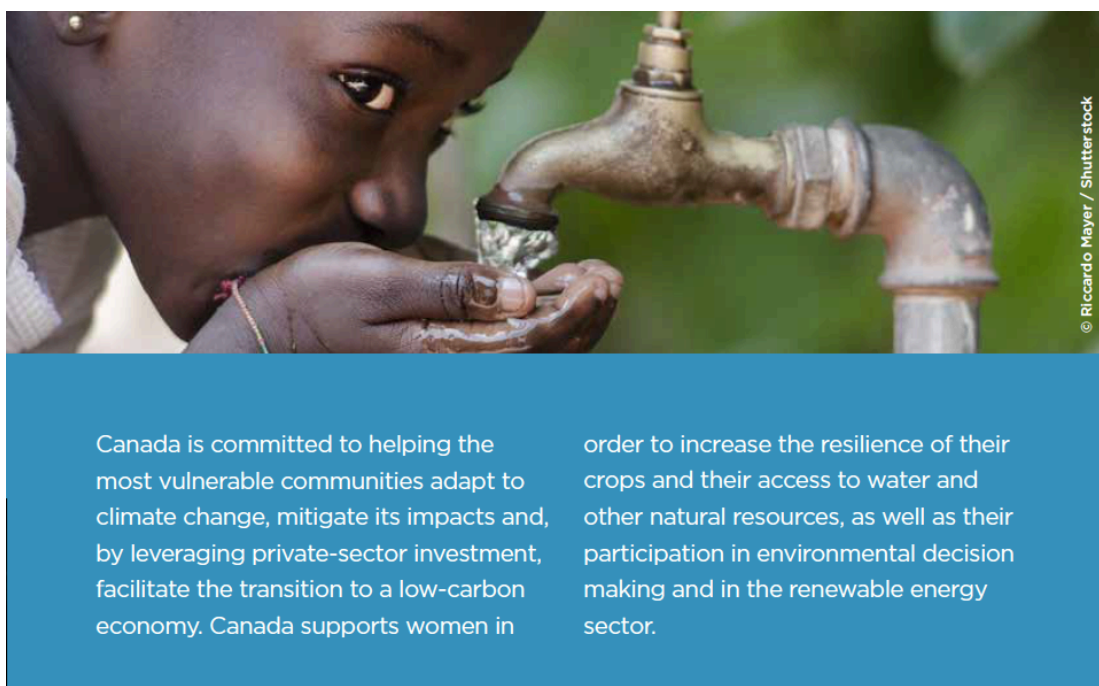
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Appendix

Figure 1:

Royalty-free stock photo ID: 276445445

Beautiful African Child Drinking from a Tap (Water Scarcity Symbol). Young African girl drinking clean water from a tap. Water pouring from a tap in the streets of the African city Bamako, Mali.

Figure 2:

© Riccardo Mayer / Shutterstock

Canada is committed to helping the most vulnerable communities adapt to climate change, mitigate its impacts and, by leveraging private-sector investment, facilitate the transition to a low-carbon economy. Canada supports women in order to increase the resilience of their crops and their access to water and other natural resources, as well as their participation in environmental decision making and in the renewable energy sector.

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